

ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES



**THE ROLE OF PRIVATE MILITARY AND SECURITY
COMPANIES IN AFRICAN CONFLICTS: WITH PARTICULAR
REFERENCE TO CONFLICTS IN SIERRA LEONE AND ANGOLA**

BY
EYASU GIZAW WOLDE

ADDIS ABABA

APRIL 2011

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ADVISOR

DR. TAREKEGN ADEBO

ADDIS ABABA UNIVERSITY

SCHOOL OF GRADUATE STUDIES

**COLLEGE OF SOCIAL SCIENCES DEPARTMENT OF POLITICAL
SCIENCE AND INTERNATIONAL RELATIONS**

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APPROVED BY BOARD OF EXAMINERS SIGNATURE DATE

ADVISOR

EXAMINER

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Acronyms

AFRC	Armed Forces Revolutionary Council (Sierra Leone)
APC	All People's Congress
AU	African Union
BBC	British Broadcasting Corporation
CCB	Civilian Co-operation Bureau
DRC	Democratic Republic of Congo
DSL	Defence Systems Limited
ECOMOG	Economic Community of West African States Monitoring Group
EO	Executive Outcomes
FAA	Armed Forces of Angola
FLEC	Front for the Liberation of the Enclave of Cabinda
FMAA	Foreign Military Assistance Act
FNLA	National Liberation Front of Angola
GSG	Gurkha Security Guards
IA	International Alert
ICI	International Chartered Incorporated
ICRC	International Committee of the Red Cross
IDAS	International Defence and Security Limited
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMF	International Monetary Fund
IR	International Relations
MPLA	Popular Movement for the Liberation of Angola
MPRI	Military Professional Resources Incorporated
NGOs	Non-Governmental Organizations

NPRC	National Provisional Ruling Council (Sierra Leone)
OAU	Organization of African Unity
ONS	Office of National Security
PAC	Partnership Africa Canada
Para.	Paragraph
PMCs	Private Military Companies
PMFs	Private Military Firms
PMSCs	Private Military and Security Companies
PSCs	Private Security Companies
PSI	Private Security Industry
RSA	Republic of South Africa
RSLMF	Republic of Sierra Leone Military Forces
RUF	Revolutionary United Front
SADF	South African Defence Force
SALW	Small Arms and Light Weapons
SAPs	Structural Adjustment Programmes
SAS	Special Air Service
SLPP	Sierra Leone Peoples Party
SRC	Strategic Resources Corporation
U.S.	United States
UK	United Kingdom
UN	United Nations
UNITA	National Union for the Total Independence of Angola

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Abstract

This thesis discusses the role and the involvement of Private Military and Security Companies (PMSCs) in the conflicts in Sierra Leone and Angola. The involvement of PMSCs in the conflicts in question was fundamentally facilitated by state weakness and regime insecurity. Regimes in both countries played a crucial role in inviting foreign private military forces in the wake of rebellion against the regimes. The paper employed qualitative, explanatory and descriptive research methodology. The data gathering method utilized is secondary sources which include books, articles, official documents and other publications. The study's main findings include: first, the involvement of PMSCs in the conflicts in Sierra Leone and Angola challenges (at least in the context of weak states in Africa), the traditional realist assumption in IR that the state is the exclusive actor that enjoys monopoly on legitimate use of force; second, in African conflicts in general and in the conflicts in Sierra Leone and Angola in particular the involvement of PMSCs is linked with the exploitation of strategic mineral resources such as diamonds, oil, coltan and others; third, though PMSCs are hired by their clients to end conflicts, the study shows that such entities in fact escalate conflicts; fourth, the study revealed that PMSCs hugely undermine state sovereignty by deploying a competitive and parallel structures of force within a single sovereign jurisdiction. It is assumed in the traditional parlance in IR and political science that conflict is a political process and thereby falls within the public sphere. However, privatization of security removes conflict from the public arena as events in Sierra Leone and Angola have shown. Thus regardless of the claim that PMSCs fill the security void in Africa where public security forces are inept, partial, or both, the involvement and the role of PMSCs in African conflicts in general and the conflicts in Sierra Leone and Angola in particular is a symptom of state failure in terms of provision of security to the people, protection of territory and resources. It is therefore believed that privatization of security in the form of PMSCs surrogates the state in Africa and has deleterious effect in one of the core responsibilities of the state.

Chapter I

Introduction

1.1. Background

The chief foundations of all states, whether new, old, or mixed, are good laws and good arms. And as there cannot be good laws where there are not good arms, I say, therefore, that the arms by which a prince defends his possessions are either his own, or else mercenaries, or auxiliaries or mixed (Machiavelli, 1952:72). The mercenaries and auxiliaries are useless and dangerous, and if any one supports his state by the arms of mercenaries, he will never stand firm or sure, as they are disunited, ambitious, without discipline, faithless, bold amongst friends, cowardly among enemies, they have no fear of God, and keep no faith with men (ibid.). The arrival of private military companies (PMCs) onto the international stage in the early 1990s suddenly made the question of what a mercenary was – and whether or not the world ought to be concerned - important once more (Percy, 2003).

The debate on the use of private security providers and services in Africa's conflicts and post-conflict situations has in the last decade grown in prominence within the broad field of security studies (Gumedze, 2009:1). This has also tremendously shaped the thinking of international lawyers as the involvement of private military and security companies (PMSCs) in African conflicts has had a significant impact on conflict resolution, International Humanitarian Law (IHL) and International Human Rights Law (IHRL) (ibid., 2009). As conflicts continue to be more complex in many countries around the world, the use of PMSCs has also increased. The privatization of security has now become a global phenomenon. From the beginning of the 21st century the world has witnessed an accelerated breakdown of the nation-state's monopoly on violence, and the emergence of marketplace purveyors of armed forces (ibid., 2009:1; Shcreier and Caparini 2005).

The phenomenon of mercenaries - and therefore private military intervention - has a long history in Africa. Many will remember how Bob Denard, Jean Schramme, Mike Hoare, and other foreign ex-servicemen from the colonial powers carried out destabilization missions in different parts of Africa in the 1960s and 1970s. Those mercenaries were attracted to

African conflicts mainly by the pull of adventure and the promise of cash rewards, danger allowances and free vacations after a short stint at the front (see Mockler, 1970) (cited in Musah, 2002:912). They usually operated as lone wolves or were organized into small bands to frustrate (or assassinate) nationalists, to support factions in internal power struggles, and to overthrow regimes that were unfriendly to a foreign power (Musah, 2002:912). Their activities triggered the adoption of the OAU Convention for the Elimination of Mercenaries in Africa in 1977, followed by a similar Convention by the UN in 1989. Since then, however, the mercenary trade has moved on (ibid.).

One illustration of how it has changed comes from Sierra Leone. In May 1997, a motley crowd composed of discredited junior army officers and the rebel Revolutionary United Front drove Sierra Leone's President Tejan Kabbah out of power (Tam-Baryoh *et al.*, 2002) (cited in Musah, 2002:912; Musah, 2000). While in exile in neighboring Guinea, the deposed president entered into an agreement with the UK based mercenary outfit, Sandline International, and their mining partners - the Toronto-based British-Canadian company Diamond Works, in return for an initial US\$ 10 million of arms and mercenary support to restore his administration, Kabbah agreed to cede 30 per cent of the country's diamantiferous landmass (worth US\$ 200 million) to the mining company (ibid.; Commission on Human Rights, 1999).

Private Military Firms (PMFs) represent the newest addition to the modern battlefield, and their role in contemporary warfare is becoming increasingly significant. Not since the eighteenth century has there been such reliance on private soldiers to accomplish tasks directly affecting the tactical and strategic success of military engagement (Singer, 2001-2002:187). With the continued growth and increasing activity of the privatized military industry, the start of the twenty-first century is witnessing the gradual breakdown of the Weberian monopoly over the forms of violence. PMFs may well portend the new business face of war (ibid.). Once seen as the exclusive domain of the state, security is today increasingly in the hands of private actors. The extent of this privatization is evident across the spectrum of security provision (Abrahamsen and Williams, 2007; Small, 2006). The African continent is often seen as the paradigmatic case of security privatization, and private military activity on the continent is frequently described as 'rampant'. Despite this, debates

about private security in Africa have as yet been limited in both their empirical focus and theoretical analysis (ibid.; Gumedze, 2009).

Empirically, attention has been almost exclusively centered on so-called ‘mercenary’ activities, with the activities of companies like Executive Outcomes (EO) and Sandline International continuing to act as central reference points more than a decade after the event (Abrahamsen and Williams, 2007). Undoubtedly, the role of combat active private military companies in African conflicts is of crucial importance, but the tendency to focus on a relatively small number of spectacular cases, or to associate security privatization with the return of the ‘dogs of war’ along the lines of the infamous mercenary activities of the 1950s and 1960s, has led to a neglect of more pervasive shifts in security provision on the continent, and hence arguably to a neglect of broader economic and political transformations that condition these developments (ibid.). Security privatization in Africa goes far beyond the role of the by now defunct EO to include a whole host of less spectacular, but no less important, everyday security actors such as private guarding companies, risk consultants, neighborhood watches and so-called vigilante groups. While less eye-catching than the combat active private soldier, the social and political implications of these private security actors are multifaceted and wide-ranging (ibid.; Musah, 2002).

In this study, by taking two African countries as a reference – namely Sierra Leone and Angola; the role of PMSCs in African conflicts is investigated. The research also shows some manifestations of PMSCs in Africa, and some of the factors that led to their emergence on the African security landscape. Though the designations (nomenclature) used to describe PMSCs by different authors vary, such variation is not as such important; for instance Musah (2002), uses both PMSCs and Private Security Companies (PSCs). Small (2006), uses Private Security Industry as well as PMSCs and PSCs; where as Gumedze (2009) and Holmqvist (2005) use PMSCs and PSCs respectively. Mercenaries, PMFs (soldiers of fortune and corporate warriors) are other terms used to describe PMSCs (Shearer, 1998; Singer, 2001-2002). In this paper, the different nomenclatures are used to discuss the phenomenon of privatization of security in Africa.

1.2 Statement of the Problem

Some of the most contentious issues that arise from privatizing the military and security sector concern the implications of their use for state sovereignty, the battlespace, contractual problems and dilemmas, their ambiguous legal status, their impact on civil-military relations, accountability, transparency, and human rights problems, issues of economic exploitation, vested interests in conflicts, their use as proxies for governments and their emergence as parallel structures of force (Shcreier and Caparini, 2005; Holmqvist, 2005). Practitioners and academics who specialize in conflict resolution particularly argue that private military companies hinder efforts to end wars and broker peace (Shearer, 1998:68). Security is no longer an exclusive service provided to all by the state, but instead something to be bought from a marketplace where the state is only one of many potential providers, and not necessarily the most efficient and reliable (Abrahamsen and Williams, 2007:135). The privatization of security challenges over three hundred years of accepted ontology regarding the state as having the sole legitimate right to force and violence (Small, 2006:4).

Military re-structuring, outsourcing, and privatization affect the very core of the state: its foundations, its authority, and, most worryingly, its control. Whilst states have long made use of forms of private security, these were largely ad hoc, covert, transient groupings that, having served a purpose, dissipated as promptly as they formed (Small, 2006:4). The Private Security Industry (PSI), Private Security Companies (PSCs,) and Private Military Companies (PMCs), on the other hand, embody an industry operating openly on the global market, organized along permanent corporate lines, and showing signs of growth rather than contraction. They are the result of the privatization of state functions (i.e. an actual process) rather than just being a form of private force (ibid.).

The fact that the private security industry is not regulated effectively remains the major challenge. Any task that PSCs and PMCs undertake in peacekeeping missions is based upon a contract with a client, be it the UN, AU or a government (Gumedze, 2007). There is no obligation on the part of either the client or the security company to make the contract public. Thus, the private contractor is only accountable to the client. The services rendered are, therefore, those that are required by the client. As a result of these contractual

obligations, most PSCs and PMCs operate in secrecy (ibid.). The commodification of violence and the privatization of security are accepted more widely today than at any other time in the history of the modern nation state. The growing trend internationally towards the privatization of security and the outsourcing of state functions typifies the steady erosion of the state monopoly over all forms of organized violence (Small, 2006:4).

States, businesses, international organizations, non-governmental organizations, individuals, and communities have all turned to the private sector for their security needs. There are few if any (in the strictest sense) wholly state-owned or managed military/security structures that subsist in the inter-state system today (Small, 2006:4; Holmqvist, 2005). PSCs and PMCs have come to acquire a *de facto* legitimacy and feature prominently in today's security setting (Small, 2006:4; Shcreier and Caparini, 2005). They have constituted themselves as credible alternatives to the insufficient or inexistent public means of regulating violence. Yet the emergence and expansion of the PSI, PSCs, and PMCs is problematic for a number of reasons, indeed it represents an anomaly in IR. The state, having the 'sole right to force,' has formed the basis of our understanding for the past three hundred years (Small, 2006:4).

Max Weber noted that the modern state arose because it 'successfully upheld a claim to the monopoly of the legitimate use of physical force in the enforcement of its order. The idea that private military groups might supplement or displace this core function of the state, and aid national development by protecting weak states against armed insurrection, would until recently have been dismissed without serious consideration (Howe, 1998:308). The belief that such non-state forces threaten the state's security and legitimacy has been long established. Machiavelli counselled his prince that mercenaries were militarily ineffective and disloyal (Howe, 1998:308). More recently, mercenaries in Africa have sometimes drawn their pay from Western sources, whether governments or mining companies. Such mercenary groups could readily be assumed to be ultimately accountable, not to the state but to the corporation that paid them (ibid.).

Private security and military companies are most immediately associated with the context of weak or conflict-prone states, particularly states on the African continent (Holmqvist, 2005: 11-2). Although there is no reliable information on the magnitude of the activity of private

security companies in Africa, it is generally agreed that PSC activity is far-reaching, particularly in sub-Saharan Africa. One study shows the involvement of 15 private military companies in conflict areas during the period 1950–89 and of 65 companies in the period 1990–98 (Holmqvist, 2005: 11-2). Private sector involvement in Africa is to a great extent symptomatic of state weakness and the failure of the state to provide physical security for its citizens through the establishment of functioning law-and-order institutions (Holmqvist, 2005: 11-2). However, state incapacity or failure provides only a part of the story of the provision of private security services in the context of weak states. Equally important for explaining the proliferation of PSCs is the establishment of parallel or ‘shadow’ structures of power and authority (ibid.).

Therefore, it is with this problem statement in mind that this study has attempted to investigate and discuss the role of private military and security companies in the African conflicts in question.

1.3. Objective of the Study

The main objective of this study is to investigate the role and involvement of PMSCs in African conflicts relating to the selected countries. As part of this main objective, this study has also sought to achieve the following specific objectives:

- identify the factors that led to the emergence of PMSCs in the world in general and in Africa in particular;
- discuss some of the challenges that PMSCs pose;
- indicate some of the possible responses that should be made to the challenges posed by PMSCs.

1.4. Research Questions

The basic research questions that this study addresses are:

What are PMSCs?

What do PMSCs do?

1.5. Research Methodology

This thesis is based on the qualitative, explanatory and descriptive research methodology. This research methodology is employed “to describe a set of non-statistical inquiry techniques and process used to gather data about social phenomena” (McNabb, 2005:341). It also helps to explain why some phenomenon occurred. The reasons for selecting this approach in this study are first, the study begins with out hypotheses but only a general question because its research problem or issue needs to be explained (Creswell, 1998; Dooley, 2003). Second, with regard to feasibility this study also uses qualitative research due to the fact that quantitative measures and statistical analyses simply do not fit the problem under the study or the research problem has no adequate measure, or difficult to capture with precise yardstick (ibid.). Third, being an explanatory and descriptive research, qualitative approach is selected as pertinent in order to grasp a detailed understanding of the issue in order to explain the involvement of PMSCs in African conflicts in respect of the conflicts in the African countries in question (White & Adams, 1994; Van Evera, 1997).

1.6. Method and Source of Data

With regard to data-gathering method, this study involved use of a qualitative method of data collection based on secondary sources. The sources include official documents, books, journal articles, media reports and electronic sources. Therefore, the paper has entirely relied on the appropriate secondary sources and official documents to elicit pertinent information. Primary method of gathering data had not been employed as the researcher for obvious reasons of lack of financial resources and shortage of time cannot travel and explore or investigate the role played by PMSCs in Sierra Leone and Angola. As a method of analysis, the data which was collected from the above sources will be utilized in order to explain the theme of the study and to make a valid conclusion.

1.7. Significance of the Study

Many if not all believe that the state is the only actor that wields the monopoly of the use of force both in times of armed conflict and peace. However, this is a misunderstanding as there are non-state actors called PMSCs that have coercive capacity in their own right which they exercise during armed conflicts. This thesis attempts or tries to correct the common but wrong assumption by many that the state is the only actor in international relations with coercive capacity. It is hoped that this study can help raise awareness (with in a limited context) about the existence, the role and the challenges posed by PMSCs during armed conflicts in Africa and beyond.

1.8. Organization of the Research

This study has six sections. The first part is introduction. The next is chapter two which has two parts dealing with literature review and conceptual framework and theoretical perspective respectively. Chapter three is a brief discussion of the context in which PMSCs resurfaced in Africa in the post cold war period. Chapter four is about the role of PMSCs in the conflicts in Sierra Leone and Angola. Chapter five discusses the challenges posed by the private security sector and the responses in respect of same. The last part is a conclusion.

1.9. Scope and Limitation of the Study

The scope of this thesis is limited to the discussion of the role of PMSCs in African conflicts by focusing on the selected countries. Limitations of the study include shortage of time, availability of adequate materials and shortage of financial resources. In fact it was discovered in the course of the research and it was astonishing that a single book or any other relevant material was not available at the Addis Ababa University main campus libraries relating to the subject of the research. It was with the support of a friend abroad that the researcher managed to get some books which were very important to write the paper. Internet connection was also a frequent problem that was a ‘normal’ encounter.

Chapter II

Literature Review: Conceptual Framework and Theoretical Perspective

2.1. Literature Review

The basic goal of this literature review is to trace key issues and develop themes relevant to the specific study problem (Piantanida & Garman, 1999). In doing so, the review frames the problem of the study in its context. The purpose of this literature review is first to develop its approach on the study, and then to offer a point of reference for use when discussing and interpreting the outcome of this research (Lang & Heiss, 1990). First, it starts with briefly looking at the involvement of private actors in warfare in historical context as well as recent wars and then the role of private actors in Africa in general. Then it will discuss the privatization of security in Africa with particular emphasis on the involvement of PMSCs in Sierra Leone and Angola. Finally, the reemergence of the private security sector in recent years, its impact on state sovereignty and the control of violence along with some factors that led to the emergence of security privatization in Africa and some of its manifestations will be discussed.

2.1.1. Private Military Actors and Conflict in Historical Context and Recent Wars

Mercenarism – the practice of foreign professional soldiers freelancing their labour and skills to a party in conflict for fees higher and above those of soldiers of the state in conflict - is as old as conflict itself (Musah and Fayemi, 2000:5). Mercenary activity triggered the First Punic War between Rome and Carthage as far back as 264 BC. Earlier, in 334 BC, Greek mercenary hoplites (foot soldiers who carried spears) were used by Persia in the war against Alexander the Great. Examples of mercenary practice were prevalent during the Roman Empire, and even today, in the Vatican, the special Swiss Guard is still used for the protection of the Papacy (Musah and Fayemi, 2000:5; Nossal, 1998:19).

Every empire from Ancient Egypt to Victorian England utilized contract forces (Singer, 2001-2002:190). As Zarate (1998) (cited in Small, 2006:7) wrote:

The Roman Empire employed Teutonic tribesmen to extend border lines and rule terrain; the Byzantine Emperor hired the Grand Catalan Company to wage war with the Turks; the British utilized the Hessians during the American War of Independence; the British also made use of the Hudson Bay Company, the Dutch East India Company, and the British South Africa Company, all mercantile companies, to wage war, extract trade monopolies, and expand the motherland colonial empire.

Individuals, communities, societies or states that were unable to secure territory, property, or engage in war, resorted to the practice of hiring mercenaries, soldiers of fortune, private armies and armed contingents since the dawn of war (Schreier and Caparini, 2005:1). Before the rise of the nation-state, nearly all force was contracted. From the 12th century through the peace of Westphalia in 1648, military contractors often employed soldiers trained within feudal structures, sending them to whomever could pay, from Italian city-states to the Vatican (Avant, 2004:20). Nagan and Hammer (2008) (cited in Gumedze, 2009:3), claim that “the privatization of military combat function is not a new phenomenon. Both PMSCs and mercenary forces have been involved in warfare ‘from long before the nation state was acknowledged to be the principal political construction.’”

A general assumption about warfare is that it is engaged in by public militaries (i.e., armies of citizens) fighting for a common political cause. This assumption, however, is an idealization. Throughout history, participants in war have often been for-profit private entities, loyal to no one government (Singer, 2001-2002:190; Holmqvist, 2005). Indeed the state monopoly over violence is the exception in history rather than the rule (Holmqvist, 2005). The use of private armies is not an entirely new phenomenon on the international security landscape, nor is it a tool which states have previously neglected to draw upon. As transnational actor in world politics, mercenaries have been and continue to be deeply tied to the sovereign state (Small, 2006:6; Nossal, 1998:16). Private security in the past occurred in three main forms: the ‘freelance mercenary,’ or individual ‘soldier for hire’ type; the mercenary ‘free company’ also known as the ‘condottiere;’ and finally mercantile companies (Small, 2006:6).

The freelance ‘soldier for hire’ type refers to individual soldiers who independently market themselves on the black market to the highest bidder. This type of combatant was (is)

ephemeral, not easily controlled, largely unobservable, and very hard to hold accountable (ibid.). The ‘free companies’ or ‘condottiere’ form of non-state violence were essentially bands of fighting men who offered their skills jointly, as opposed to individually (see Zarate, 1998) (cited in Small, 2006:6). Although they represented a more organized structure of violence, these structures were *ad hoc* and therefore also hard to monitor and control (Small, 2006:6). Finally, the mercantile company represented the most pervasive structure of not only private security, but also private enterprise. Private security was a permanent feature of the mercantile company, deeply embedded in greater forms of private economic power and agency (ibid.).

According to the House of Commons (UK), the renting of non-state armies to do battle has also featured prominently in recent wars such as the wars in, Liberia, Republic of Congo, Afghanistan, Kashmir, Nicaragua, and in a series of coup attempts in the Comoros, Haiti, and Suriname to mention a few (The House of Commons, 2002:9). Private military firms (PMFs) have operated in relative backwaters, key strategic zones, rich and poor states and they have also influenced the outcomes of numerous conflicts (Singer, 2001-2002:188; Musah, 2002; Gumedze, 2009; Holmqvist, 2005). They are credited, for example, with being or having been determinate actors in wars in Angola, Croatia, Ethiopia-Eritrea, and Sierra Leone (Singer, 2001-2002:188; Howe, 1998). The privatized military industry's reach extends even to the world's remaining superpower. Every major U.S. military operation in the post-Cold War era (whether in the Persian Gulf, Somalia, Haiti, Zaire, Bosnia, or Kosovo) has involved significant and growing levels of PMF support. The 1999 Kosovo operations illustrate this trend (Singer, 2001-2002:188; Musah, 2002; Gumedze, 2009; Holmqvist, 2005).

2.1.2. Private Military Actors/Mercenaries in Africa

The use of mercenaries by major European colonial powers in the attempt to maintain control of overseas territories is well documented. Invariably, such special troops have been hired to carry out assignments that regular armies would not be called upon to perform,

because they are either morally repugnant and/or illegal under assumed or laid down rules of engagement in armed conflict under international law (Musah and Fayemi, 2000:6).

In Africa, the genesis of mercenary activity in the 1960s coincided with the peoples' struggles to assert their right to self-determination and independence. Contract killers such as 'Mad' Mike Hoare, Jacques 'Black Jack' Schramme, Callan and Bob Denard (real name Gilbert Bourgeaud) were hired by former colonial powers and other external interests to undermine the rights of the peoples of Algeria (1956), the Congo (1960s), the Comoros Islands (1970s-90s), Benin (1970s) to choose their leaders and assert their political independence, or to destabilize sovereign states (Guinea, Angola, Seychelles, Mozambique) (ibid.; Schreier and Caparini, 2005:16). They assassinated Heads of state of sovereign nations (Lumumba in the Congo, Ahmed Abdallah on the Comoros Islands), and staged the violent overthrow of, or attempted coups against, governments (Musah and Fayemi, 2000:6). The soldiers of fortune that ran riot over the African continent in the 1960s were individuals or small ex-military groups that operated in the shadows (Musah, 2002:912; Avant, 2004:20).

Most weak states in Africa are extreme cases of the complex and contradictory processes of state-making and unmaking in the continent. Beneath the cover of formal sovereignty, most African states started their independent existence in the 1960s. Since then, they have either followed the path of self-destruction (state collapse) or have sought to undertake state building process (Musah, 2002:911). Private military intervention is one of the key external factors undermining African security. Whether in its classical or modern form, the privatization of security impedes the internal security landscape in weak states (Musah, 2002). The privatization of security impedes efforts to fashion accountable governance, and entrenches the culture of violence. Private military companies, their partner arms brokers and local warlords are the principal actors in illegitimate resource appropriation – a major cause of asymmetric warfare in Africa – and the proliferation of weapons – an incendiary element in these wars (Musah, 2002:912; Francis, 1999).

Like their public counterparts, the private security forces have the right to use physical force, whether such force is of an offensive or defensive nature. Africa has by no means

been spared the development of this phenomenon, which presents new challenges, especially since the world, and Africa in particular, has been taken unawares by its dynamism (Gumedze, 2007:1). It is beyond question that the private security sector in Africa is expanding at a considerable rate, and that its personnel are likely to outnumber their counterparts in the public sector (ibid.). From the lack of development to food insecurity, to a weak culture of democracy, to the general absence of peace and security, the involvement of the private security sector has introduced even more complicated challenges, which if not holistically addressed, will no doubt aggravate insecurity on the African continent (ibid.).

In the African context two instances of private security sector engagement were particularly influential in setting the scene for the initial debates about private security and military services: the involvement of the South African company Executive Outcomes (EO) in the conflicts in Angola and Sierra Leone in 1995–97 and that of Sandline International (an international company registered in the Bahamas but with offices in London and Washington, DC) in Sierra Leone in 1997–98 (Holmqvist, 2005:3; Gumedze, 2009; Francis, 1999). Hired by national Governments to provide direct military assistance and participate in combat against rebel forces, EO and Sandline and their operations were widely viewed as representing the return of mercenary activity, albeit in a new shape. These ‘pioneer’ companies made no effort to conceal their provision of guns for hire (Holmqvist, 2005:3; Musah, 2000; Francis, 1999).

What is most striking about EO is the fact that it openly participated in offensive combat operations at the instances of governments and multinational corporations (Gumedze, 2009:3). It was not until its involvement in Sierra Leone that serious concerns were raised, especially because of its growing interests in Sierra Leone’s rich mineral resources, which became a form of payment to the organization for the services rendered (ibid.; Musah, 2000; Francis, 1999; Small, 2006). In fact, a PMSC’s interest in any activity is driven by the pursuit of maximum profits. Ensuring peace and security is, arguably, a secondary consideration (ibid.; Musah, 2000; Francis, 1999). Machiavelli (1952) also stated that

mercenary units have no love or motive to keep them in the field beyond the trifling wage, which is not enough to make them ready to die for the client.

2.1.3. PMSCs in Sierra Leone

The story of private military intervention in the affairs of Sierra Leone goes back a considerable time, and is intimately connected to attempts by either the state or other political and economic actors to exploit or control the country's mineral resources (Douglas, 1999:175-77; Abrahamsen and Williams, 2005; Musah, 2000). The crisis in Sierra Leone started in March 1991 when the Revolutionary United Front (RUF), led by Corporal Foday Sankoh, crossed the border from Liberia to launch its rebellion against the government of president Momoh (ibid.; Musah, 2000:86). Momoh's government was overthrown in April 1992 by a group of rebellious officers under Captain Valentine Strasser who called themselves the National Provisional Ruling Council (NPRC) (ibid.; Reno, 1998:125). The RUF continued its campaign of random violence in the forests of the south and east despite the overthrow of the Momoh regime (Douglas, 1999).

With the RUF literally knocking on the doors of Freetown by 1995, Strasser first looked to the outside world for military and security aid. Seeking to ensure a continued flow of revenue, Britain introduced him to a private military company employing Gurkhas to assist in securing the country's principal diamond and titanium oxide mines against the raiders (Vines, 1999:129; O'Brien, 2000:183; Francis, 1999). The Gurkha Security Guards (GSG) contingent was commanded by Major Bob MacKenzie and was composed of former 'crack' troops from that most famous of British mercenary forces – the Gurkhas of Nepal (Vines, 1999:129; Musah, 2000:187). The GSG arrived in January 1995 to set up a training base for the Sierra Leone special forces and later infantry officer cadets (Musah, 2000; Vines, 1999). The Sierra Leone Information Minister announced that, “[t]hese people have come to assist in the training of our forces. We've had some problems in the military getting used to jungle tactics.” (Vines, 1999:129). The Sierra Leone government had requested that GSG train their army officer cadets. The GSG stated about its contract in Sierra Leone in its sales brochure

that “It is extremely unusual for any nation state to entrust the training and welfare of their future military officers to a commercial company composed solely of foreigners.” In January 1995, GSG began to train the Sierra Leone military in counterinsurgency techniques, from hot pursuit, to ambushing and evacuation (Vines, 1999:129-30; Musah, 2000:87).

According to Anthony Husher who was one of the founding co-directors of GSG, “[w]e that is the GSG, trained selected security units in the very basics of protecting their civilian population and economic assets from the predations of armed bandits.” (Vines, 1999:129-30). With departure of GSG in May 1995, Strasser was negotiating with another organization – EO which was introduced to Strasser by Michael Grunberg and Anthony Buckingham of the mining company Branch Energy (Howe, 1998; Douglas, 1999). Branch Energy also negotiated the contract for the provision of security services between EO and the government of Sierra Leone (Douglas, 1999:179-80; Howe, 1998). This contract required EO to provide 150 to 200 soldiers, fully equipped and with helicopter support, mandated to support the Republic of Sierra Leone Military Forces (RSLMF) with training and other forms of assistance, while aiding in prosecuting the war against the RUF. For this, EO would be paid US \$2 million per month (Douglas, 1999:179-80; Howe, 1998).

During May 1995, with the RUF offensive having reached the outskirts of Freetown, fifty soldiers from EO arrived in Sierra Leone. This was the lead contingent, with a further 130 or so arriving six months later as the Angolan operations of EO drew to a close (Douglas, 1999:180-1). The EO historical synopsis states that, over the period April 1995 to January 1997, the company was contracted to provide “... military advisory and support services ... to the NPRC of Sierra Leone.” (ibid.). This obviously includes the services provided to the Sierra Leone Peoples Party (SLPP) which replaced the NPRC in March 1996. The first item of business was a restructuring exercise, directed by EO, which saw the reorganization of basic and specialist training. Given the urgency of the situation, a crash course for individual soldiers and rifle companies was conducted at the same time to deter the immediate threat to Freetown (ibid.).

The requirement to lift the RUF siege on Freetown dictated the establishment of a Joint Headquarters between EO and the RSLMF, subsequently set up at Cockril Barracks in Freetown, the headquarters of the RSLMF (Douglas, 1999:180-1). While the training of rifle companies for the impending operation was going on, EO supplied the RSLMF with the essential, though less visible functions of information and intelligence gathering, command, control and communications, helicopter support, and finally a guarantee of both logistic and fire support for operations (ibid.; Howe, 1998).

2.1.4. PMSCs in Angola

The recruitment of mercenaries in Angola is not a new phenomenon as elsewhere in Africa. In November 1975, National Liberation Front of Angola (FNLA) president Roberto, suddenly deprived of Western support and faced with the retreat of the Zairian forces provided by Mobutu, recruited mercenaries in Britain, the U.S. and the Netherlands (Cleary, 1999:148; Pech, 1999:86). In early 1993, the National Union for the Total Independence of Angola (UNITA) troop columns were marching on the Angolan capital, Luanda. With its oil resources under threat and its back against the sea, the Popular Movement for the Liberation of Angola (MPLA) government was ready to accept outside assistance – especially from forces with a firsthand knowledge of UNITA (ibid.; O’Brien, 2000; Howe, 1998).

A deal was struck –negotiated by Buckingham and his colleague, former British Special Air Service (SAS) officer Simon Mann – whereby the state-owned oil entity SONANGOL would partly finance the mercenary support operations and, in turn, the project leaders of EO would work closely with their former enemy, the Armed Forces of Angola (FAA) and its military chief, General João de Matos (ibid.; O’Brien, 2000:51). EO set about planning a more thorough mission. They recruited more carefully and established a highly successful support operation in Angola that enabled the FAA government forces to claim a decisive military victory in late 1994. In November 1994, representatives of Savimbi and the Angolan president, José Eduardo dos Santos, signed the Lusaka Peace Accord and full-blown war was temporarily averted (Cleary, 1999:148; Pech, 1999:86).

In 1993, EO executed its first significant military operation and thereby led the charge of the new corporate brigades into Africa. Two former British special service officers with oil interests in Africa hired Barlow (founder of EO in 1989) and a colleague to recruit a band of mercenaries for two month's work in north-western Angola in January 1993 (Pech, 1999:85; O'Brien, 2000:51). The operation sounded simple – capture and defend valuable oil tanks at Kefekwena and then do the same for the oil town of Soyo which had been overrun by the troops of Jonas Savimbi's National Union for the Total Independence of Angola (UNITA) (Vines, 1999:129). Barlow assisted by Lafras Luitingh, who was the head of a former Civilian Co-operation Bureau (CCB) cell of the South African Defence Force (SADF), recruited as many of their former 32 Battalion colleagues in the SADF and departed for Soyo with half the numbers that had been requested (Pech, 1999:85).

An operation that was regarded as a cinch (something considered to be accomplished easily) turned into a pitched battle once the South Africans were deployed. Thousands of UNITA troops had moved into the area. Several mercenaries were wounded and three died in action. Over two dozen chose to terminate their contracts and were evacuated after just a few days (Pech, 1999:85). The remaining men – including Luitingh who led one of the three fighting groups – chose to stay on. For their perseverance, they were paid a bonus of \$3 000 by their client, former British officer, Anthony Buckingham. Buckingham was at the time a senior board advisor to several North American oil companies and the founder and chief executive officer of Heritage Oil and Gas in London (ibid.).

Angola has experienced more than its share of conflict in the past decades. The period of most intense violence in the country's history was between late October 1992 and January 1995. A private military company played a significant role during this episode of the conflict, influencing both its course and duration (Cleary, 1999:141-8; Vines, 2000; Howe, 1998). A review of private military activities in Angola is necessarily dominated by an analysis of the performance of EO. What distinguishes EO in Angola, therefore, is not that it was a private security company. It was, in fact, a private military company, capable of

delivering private, specialized, military forces, thus providing services that no civilian security company is equipped or licensed to provide (Cleary, 141-8, Howe, 1998; Musah, 2000). EO is thus not simply a species of the same genus as the civilian security firms providing asset protection services in Angola. What distinguishes it is that it provided combat services to the Angolan government in its military campaign against UNITA (ibid.; Gumedze, 2009; Howe, 1998; Francis, 1999).

2.1.5. The Emergence of PMSCs, their Impact on State Sovereignty and Military Functions

According to the International Committee of the Red Cross (ICRC), since the end of the cold war, demand for PMSCs has increased to such an extent that there is now a lively PMSC industry offering an ever wider range of services, with some companies employing well beyond 10,000 staff. In terms of scale and scope of services involved, PMSCs today are a wholly new phenomenon (ICRC, 2009; Holmqvist, 2005; Singer, 2001-2001). Private security is not a novelty on the international security landscape. It has undergone many changes, permutations, and alterations over the centuries but it still exists in one form or another (Small, 2006:14). In recent years, the Westphalian world of the nation-state as the unchallenged pillar of international order – with defense against threats from outside as the primary mission of its armed forces – has been superseded by a much more complex reality that has brought back the privatization of war and conflict (Schreier and Caparini, 2005:1). Not since the 17th century has there been such reliance on private military actors to accomplish tasks directly affecting the success of military engagements. Private contractors are now so firmly embedded in intervention, peacekeeping, and occupation that this trend has arguably reached the point of no return (ibid.).

For instance it was estimated in March 2003 that 15, 000-20, 000 private security contractors were working in Iraq, and the conflict there was referred to as ‘the first privatized war’ (Holmqvist, 2005:1). Since then, both the number and the visibility of contract personnel in Iraq have increased, triggering a broad debate on the role of private companies which provide military and security services to states, corporations and non-

governmental organizations (NGOs) (Holmqvist, 2005; Singer, 2001-2002). However, the phenomenon is neither new nor exclusive to the Iraqi conflict. The past decade has seen the rise and consolidation of a global industry for private security provision, with over 100 companies operating in as many countries worldwide (Holmqvist, 2005:1; ICRC, 2009). The rise of the PMC industry reflects the new business face of war. Representing the newest addition to the modern battlespace, the role of PMCs in contemporary warfare is becoming increasingly significant, changing armed forces around the world and the ways wars are fought (Schreier and Caparini, 2005:2). Thus, with the continued growth and increasing activity of the private military industry, the start of the 21st century is witnessing the accelerating breakdown of the nation-state's monopoly on violence, and the emergence of a marketplace for the purveyors of armed force (Schreier and Caparini, 2005:2; Small, 2006). The power of PMFs has been utilized as much in support of state interests as against them. With the growth of the privatized military industry, the state's role in the security sphere has become deprivileged, just as it has in other international arenas such as trade and finance (Singer, 2001-2002:187). As O'Brien (1998:80) observed "by privatizing security and the use of violence, removing it from the domain of the state and giving it to private interest, the state in these instances is both being strengthened and disassembled."

As discussed in the earlier sections of this study and as Jeffrey Herbst (1999) (cited in Singer, 2001-2002:190) has noted, "The private provision of violence was a routine aspect of international relations before the twentieth century." This only began to change with the advent of the Westphalian order in 1648, when the idea of states as providers of security became constitutive and defining for modern statehood (Schreier and Caparini, 2005; Small, 2006; Bellamy, 2008). Ever since the 18th century, states have monopolized violence with the ability to raise armies and wage war. Governments have conscripted or enlisted their own citizens to secure their citizenry and sovereignty from internal and external threats (Schreier and Caparini, 2005:1). Citizens fought wars in the name of the state, out of loyalty, nationality, and ideology. This capacity for providing security at home and abroad has led to the ability of states to contribute to collective security on the regional and global scale (ibid.). The state remains the most basic unit of analysis in International Relations (IR). Furthermore, security provision is at the heart of the state, it is its core defining

characteristic, its *raison d'être*, an abdication of which holds great consequences for the state and state system as we conventionally know it (Small, 2006:5; Williams, 2008; Bellamy, 2008; Avant, 2008). Military functions should not be delegated to private agents. Empowering private sources of authority, in the form of PMCs, to perform critical national security and military tasks forever compromises state power and sovereignty (Small, 2006:5). It also commodifies security as a public good, structurally altering and removing it from the public domain of accountability, legitimacy, and control (Small, 2006:5; Avant, 2008; Holmqvist, 2005; Commission on Human Rights, 1999).

The hiring of foreign soldiers, private armies, or 'mercenaries' was, and still is, considered the antithesis to the founding of the modern nation state and the Westphalian order. Indeed, "bringing non-state violence under control was one of the achievements of the last two centuries." (Small, 2006:9). The state is deemed to hold the sole legitimate monopoly over violence whereas PMCs represent an anomaly in this accepted ontology (Small, 2006; Hutchful, 2000). The private provision of security and military services and the engagement of non-state actors in war challenge conventional assumptions about the roles of the nation state as the main protagonist in military affairs and as the guarantor of physical security for its citizens (Holmqvist, 2005:1; Lowenheim and Steel, 2010). In the absence of effective legal or regulatory structures, such activities raise issues of legality, legitimacy and accountability in the sphere of security policy (Holmqvist, 2005:1). According to sociologist Max Weber's conception of the modern nation state, a defining characteristic is the state's monopoly on the legitimate means of violence, including the sanctioning, control and use of force (Weber, 1946). Although this view of the nation state continues to inform and underpin most of the debate on international security, state exclusivity in the military realm is, in fact, an exception historically. The incidence of the supply of military services by private actors is as old as warfare itself (Holmqvist, 2005:1).

While the private security industry has the capacity to wage a conflict or war, it also possesses the competence to end them (Gumedze, 2007:9). The examples of PMC

“successes”, in particular the role of EO in Angola and in Sierra Leone are contrasted with the failure of the international community to intervene and react in serious crisis situations (Leander, 2002:7-8). In particular, Rwanda (where Kofi Annan complained that he could have saved thousands of lives with a very small number of troops) is raised as a case clearly showing the urgency to review the potential of using PMCs for peace keeping missions. (Gumedze, 2007:9; Leander, 2002:7-8). Authors urge to “give war a chance” (Shearer 1998:79). Brooks (2000) and Coker (1998) (cited in Leander, 2002:2-3) compare PMSCs (the new) mercenaries with messiahs and the outsourcing of war is praised. A growing number of experts are advocating a regulated use of PMCs. Clearly, these are not arguments that can simply be rejected as trivial. However, to argue that the idea that we should “give war a chance” deserves all the scepticism it spontaneously provokes (Leander, 2002:8).

Rather, the proliferation of mercenary activity fuels the ungovernance of political violence and undermines, or makes more difficult the establishment of, the state monopoly on legitimate violence. And unfortunately this is not something which can be prevented simply by differentiating good from bad mercenaries (Leander, 2002:8). PMCs have been very effective in reestablishing order in some cases. And it would be immoral indeed to neglect the importance of it for civilians plagued by the spread of violence or for states that cannot by themselves create stability and impose order (Leander, 2002:8; Shearer, 1998; Howe; 1998). The lesson many seem to draw from this is that we must allow—or even encourage—the creation of a regulated market for PMC activity. But notwithstanding these undeniable successes, there are two major difficulties with this idea: the first is that there is a serious risk that creating a market for military services will engender a vicious circle where the supply of services pushes the demand. The other is the risk that it will crowdout state institutions and hence fuels the spread of violent conflicts which have their roots in the weakness of states (Leander, 2002:8). Many authors, scholars and researchers in the field of security associate the rise and the consolidation of PMSCs in Africa with the process of state collapse and the inherent weakness of the African state. Small (2006:13) for instance argues that:

whilst African states may possess the juridical aspects of sovereignty and of statehood they do not possess the more highly rated internal attributes of statehood such as representation, legitimacy, reciprocity, and most importantly, a monopoly over force. African states did not begin as a security shield.

Authors like Reno (1998); Musa (2002); Gumedze (2007); Holmqvist (2005); and Jackson and Rosberg (1982) subscribe to the same notion as expressed above. In the African context, the military-security apparatus has long been devoid of any true affiliation with its people (and therefore lacks legitimacy), and has long been used to ensure regime security rather than state security (Small, 2006:13-4). Though there is much truth in these assertions, the fact is that PMSCs feature in both weak and strong states invariably. Russia, the United States and South Africa are best examples of strong states where PMSCs operate (Gumedze, 2007; Holmqvist, 2005; Schreier and Caparini, 2005).

The involvement of PMSCs in African conflicts is often traced back to the 1960s and the 1970s in the form of mercenary units. Again it is often argued that the resurgence of PMSCs in the African security landscape is associated with the end of the cold war and other factors (Musah, 2002; Schreier and Caparini, 2005; Singer, 2001-2002). But literature on the involvement of mercenaries or PMSCs in conflicts in Africa reveals that mercenary soldiers involved in African conflicts as back as the 1870s and 1880s. Egypt's use of foreign soldiers in its conflict with Ethiopia (Abyssinia) and Turko-Egyptian regime's use of mercenary generals (most famously, Charles Gordon) in the Sudan attest that objectively speaking, it would be more correct to say that mercenary involvement in Africa is quite old (Rubenson, 1978 ; Flint and de Waal, 2008:9).

Critics of the privatization of security base their arguments generally on the accepted Weberian ontology for the last three hundred years that the state has been and still is the sole source of legitimate monopoly of force and that the state is the sole legitimate security actor (Small, 2006; Hutchful, 2000; Lowenheim and Steel, 2010). However, such arguments are challenged by others that as far as Africa is concerned, in many cases, the private security sector complements the operations of state security forces and fills the security vacuum (Singer, 2001-2002; Rimli, 2007). Such arguments are based on the fact that PMSCs go

through states, are controlled by them and they always have existed. PMC's stress that they only provide services to legitimate clients, and that they have a record of successfully imposing order (Howe, 1998; Shearer, 1998). Foreign offices stress that the companies are intimately tied into the foreign services (Leander, 2005:7).

Yet, even those who argue for regulated functions and services of PMSCs do not say that such entities in any way sustain long-term stability per se and eliminate mercenaries (Gumedze, 2009:3; Holmqvist, 2005). The problem therefore is that those who argue against the privatization of security do not readily answer the question that 'what options does a particular African weak state faced with multiple security challenges has except resorting to the services of PMSCs?'. Further, in the debate regarding the privatization of military and security functions; there is no consensus among scholars, security experts, the private security sector and other stake holders about state exclusivity in the military realm (Holmqvist, 2005; Gumedze, 2009; Singer, 2001-2002). In fact, it is claimed the use of private actors and the incidence of the supply of military services by such actors are as old as warfare itself and precede the state (Holmqvist, 2005; Gumedze, 2009; Singer, 2001-2002). On the contrary, Small (2006) strongly argues that the use of private military and security actors in IR constitutes an anomaly without denying the involvement of private actors in conflicts throughout history. However, the fact that private actors had involved in warfare historically and continue to involve in contemporary conflicts did not bestow on such entities the right to use force in the Weberian context. This is because the state had been and remains to be the core referent object of the international system and one can not argue that the state is an exception when it comes to the waging of war and the provision of security (Lowenheim and Steel, 2010; Commission on Human Rights; 1999; Hutchful, 2000).

2.1.6. Some Factors that led to the Development of PMSCs after the Cold War in Africa

A number of factors have contributed for the emergence and proliferation of PMSCs in the post-cold war world. Though these factors will be discussed in the later stages of this study, some of them include totalitarian liberalization (harsh economic and political impositions

prescribed in the form of Structural Adjustment Programmes (SAPs)) in the realms of global economics and politics, the increasing inability of weak governments to counter internal violence and the associated process of state collapse, the end of the cold war, vested interest in the use of PMSCs by state officials and the argument that PMSCs could be deployed as 'force multipliers' by governments who cannot tip the balance to their favour in an armed conflict and who cannot obtain the help needed from outsiders (Musah, 2002; Shearer, 1998, Singer, 1998, Rimli, 2007; Leander, 2005).

2.1.7. Manifestations of Privatization of Security in Africa

The private security sector and the challenges it poses in Africa manifests itself in various forms. These include the impact on state sovereignty and the legitimate use of force, violations of human rights, exploitation of resources and arms proliferation (Small, 2006; Musah, 2002; Schmeidl, 2007; Commission on Human Rights, 1999; Schreier and Caparini, 2005; Francis, 1999). PMSCs in Africa are often linked with mercenary activity, military coups and viewing conflict as a legitimate source of business (Gumedze, 2009; Dyer, 2004; Shearer, 1998; Commission on Human Rights, 1999). In 2004 for instance, a mercenary group led by a British mercenary named Simon Mann was arrested by Zimbabwean security services. Mann was the co-founder of the EO. Many of the 80 military contractors arrested in March 2004 for their plans to overthrow the government in Malabo, Equatorial Guinea, were former EO employees (Dyer, 2004). The view that the involvement of PMSCs in resource-driven conflicts in Africa seems sound and well documented (Francis, 1999; Musah, 2002). However, research so far did not show why other countries with lootable resources like Bolivia, Venezuela, Norway, Brazil or the United States are not a scene of conflicts involving PMSCs.

2.2. Conceptual Framework

The conceptual framework of this research is a conceptual guide developed to show the operationalization of the phenomena that is under study. It will explain the main concepts and issues in the research (Maxwell, 2005).

2.2.1. Private Military Industry

The Private Security Industry (PSI), Private Security Companies (PSCs,) and Private Military Companies (PMCs), embody an industry operating openly on the global market, organized along permanent corporate lines. They are the result of the privatization of state functions (Small, 2006:3-4). Today's privatized security entities in the form of PSCs and PMCs share both similarities and departures with the old style form of contract security providing forces (Small, 2006:7; Shearer, 1998; Singer, 2001-2002).

2.2.2. Private Military Companies (PMCs)

PMCs possess an 'immediate capacity' for violence, that is, they offer more active offensive or tactical military and security services, equipment, advice, and training (Small, 2006:8). They are more combat orientated and are mainly contracted by states or recognized governments to augment their national military capabilities and specializations (Small, 2006:8; Singer, 2001-2002, Shearer, 1998). It should be noted here that the division between the services PSCs and PMCs offer is somewhat flexible; indeed, they are often affiliates of one another (Small, 2006:8; Musah, 2002). Whilst there are definitive tasks that each Private Security Service (PSS) offers, they often intersect and crossover with regard to whether the services they provide are classified as defensive or offensive (Small, 2006:8; Singer, 2001-2002; Musah, 2002). Both the PSCs and PMCs are corporate entities, that is, they are organized along corporate lines, they operate within general business codes and strictures, are registered for tax purposes, sign legally binding contracts, and operate on the open global market. In this way they differ from the previous forms of private security as embodied in the freelance mercenary and the *condottiere* (Small, 2006:8; Singer, 2001-2002; Shearer, 1998).

According to the Montreux Document, "PMSCs" are private business entities that provide military and/or security services, irrespective of how they describe themselves. Military and security services include, in particular, armed guarding and protection of persons and objects, such as convoys, buildings and other places; maintenance and operation of weapons

systems; prisoner detention; and advice to or training of local forces and security personnel (ICRC, 2009:9). A PMC is: “a registered civilian company that specializes in the provision of contract military training (instruction and simulation programs), military support operations (logistic support), and operational capabilities (special forces advisors, command and control, communications, and intelligence functions), and/or military equipment, to legitimate domestic and foreign entities” (Schreier and Caparini, 2005:17-8). A more general definition of a PMC is: “a company that provides, for a profit, services that were previously carried out by a national military force, including military training, intelligence, logistics, and offensive combat, as well as security in conflict zones” (ibid.). In the same vein, the UN Draft International Convention on the Regulation, Oversight and Monitoring of Private Military and Security Companies (Draft Convention), under Art. 2 defines a private military and/or security company as a corporate entity which provides on a compensatory basis military and/or security services, including investigation services, by physical persons and/or legal entities (UN Human Rights Council, 2009:6).

According to the Draft Convention, military services refer to specialized services related to military actions including strategic planning, intelligence, investigation, land, sea or air reconnaissance, flight operations of any type, manned or unmanned, satellite surveillance, military training and logistics, and material and technical support to armed forces, and other related activities; where as security services refer to armed guarding or protection of buildings, installations, property and people, police training, material and technical support to police forces, elaboration and implementation of informational security measures and other related activities (ibid.). To Shearer (1998:68), PMCs, though they meet the three most widely accepted criteria defining a mercenary: that they are foreign to a conflict; they are motivated chiefly by financial gain; and, in some cases, they have participated directly in combat, they differ significantly, however, from infamous mercenary characters of the 1960s. What most sets today's military companies apart is their approach. They have a distinct corporate character, have openly defended their usefulness and professionalism, have used internationally accepted legal and financial instruments to secure their deals, and so far have supported only recognized governments and avoided regimes unpalatable to the international community (ibid.:69; Small, 2006; Howe, 1998).

2. 2. 3. Private Security Companies (PSCs)

PSCs may be defined as having the ability to provide a ‘proximate capacity’ for violence, that is, they provide defensive security services, equipment, and training to (mostly) multinational corporations, businesses, humanitarian agencies, and individuals (Small, 2006:7-8; Schreier and Caparini, 2005). They operate in high risk environments for the protection of private property, assets, and/or individuals. Their provision of security is similar to that supplied or demanded within the domestic context by the police and enforcement security apparatuses (ibid.). PSCs are profit-driven organizations that trade in professional services linked to internal security and protection (Schreier and Caparini, 2005:29). According to Musah what is known today as ‘private security’ is in effect the logical transformation of traditional mercenary activities into a variety of new forms. First are private military companies (PMCs), who may be better described as private mercenary contractors (Musah, 2002:913). PMCs are corporate entities comprising military and intelligence entrepreneurs whose activities incorporate the provision of multi-purpose security-related products and services (ibid.). They may organize mercenaries into temporary armies for combat operations in foreign conflicts on behalf of a party to that conflict, and may procure war materials and logistics, provide military advice, undertake intelligence gathering duties and act as force multipliers for clients (ibid.). They also provide VIP escort services and guard installations. As a rule, PSCs provide all the above listed services with the possible exception of direct combat operations. PSCs are sometimes subsidiaries of PMCs (ibid.).

2.2.4. Private Military Firms (PMFs)

PMFs are profit-driven organizations that trade in professional services intricately linked to warfare. They are corporate bodies that specialize in the provision of military skills-including tactical combat operations, strategic planning, intelligence gathering and analysis, operational support, troop training, and military technical assistance (Singer, 2001-2002:186). The critical analytic factor is their modern corporate business form. PMFs are hierarchically organized into incorporated and registered businesses that trade and compete openly on the international market, link to outside financial holdings, recruit more

proficiently than their predecessors, and provide a wider range of military services to a greater variety and number of clients (ibid.:191). Corporatization not only distinguishes PMFs from mercenaries and other past private military ventures, but it also offers certain advantages in both efficiency and effectiveness. In this respect unlike mercenaries, PMFs compete on the open global market (Singer, 2001-2002; Shearer, 1998). PMFs are considered legal entities that are contractually bound to their clients. PMFs are structured organizations with professional and corporate hierarchies ... which cover the full spectrum-training, logistics, support, operational support, post-conflict resolution. Moreover, PMFs can work for multiple clients in multiple markets/ theaters at once-something mercenaries could never do (Singer, 2001-2002:192-3.).

2.2.5. Mercenary

Mercantile companies held the power to raise armies and navies, declare wars, garner trading rights, and establish ports and towns, all on behalf of their home states. In this way, they operated as “semi-sovereign entities” empowered with the privilege of war-making and violence. Collectively the hiring of private armies and/or foreign soldiers was termed, and became known as, ‘mercenarism’ (see Zarate, 1998) (cited in Small 2006:6). The key defining characteristic here is that mercenaries or private armies represent forms of private, often foreign (but not always), non-state organized violence, for which they receive recompense (Small, 2006:6).

The 1977 Organization of African Unity (OAU) Convention on the Elimination of Mercenarism in Africa under Art. (1) Sub-article (1) defines a mercenary as any person who:

- a. is specially recruited locally or abroad in order to fight in an armed conflict;
- b. does in fact take a direct part in the hostilities;
- c. is motivated to take part in the hostilities essentially by the desire for private gain and in fact is promised by or on behalf of a party to the conflict material compensation;
- d. is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict;
- e. is not a member of the armed forces of a party to the conflict; and

- f. is not sent by a state other than a party to the conflict on official mission as a member of the armed forces of the said state.

2.3. War Making as a Sovereign Act and a Sign of Legitimate Actorhood in IR – A Theoretical Perspective

According to Weber, the modern state is defined only in terms of the specific means peculiar to it, namely, the use of physical force. He stated that if no social institutions existed which knew the use of violence, then the concept of 'state' would be eliminated, and a condition would emerge that could be designated as 'anarchy,' in the specific sense of this word (Weber, 1946). Weber posited that force is certainly not the normal or the only means of the state, but force is a means specific to the state and the relation between the state and violence is an especially intimate one. Weber conceptualized the state as a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory (ibid.).

A fundamental attribute of statehood is the ability of a government to manage the use of force. Internally, this ability is basic to the maintenance of order; without it, a government jeopardizes its claim to international recognition, and, in fact, its very existence (Haass, 1979). Externally, the inability to marshal sufficient force against an adversary will result in a diminution of influence, territory, or sovereignty. The management of force remains the exclusive or near-exclusive prerogative of the state. War, security and the 'right' to use of force are the foremost expressions of statehood in IR and they inform the primacy of the state in the international system (Hutchful, 2000; Lowenheim & Steel, 2010; Haass, 1979). Traditionally, the analysis of national security has concentrated on the hard security dimension and was primarily defined in military terms. Its focus was thus on the state's military ability to deter and defend against aggression and threats of violence (Drorian, 2005). Though debates continue over who or what should constitute the ultimate referent object for security, for many decades, the dominant answer was that when thinking about security in international politics, states were and still are the most important referents (Williams, 2008; Bellamy, 2008; Huchful, 2000; Commission on Human Rights, 1999). As

Lowenheim & Steel, (2010:26) observed “for more that a century now, only sovereign states have been acknowledged in the international system as having the legal and normative right to claim the monopoly of the legitimate use of physical force, wield the power to wage war and or to authorize it.”

Similarly war can be regarded not just as a violent competition between states or as an institution of international society, but, in broader theoretical terms, as a norm of exclusion and a device to set state actors aside from other actors with coercive capacity (Lowenheim & Steel, 2010). In the international system, states inherently limit the ends of violence in their relations. Thus, sovereignty exists on two levels, it is the monopoly of legitimate force within a state’s borders, but it is also an organizing principle for the international system (ibid.; Tilly, 1985). For both realists and liberals alike, security has traditionally been understood as the purview of states, and two of the principal guarantors of state security are the principles of sovereignty and non-interference (Bellamy, 2008). According to this perspective, security is best achieved by establishing a basic degree of international order based on each state’s recognition of every other state’s right to rule a particular territory and engage in external relations as envisioned by the ‘Westphalian Sovereignty’, which sits at the heart of contemporary international society’s rules governing relations between states. The value of the Westphalian system of security rests on the assumption that sovereign states are the custodians of security (Bellamy, 2008).

Clausewitz, who was arguably the most important proponent of the political philosophy of war, famously defined warfare as ‘an act of violence intended to compel our opponent to fulfil our will.’ This philosophy conceived of war as being rational, national and instrumental (Clausewitz, 1968) (cited in Williams, 2008:152-3). By this Clausewitz meant the decision to employ the military instrument by waging war ought to be made on the basis of a rational calculation taken by a political authority concerned in order to achieve some specified goal. In Clausewitz’s schema political authority resided in sovereign states (ibid.). Though the concept of the battlefield and Clausewitzian thinking about warfare seem obsolete and dissolved following developments since the 9/11 attack on the United States,

the state monopolizes the legitimate right to participate in war and/or to authorize others' participation in it even today (Lowenheim & Steel, 2010). Bull (1977) (cited in Williams, 2008:157) defined war as:

Organized violence carried on by political units against each other. Violence is not war unless it is carried out in the name of a political unit; what distinguishes killing in war from murder is its vicarious and official character, the symbolic responsibility of the unit whose agent is the killer. Equally, violence carried out in the name of a political unit is not war unless it is directed against another political unit; the violence employed by the state in the execution of criminals or the suppression of pirates does not qualify because it is directed against individuals.

From today's vantage point, it may be argued as noted earlier that the appeal and power of the political philosophy of war have been eroded due to several developments. However, the debate continues to rage over the extent to which Clausewitzian thinking is still relevant to today's wars. As Smith (2005) (cited in Williams, 2008:155) puts it:

In today's wars, fighting occurs among the civilian populace; it is 'war amongst the people'. The aim of using military force is 'to influence the intention of the people.' Consequently, 'I do not agree with some who dismiss Clausewitz and his trinity as irrelevant: it is my experience in both national and international operations that without all three elements of the trinity – state, military and the people – it is not possible to conduct a successful military operation, especially not over time.' 'Clausewitz's trinity of state, army and people is a useful tool with which to analyse the actors' purpose and activities, despite their [often] not being states.' Even apparently formless non-state actors' will also have some dependency and relationship with the people, there will be an armed force of some description and there will be some political direction to the use of force.

Literature in the history of warfare reveals that private military forces are as old as warfare itself. However, for nearly the last three centuries the accepted international norm has been that only nation-states should be permitted to fight wars (Shearer, 1998). For realists, the categorical referent is the sovereign state; it is the ultimate actor in international politics and the main defender of the security of people (s) (Booth, 2007:34-5; Lowenheim and Steel, 2010; Huchful, 2000). There should be no higher political loyalty than the state, and no higher power of decision making (these goals constitute what is meant by 'statism'). Here,

according to realist views, the anarchical world of states creates a competitive environment which in turn defines the necessities of policy demanded by the imperative of survival. The driver of action is the interest of states (Booth, 2007:34-5). During the Second World War, when Britain faced the Nazi army in Europe in 1940; the then Prime Minister Winston Churchill was asked about the country's policy by the House of Commons. His answer as Booth (2007) stated was blunt and simple. He replied "I will say it is to wage war...."

The answer given by Churchill attests that waging war is a prerogative of the state within a given territory or beyond giving the state the legal and normative right to wage war (Lowenheim & Steel, 2010). Tilly stated that war making among other things shaped state making. Accordingly, he identified four functions/ activities of state-controlled violence. According to Tilly (1985:181) under the general heading of organized violence, the agents of states characteristically carry on four different activities:

1. War Making: Eliminating or neutralizing their own rivals outside the territories in which they have clear and continuous priority as wielders of force
2. State Making: Eliminating or neutralizing their rivals inside those territories
3. Protection: Eliminating or neutralizing the enemies of their clients
4. Extraction: Acquiring the means of carrying out the first three activities – war making, state making and protection. All the activities require the application of force by those who wield it.

In concluding the notion of war making as a form of organized violence undertaken by states, Tilly describes war as an aspect of international relations. War, according to him is a normal condition of the international system of states and the normal means of defending or enhancing a position within the system (ibid.:184). Generally speaking, idealist perceptions of the role of the state in waging war do not substantially vary from those of the realists. However, idealists insist that states should participate in war to defend certain norms such as violations of international law, defending victims of atrocities and interstate relations – norms imbedded in principles like nonintervention and the general prohibition on the use of force to resolve disputes (Herrmann and Shannon, 2001).

Using this theoretical perspective as a reference, the next three chapters of this paper discuss and analyze the role of PMSCs in relation to the conflicts in Sierra Leone and Angola, their emergence in the post cold war world, the challenges they pose and the possible responses to privatization of security in light of state weakness and regime insecurity (considered as independent variables) and privatization of security which is taken as dependent variable.

Chapter III

Contextualizing the Resurgence of Private Military and Security Companies in the Post-Cold War Period in Africa

In the preceding chapter this study has attempted to discuss the relevant literature on the role and the involvement of private actors in conflicts in varying contexts, highlighting briefly on the factors that led to the emergence of PMSCs and the challenges the private security sector pose. It also defined the concepts and discussed the theoretical approach of the study. The purpose of this chapter in particular and of this thesis in general is not to discuss all the factors that led to the privatization of security in Africa and beyond after the end of the cold war. However, an attempt will be made to pinpoint those principal factors that led to the re-emergence and involvement of PMSCs in the context of the African conflicts in question in general.

As already noted in the earlier sections of this paper, the involvement of private actors in war is nothing novel. However, the emergence of PMSCs in a corporate form in the post-cold war world raised and continues to raise significant debate and discussion among politicians, scholars, security analysts and researchers (Small, 2006; Singer, 2001-2002; Shearer, 1998; Musah and Fayemi, 2000). In the context of African conflicts in general and the conflicts in Sierra Leone and Angola in particular, the role of PMSCs brought into the fore the issue of neocolonialism in the form of corporate privatization of military and security functions (Reno, 1998; Francis, 1999; Musah and Fayemi, 2000; Small, 2006; Howe, 1998). Howe (1998:307) and Singer (2001-2002:193-7) identified some key factors in their explanation of the emergence and proliferation of the private security sector in Africa and beyond. These include: post-cold war withdrawal of foreign patronage, the post-Somalia reluctance of the West and the UN to intervene militarily in Africa, heightened external demands for economic and political reform (the normative rise of privatization), military downsizing and the changing nature of African conflicts/insurgencies that have put additional pressure on already weak African governments.

3.1. Weak African Rulers and the Privatization of Security

A set of interconnected factors associated with the end of the cold war led to the privatization of security in Africa. Weak African states and their leaders played a major role in facilitating the proliferation of the private security sector in Africa (Reno, 1998; Francis, 1998; Ndlovu-Gatsheni, 2007). Besides the phenomenon of weak states and weak African leaders, there were other important factors such as the massive post-cold war demobilization of armed forces across the world and the post-apartheid demobilization of some of the military units that had been active in destructive wars in Southern Africa (Reno, 1998; Francis, 1998; Shearer, 1998; Lock, 1999; Ndlovu-Gatsheni, 2007). Small (2006:14) observed that:

with violent challenges from below, from across, from above, and from the military-security apparatus itself, many African governments have turned to the PSI as a means to uphold and defend the state. Destabilizing conditions have created a demand and a market for Private Security Services.

According to Small (2006:19) a mix of contexts explain the emergence and proliferation of private military and security actors which include among other things, a broad normative shift in international relations towards privatization and the outsourcing of state functions. The author further notes that inextricably bound up with the shift in market forces, is the growing and the glaring malfunctioning and weakening of the state with regard to fulfilling its social contract. However (Ndlovu-Gatsheni, 2007), contends that a traditional argument concerning weak states is that the ‘First World’ is complicit in the weakening of the ‘Third World’. This approach is sympathetic to weak states and presents them as victims of external manipulation while ignoring the dangers agency of the leaders of these states, and in particular, how they invite private military forces to operate in Africa and engage in African conflicts (Ndlovu-Gatsheni, 2007:18). Weak states cannot be regarded merely as orphans of the cold war who are falling prey to the machinations of PMSCs or as victims of powerful global forces that sap their strength deliberately and compromise their sovereignty and stability in order to exploit resources such as minerals and oil (ibid.). Rotberg (2002:28)

has noted that “more than structural or institutional weakness, human agency is also culpable for state weakness, usually in a fatal way. Destructive decisions by individual leaders have always paved the way to state failure.”

According to Ndlovu-Gatsheni, Rotberg’s argument is important in that it captures the often-ignored human agency and the role of leaders, such as Siaka Stevens of Sierra Leone, Mobutu Sese Seko of the former Zaire and others in weakening their states (Ndlovu-Gatsheni, 2007). These leaders were responsible for the instrumentalisation of disorder that opened the gates for private military forces to intervene in their countries (ibid.:18-9). If weak states were ever victims of powerful forces that compromised their sovereignty and stability, they must be understood as willing victims presided over by weak but cunning leaders who were able to operate within complex global commercial networks for personal interest, personal gain and regime security (ibid.:19; Reno, 1998). These complex global commercial networks include inviting PMSCs into Africa to prop up failing regimes. In this way, weak states and their weak leaders are a major cause in the proliferation and growth of private military forces in Africa (ibid.; Francis, 1999; Musah, 2000). A look at survival strategies of many leaders of weak states therefore constitutes another avenue for explaining why the private security sector has grown so rapidly in Africa since the end of the cold war (Ndlovu-Gatsheni, 2007:19). In this connection Reno (1997:166) wrote that “the most hard pressed regimes reworked new ties with outsiders, especially cold war clandestine commercial ties, to manage and manipulate outsider’s demands, rather than succumb to the ‘failed state’ paradigm.” Ndlovu-Gatsheni (2007:21) argues that it was within this negotiation of new ties that the phenomenon of the private security sector intervened in Africa to fill the void in capacity. This gap was opened by the weak states whose rulers needed protection from internal opponents and could not trust local military forces.

The argument given above directly fits into the context in which weak, fragile and clientelist regimes in Sierra Leone and Angola invited foreign military forces to deal with domestic challenges to those regimes (Musah, 2000; Ndlovu-Gatsheni, 2007; Reno, 1998). Therefore,

both Sierra Leone and Angola, like most African states could be described as what Jackson (1990) (cited in Clapham, 1996) characterized as states that have ‘negative’ or ‘juridical’ sovereignty, in that sovereignty is ascribed to them by other states, but do not possess the ‘positive sovereignty’ which derives from effective control and enables a state to defend itself from external and internal attacks. Sierra Leone provides an example of a comprador state presided over by successive weak regimes which sought protection from private military forces in the wake of threat to the regime from rebels (Clapham, 1996; Reno; 1998; Ndlovu-Gatsheni, 2007). Since the arrival of EO in Sierra Leone, the rulers of that country have become heavily dependent upon shared interests with foreign businesses. This manifested that the state and the government in Sierra Leone have virtually become an agent of foreign economic interests (Reno; 1998). Doyle (1986) (cited in Reno, 1998:133) conceptualized Sierra Leon government’s contract with foreign military forces as “imperialism by invitation” an expression in which he viewed the arrival of foreign groups as the outcomes of efforts by local elite factions to recruit outside help to deal with local rivalries which they were not able to handle alone. Reno (1997:167) pointed out that:

rulers of some weak states use creditor demands to privatize state agencies and liberalize markets as excuses to hire foreign firms that field mercenaries. These foreign soldiers serve the joint interests of foreign firms and weak states’ rulers to control resources and deny them to independent strong men.

Reno (1998) and Howe (1998) have showed how leaders in Sierra Leone and Angola had utilized foreign private military forces to collect revenue, defend territory and check domestic rivals. The use of private security forces by rulers of weak states constitutes what Reno (1998:9) refers as ‘regime innovations for managing’ internal threats. As Howe (2001:12) wrote:

African personalist rulers intentionally undermined the effectiveness of their own forces by relying on parallel forces (patronage networks, divide-and-rule tactics, praetorian guards, state-sponsored militias and private armies/mercenary groups) to provide security for ruling regimes and their personal interests and peripheralize the national militaries.

The logic behind African rulers' intentional undermining of institutionalized and professional national armies lies in what Hutchful (2000:212) and Clapham (1996:250) respectively term as 'ruler's security dilemma' and 'danger to the leader's tenure of power'. Hutchful and Clapham argue that:

rulers may discover that the attempt to strengthen internal security and an army which was organized on an institutional basis, and whose officers were imbued with an ideology of military professionalism concomitantly increase the power of 'strongmen' within the security apparatuses that could present a greater danger or threat to the ruler or the leader himself.

According to the analysis provided by both authors, it was often in the ruler's interest to undermine the formal institutions of the state itself and rely on primordial types of ties. Thus extending the monopoly of the state over security is inevitably destined to increase the insecurity of the ruler, as officials of the state could acquire interests, ideologies, aspirations and powers which ran counter to those of the ruler (Hutchful, 2000; Clapham, 1996). It is within this context that weak African rulers in general and successive regimes in Sierra Leone and the MPLA government in Angola in particular are seen as contributing factors for the involvement of private military and security actors in African conflicts.

3.2. The end of the Cold War and the Privatization of Security

The end of the cold war has had contradictory effects on African security. Southern Africa and Ethiopia clearly benefited from the end of superpower rivalry, whereas central and western Africa have seen an upswing of violence since the 1990s (Howe, 1998:307-8; Clapham, 1996). The idea of African states relying upon mercenaries from the former SADF would have seemed both preposterous and insulting. Yet since 1993, EO, then the world's largest and best known 'mercenary' group, has marketed itself as a defender of African state security in the post-cold war era (Howe, 1998:307). The end of the cold war marked the end of a period of hypermilitarization that affected almost the entire world. Throughout the cold war, much of the military build-up in sub-Saharan Africa, including that of the insurgent forces, was the product of non-required arms transfer from outside the

continent (Lock, 1999; Howe, 1998; Francis, 1998; Nossal, 2001; Singer, 2001-2002). One of the most profound effects of the end of the cold war has been the reduction of foreign, particularly U.S. and Soviet military involvement in Africa (ibid.). On the African continent, human insecurity intensified because of the end of the cold war. And indeed, commentators seem to share the sentiment that the dramatic growth of the private security sector in Africa is an aftermath of the cold war (Gumedze, 2007:5). At the end of the era, Africa saw a dramatic decline in the direct engagement of external powers in conflict. In other words, a vacuum was created with the disengagement of the external powers that were involved in African conflicts (ibid.). Singer (2003) (cited in Gumedze, 2007:5) argues that:

the end of the cold war, during which the standoff between the two superpowers had ordered international politics for half a century, is at the heart of the emergence of the privatized military industry. The resultant effect on the supply and demand of military services created a “security gap” that the private market rushed in to fill.

The end of the cold war produced a vacuum in the market of security which created a new space and demand for the establishment of the private military industry. Massive disruptions in the supply and demand of capable military forces after the cold war provided the immediate catalyst for the rise of PMSCs (Singer, 2001-2001:193; Nossal, 2001:473). With the end of superpower pressure from above, a range of security threats began to appear after 1989, many involving emerging ethnic or internal conflicts. Likewise, non state actors with the ability to challenge and potentially disrupt world society began to increase in number, power, and stature (Singer, 2001-2001). Among these were local warlords, terrorist networks, international criminals, drug cartels and private military entrepreneurs (Singer, 2001-2001:193; Musah, 2002:920). These groups reinforce the climate of insecurity in which PMSCs thrive, creating new demands for such businesses. As already noted, the cold war was a historic period of hypermilitarization. Its end thus sparked a chain of military downsizing around the globe. In the 1990s the world’s armies shrank by more than 6 million personnel (Singer, 2001-2002; Schreier and Caparini, 2005). As a result, a huge number of individuals with skills uniquely suited to the needs of the PMSC industry found themselves looking for work (Singer, 2001-2002:193; Schreier and Caparini, 2005:4; Musah, 2002; Nossal, 2001). The end of the cold war in some cases saw complete demobilization of some

units, and many of the most elite units (such as the South African 32 Reconnaissance Battalion and the Soviet Alpha special forces unit) simply kept their structure and formed their own private companies (Singer, 2001-2002; Howe, 1998; Kinsey, 2007).

Meanwhile, massive arms stocks opened up to the market: machine guns, tanks, even fighter jets, night-vision equipment, satellite communication gadgets and rocket propelled grenades became available to any one who could afford them (Singer, 2001-2002:194; Musah, 2002:920). Thus downsizing fed both supply and demand as new threats emerged and demobilization created fresh pools of PMSC labour and capital (ibid.; Nossal, 2001:473). The receding threats of mutually assured destruction by the superpowers, the collapse of apartheid, waning proxy wars and the massive global downsizing of armies without any proper alternative training and reintegration of former combatants following the end of the cold war cumulatively created a huge labour pool of potential mercenaries in the form of PMSCs, particularly in South Africa, eastern and central Europe who finally sold and used their lethal skills in African conflicts such as those in Angola, Sierra Leone, the Sudan, DRC and others (Musah, 2002; Shearer, 1997; Gumedze, 2007). The phenomenon of military downsizing in weak states has coincided with the increasing inability of states to respond to the new forms of threats from non-state actors. This has been true in developing countries, particularly in Africa, where many regimes possess sovereignty in name only and lack any real political authority or capability (Shearer, 1998; Reno, 1998; Musah, 2002; Singer, 2001-2002). Given the poorly organized nature of local military and police forces of such regimes, the security apparatuses have become exceptionally deficient, resulting in near military vacuums (Singer, 2001-2002:194; Lock, 1999:16). This situation coupled with the almost complete absence of functioning state institutions has meant that outsiders have begun to assume a wider range of political roles customarily reserved for the state. Among these is the provision of security (ibid.). Perhaps Shearer (1998:71) expressed the privatization of security in the post-cold war world in a clearest of words when he stated that “the increasing inability of weak governments to counter internal violence has created a ready market for private military forces.”

Shearer's expression exactly reflected the situation of governments in most African states including Sierra Leone and Angola. Conflicts which were suppressed by the intervention of the superpowers during the cold war have reemerged, intensified and proliferated since the end of the cold war. This increase in violence can be related to the collapse of weak states, which lost their status of protected proxies after the end of the cold war (Hutchful, 2000; Musah, 2002; Singer, 2001-2002; Renou, 2005). The post cold war period necessitated the reordering of security priorities by the great powers which no longer showed interest to intervene in a foreign conflict which ceased to pose serious threats to these powers (Musah, 2002; Singer, 2001-2002; Renou, 2005; Schreier and Caparini, 2005; Howe, 1998; Shearer, 1998).

The end of the cold war has thus sharply undermined the hitherto existing security paradigms and practices, intensifying the security dilemma of some African states, such as Sierra Leone, Angola, DRC and the Sudan giving rise in the process to complex new forms and permutations of force within and beyond the state (Hutchful, 2000; Musah, 2000). This development threatened to tear states apart and created a security void in countries like Sierra Leone, Angola and others. The aim of PMSCs is to fill this void. They are eager to present themselves as businesses with a natural capacity in an often-complicated, post-cold war world order (Musah, 2002; Singer, 2001-2002; Shearer, 1998). For some fragile states, lacking support from the great powers and unable to provide security for their citizens, PMCs have provided a means of reaffirming political control and some semblance of order (Schreier and Caparini, 2005:4). Thus the end of the cold war provided market opportunity to demobilized soldiers and ex-combatants around the globe. Mercenary groups – cloaked in corporate garb and baptized as PMSCs have taken advantage (Musah, 2002; Small, 2006; Francis, 1999). As Harding (1997:87) pointed out “what private corporate armies such as EO have done so successfully so far is to interpret political and military instability in Africa as a market issue – that of unmet demand for security – and position themselves perfectly in that market.”

3.3. Liberalization and the Process of State Formation in Africa as Contributing Factors for Privatization of Security

In addition to the factors discussed in the earlier sections security privatization is also facilitated by other reasons. Musah (2002:914-20) claims that in the context of Africa, totalitarian liberalization (conditions imposed on African states by the IMF and the World Bank) in global economics and politics and the process of state formation in Africa are key facilitating factors for contemporary mercenary activities. Rapid globalization may have united the world's peoples around shared values, but in weak states it has also ruthlessly exposed the inadequacies of governance and catalyzed the violent empowerment of non-state actors. In Singer's words (2001-2002:197), this process of globalization is described as "the power of privatization and the privatization of power." As Gumedze (2007:6) observed, "capital, power and the need for profit maximization that characterize globalization apply equally to the unprecedented growth within the private security sector."

The idea is that the period following the end of the cold war was characterized by a normative shift toward the marketization of the public sphere (Singer, 2001:197; Musah, 2002:921; Small, 2006). The organizational and operational ethos of the new private military groups were in line with the dominant paradigms in politics and economics – a one-size-fits-all liberal democratic straight jacket based exclusively on market fundamentalism which went hand in hand with globalization (Musah, 2002:921; Singer, 2001-2002). The neo-conservative philosophy that sees the state as overburdened and incompetent in matters of political economy has led to pressures on governments to offload. Private enterprises, including private security companies, have become the ultimate lever to pry concessions from, and roll back, the state. (Musah, 2002:921). As O'Brien (1998:88) puts it the market-based approach toward security privatization represents a dangerous return to exploitative neo-colonialism and a decline in the dominance of the state in [Sierra Leone and Angola]. Similarly, Francis (1999:323) stated that "these new private armies for hire are a reflection of an effective neoliberal recipe to a specific security need no longer met by states and international organizations ... they are seen as employing modern-day mercenaries exploiting violence for private gain."

In this order of things, the policies of the international financial institutions (the World Bank and the International Monetary Fund) have become a case study in contradiction. (Musah, 2002:921) On the one hand, they have incorporated pro-active roles in conflict prevention in their dealings with conflict prone societies by demanding ‘good governance’ and ‘human rights’ as yardsticks for engagement. On the other hand, through cure-all SAPs, they have put excessive pressure on the African state that already suffered from all sorts of economic and social disorders to further slim down by selling off state assets, and cutting down on military expenditures and subsidies on essential social services paving the way for military vacuum and privatization of security (ibid.; Francis, 1999). As Clapham (1996) pointed out one of the several consequences of privatization in the form of SAPs was that it helped to reduce African states. As a result, the momentum of privatization has spread to areas that were once the exclusive domain of the state and formal state institutions, such as warfare and coercion of populations (Musah, 2002:921; Lock, 1999: 15-6; Singer, 2001-2002:198; Reno, 1998:9). As Nossal (1998:31) has noted:

engaging the private sector to provide public security efficiently, effectively, and relatively cheaply is the logical outgrowth of neoconservative theology that preaches the private sector will do a more competent job, building, owning, and profiting from what used to be the ‘public works’ in many countries.

Hence, the norm of privatization crossing into the realm of military services is not surprising. As Singer (2001-2002:198) pointed out:

the revival in private military security is in line with the prevailing orthodoxy of economic liberalization, with its emphasis on ‘downsizing’ government and large scale privatization. The privatized military industry has thus drawn on precedents, models, and justifications from the wider “privatization revolution,” allowing private firms to become potential, and perhaps even the preferred, providers of military services.

According to Musah, African states are differentiated by the paths to development that they have followed since the 1960s. He distinguishes between a ‘Tillian’ formation, whereby the state operated as a ‘security racket’, from a ‘Weberian’ (Bonapartist) form marked by bureaucratic impartiality and the pursuit of public welfare in a context of relatively

widespread socio-political legitimacy (Musah, 2002:915). Most African states can be understood as having taken a Tillian form. Still others, however, have evolved from Tillian to extreme Tillian states becoming the main terrain of the new mercenary interventions marked by very high levels of repression, internal fractionalization, external manipulation, poverty of leadership, institutional incompetence and graft (ibid.:915-8). Here, in the extreme Tillian states, such as the Democratic Republic of Congo (DRC) under Mubutu Sese Seko (1965-97), Somalia under Siad Barre, Sierra Leone under Stevens and others, political leaders and corrupt elites perfected the patrimonial system into a fine art. They relied on personal armies and numerous security and paramilitary agencies whose *modus operandi*, if not their nationality, equated them to mercenaries (ibid.:919; Reno, 1998:115-7; Musah, 2000:81-3). Corrupt elites, especially in extreme Tillian states, have responded in the most cynical way possible to the discourse of neoliberal/conservative economic and political liberalization (Musah, 2002). They have cut down military strengths, starved the army of pay while setting up parallel security groups outside the purview of aid agreements and formal state structures, whose main preoccupation is to guarantee personal and regime security, crush civil society dissent and eliminate threats from rival strongmen (ibid.:921; Reno, 1998:134; Francis, 1998:325).

3.4. The Changing Nature of Warfare in Africa and Privatization of Security

As already discussed, the end of the cold war has seen a shift in Western security priorities. From this it also followed that the strategic interest of major powers in countries such as Mozambique, Rwanda, Sierra Leone and other fragile states has declined. As a result, Western countries became more reluctant to intervene in weak states (Shearer, 1998; Schreier and Caparini, 2005). Western armies, designed to fight the sophisticated international conflicts envisioned by cold war strategies, are ill equipped to tackle low-intensity civil wars, particularly in Africa with their complicated ethnic agendas, blurred boundaries between combatants and civilians, and loose military hierarchies. It is this situation that facilitated the proliferation of PMSCs which stepped to fill the gap (Shearer, 1998:70-1). The changing nature of conflicts in the context of Africa is perhaps better captured by what Small (2006:12) refers to as a ‘host of intra-state instabilities, lawlessness,

criminality, civil wars, ethnic clashes, recurrent coups d'état, armed insurgencies, factional fighting, military disloyalty, ideational conflicts.'

At low-intensity levels, the primary tools of warfare have not only diversified, but also become more available to a broader array of actors. Increasingly, the motivations behind many conflicts around Africa and much of the developing world are criminalized, sectional or driven by the profit motive in some way (Singer, 2001-2002; Small, 2006). Both directly and indirectly, these conflicts have created the demand for services provided by PMSCs (ibid.). In the African situation, the paralysis in the formal security structures has thrown up freelancers all too eager to engage in mercenary activities and other violent actions such as assassinations, serving in protection rackets for strongmen and criminal gangs (Musah, 2002). Such security apparatuses as Charles Taylor's Anti-Terrorist Unit, the Cobras of General Sassou Nguessou and the Cocoye of Pascal Lissouba (both in Congo-Brazzaville), and the Interahamwe of the Hutu elite in Rwanda, may be composed of nationals, but they were often led and trained by foreign mercenaries, and their primary allegiance was to sectional interests (ibid.:921-2).

With the end of the cold war, intra-state violence intensified across large parts of Africa (Shearer, 1998; Singer, 2001-2002). The aims of intra-state wars are more closely related to identity politics, a group's claim to power over another group on the basis of its identity in contrast to the geopolitical or ideological goals of many inter-state wars (Kinsey, 2007; Le Sage, 210; Shearer, 1998). Here, the function of intra-state war could be said to exclude members of another social group from society. Alternatively, some see inter-state wars as a result of rational economic calculations. Violence is underpinned by economics. Conflicts can create war economies ... controlled by rebels or warlords and linked to international trading net works (Kinsey, 2007:592). Neither is intra-state war fought the same way as inter-state war. In intra-state war, no space or person is left untouched. Nor are the rules the same. Such wars represent a reversal of the process through which modern states evolved (ibid.; Small; 2006). As new forms of armed conflict multiply and spread, they cause the

lines between public and private, government and society, military and civilian to become as blurred as they were before 1648 (Schreier and Caparini, 2005:2-3). The changing nature of warfare in Africa and the complex nature of armed conflict on the continent manifest themselves in the prevalence of militias and non-statutory forces that are fielded by both insurgents and governments (Le Sage, 2010). Civil wars across the continent are waged most commonly by tribally based militias. Many governments have responded by fielding their own tribal militias as proxies (as with the *Janjaweed* in Darfur) (Le Sage, 2010:2).

While inter-state wars in postcolonial Africa have been rare, the continent has not been spared intra-state conflicts. Peace and security undoubtedly remained scarce. Intra-state conflicts continue to dominate Africa and as a result the private security sector remains active (Schreier and Caparini, 2005:4). General human insecurity has been a serious threat to African society, which was obviously made worse by the institution of colonialism. But suffice is to say that threats have always imperiled the continent and rendered it insecure, be they tribal conflicts, border conflicts, disputes over mineral resources, terrorism, genocide, ethnic pogroms, religious conflict, political repression, post colonialism or apartheid (Gumedze, 2007:5; Hutchful, 2000:210). The increased frequency of intra-state wars in Africa presented a whole range of opportunities for PMSCs which created a clear commercial agenda for private military services (Kinsey, 2007:592; Turcan and Ozpinar, 2009:146; Nossal, 2001:473). The various threats coupled with exacerbating intra-state wars and conflicts in the DRC, Somalia, Sudan, Sierra Leone, Angola, Liberia and other African countries are indicators of the changed nature of warfare in Africa. It is under such circumstances of the changed nature of warfare that PMSCs moved and contributed for the commodification of violence and privatization of security in Africa (Hutchful, 2000).

The retreat of countries like France which reduced its technical assistance and substantially reduced its military budget for Francophone Africa, U.S. reluctance to intervene in Africa after the Somali debacle in 1993, the increasing cost of UN peace keeping and the perception on the part of some security analysts and defence strategists that PMSCs can

bring coercive stability in conflict zones are also considered as ancillary contributing factors for the privatization of security in Africa and elsewhere (Hutchful, 2000; Gumedze, 2007; Smith, 2010; Kinsey, 2007; Small, 2006; Shearer, 1998; Howe; 1998; Francis, 1998). In the most general sense, as already discussed, the end of the cold war and developments in the international system associated with the end of bi-polarity such as the ascendancy of neoliberalism, the changing nature of conflicts in Africa, the role of rulers of weak African states coupled with the security paranoia to which most African rulers retreated and the trajectory of state formation in Africa after independence have provided the context of the privatization of security in most African states (Hutchful, 2000; Musah, 2002, Howe, 1998; Gumedze, 2007).

Chapter IV

The Role of Private Military and Security Companies in the Sierra Leone and Angolan Conflicts

4.1. Sierra Leone

The following section is devoted to a brief discussion of the institutional weakness in Sierra Leone, the contribution of the patrimonial system to state decay and failure and eventual privatization of security in that country.

4.1.1. State Decay and Privatization of Security in Sierra Leone

The brutality of Sierra Leone's civil war which lasted for a decade has placed security at the heart of politics, resulting in an extensive effort to reform the state security apparatus and a parallel rapid growth in the provision of private security (Abrahamsen and Williams, 2005:4). While the recent conflict (1991-2002) provides the immediate context for the expansion of private security provision, the use of private security has a long history in Sierra Leone. As early as 1936 the Sierra Leone Selection Trust, a De Beers subsidiary, was allowed to field a private 'security force' of 35 armed men to patrol its diamond concession in the Kono area (ibid.; Musah, 2000). Expatriate mining concerns, and at times the government on the insistence of the former, hired private security firms to guard mines. The use of private security in the extraction industry in Sierra Leone thus traces its roots to the diamond marketing giant De Beers which, hired mercenaries to fight diamond smugglers and middlemen who undermined its operations in the country (Francis, 1999; Abrahamsen and Williams, 2005; Douglas, 1999; O'Brien, 2000; Musah, 2000). Since the 1930, the economy of Sierra Leone has relied heavily on the extraction industry. The encroachment on mineral resources and revenue by corrupt state officials, in collaboration with informal mining groups such as illegal diamond hunters and buyers constituted a legitimate security threat to the state (Musah, 2000:4).

Much later, in April 1995, the Strasser government hired the South African company EO to fight the RUF, an arrangement that was continued by president Kabbah until January 1997 (Abrahamsen and Williams, 2005:4). Both the extraction of Sierra Leone's mineral wealth and the survival of its ruling elite have thus historically been crucially dependent on the involvement of foreign private security actors, a relationship which continued, albeit in different ways, in the post conflict situation (ibid.; Francis, 1999; Musah, 2000). In Sierra Leone, the key factors defining the context of privatization of security include a long history of military intervention in politics, the destruction and distrust caused by an extended conflict, and the extensive international presence in the post-war provision of security and reconstruction of the security sector, apparently, all symptoms of state weakness (Abrahamsen and Williams, 2005; Musah, 2000). The conflict in Sierra Leone was a classic post-Cold War conflict, as it owes little to traditional superpower rivalry and much to the post-Cold War reconfiguration of regional power balances (Musah, 2000:76). The extensive deployment of mercenaries and other foreign troops in the conflict has raised many disturbing questions, not least about the appropriateness of the chosen tools for conflict management in an internal war that is essentially about the control of political terrain and, consequently, of natural resources (ibid.). The involvement of private actors in the conflict also reopened the debate in Africa about the relationship between regime security and state security, governance and conflict, weak microstates, the questions of privatization, sovereignty and the threat of corporate recolonization (ibid.; Howe, 1998; Reno, 1998).

Sierra Leone, previously unknown in world affairs, has been thrust into the international limelight because of its intractable civil war, which has created the market opportunity for mercenary intervention. The characterization of the state and politics in Sierra Leone gives an insight into what created the demand for mercenary intervention (Francis, 1999:324). The political economy of Sierra Leone has from the 1970s been marred by underdevelopment, with the mining sector playing a significant role. State-society relations have been held together by neo-patrimonialism, in which state resources are recklessly appropriated by a ruling cabal, i.e. political elites, bureaucrats, soldiers and aspirant intellectuals (ibid.).

The politics of consolidation started during the Albert Margai Sierra Leone People's Party (SLPP) government and concretized under All People's Congress (APC) one-party dictatorship of Siaka Stevens which was largely based on a patron-clientelist system (ibid.; Conteh-Morgan, 2006; Musah, 2000). President Siaka Stevens (1967-85) systematically plundered the country and instrumentalized disorder. Clientelism, nepotism, ethnicity, and corruption are all subsumed under neopatrimonialism, and are all constitutive elements of the post-colonial state in Africa. In Sierra Leone they constitute the proximate factors to state failure and collapse (Francis, 1999:324; Conteh-Morgan, 2006:96; Clapham, 1996:179-251). Conteh-Morgan (2006:96-7) stated that "under all regimes since independence, clientelism is a relationship of reciprocity between elite and political supporters. It is in existence in practically all socio-economic and political interactions, in the form of patron-client relationships."

The state in Sierra Leone was therefore nothing more than 'ramshackled regimes of highly personalized rule that are severely deficient in institutional authority and organizational capacity... The language of the state may be little more than a façade for the promotion of personal, familial, communal, and other private interests.' (Francis, 1999:324-5; Reno, 1998:115-6; Rotberg, 2002). As Reno (2000b) (cited in Dupuy and Binningsbo, 2007:2) observed "the patrimonial office lacks above all the bureaucratic separation of the "private" and the "official" sphere.... Political power is considered part of the ruler's personal property.' Political patronage, the distribution of public jobs or specific favors by party politicians in exchange for electoral support, was a significant factor of state weakness, failure and, eventual full scale political violence in independent Sierra Leone (Conteh-Morgan, 2006:97).

Though some analysts claimed that the ethnic differences that were so openly preached in the elections of 1967, 1973 and 1977 were considerably subdued under Stevens, and that political confrontation was no longer inter-party, but among individuals within the one-party framework, it must, however, also be noted that the one-party system actually complicated the confrontations in Sierra Leone (Musah, 2000). First, it denied space for healthy competition between ideas and among personalities. Second, it destroyed the nascent

structures of checks and balances within the body politic (ibid.:81). The 1970s and 1980s witnessed the rapid decline in the efficacy of political and economic relations in Sierra Leone (Conteh-Morgan, 2006:98). Sierra Leone's problems revolved around political instability and repression during the All Peoples Congress (APC) regime, blatant misuse of political power for individual enrichment, gradual decline of total output, neglect of agriculture, increase in unemployment, deterioration and neglect of education, increase in food imports, mounting foreign debt, increasing inability to finance recurrent expenditure, and neglect of infrastructural development (Conteh-Morgan, 2006:98; Musah, 2000:82; Reno, 1998).

After outmanoeuvring his civilian rivals, Siaka Stevens turned on the army. He coopted the army into his party, courting the top leadership through selective promotion and corruption (Musah, 2000:81). He consciously started dismantling the army through downsizing and demobilization, while creating and strengthening his own private army, the state Security Department. By the beginning of the civil war in 1991, the national army had been trimmed to a mere 3,000 personnel (ibid.; Reno, 1998). The conflict in Sierra Leone was more of a war for resources. The war was a product of the complex interaction of both external and internal political and socioeconomic forces which lacked any defining ethnic characteristics (Francis, 1999:324; Reno 1998). The conflict in Sierra Leone therefore could be taken as a model for the link between low-intensity conflict and strategic minerals (Francis, 1999; Abrahamsen and Williams, 2005; Douglas, 1999; O'Brien, 2000; Musah, 2000).

The year 1991 was particularly relevant as far as the involvement of foreign private military/security actors were concerned in the Sierra Leonean conflict. It was in this year that the rebel RUF ignited a civil war in the country (Musah, 2000; Howe, 1998; Francis, 1999). Sierra Leone as is the case with other weak and failed states was incapable of projecting power and asserting authority within its own borders, leaving portions of its territory governmentally empty (Rotberg, 2002; Musah, 2000). This process created a security vacuum and threatened law and order. The outcome became troubling especially to an international system that demands-indeed, counts on a state's capacity to govern its space (Rotberg, 2002; Musah, 2000; Douglas, 1999; Vines, 1999). Thus at this point in time Sierra

Leone was a state exhibiting only the juridical/*de jure* aspect/attribute of statehood. The empirical/*de facto* element/attribute of statehood was clearly missing. This was so, as already noted the state in Sierra Leone was unable to claim the monopoly of force over its territory and its population (Jackson and Rosberg, 1982).

According to Rotberg, by the time the war started, Sierra Leone exhibited most traits of a failed state. The country was tense, conflicted, and dangerous. It was characterized by high level of criminal and political violence, loss of control of its borders, rising hostility, civil war, the use of terror against its own citizens, weak institutions, a deteriorated or insufficient infrastructure (Rotberg, 2002:132-3). The country also exhibited the proliferation of substate authorities, high rate of civilian casualties, and a challenge to the country's regime intrinsic legitimacy by competing internal forces (ibid.; Musah, 2000:86). The state also faced a rising attacks on its fundamental legitimacy. As the state's capacity weakened and its rulers worked for themselves, key interest groups showed less and less loyalty to the state (ibid.; Reno, 1998). The government of Sierra Leone delivered security in limited quantities and across circumscribed areas and the ruling regime projected little power. All of these led to domestic anarchy (Rotberg, 2002:132-3). As Kaplan (1996) noted Sierra Leone is a nation-state of defined borders, with a government in control of its territory – that is according to the map. In truth the Sierra Leone government, which was run by a twenty-seven-year-old army captain, Valentine Strasser, controlled Freetown by day and by day also controlled parts of the rural interior (Kaplan, 1996:9). In the government's territory the national army was an unruly rabble threatening drivers and passengers at most checkpoints. In the other part of the country units of two separate armies from the war in Liberia had taken up residence, as had the army of Sierra Leonean rebels (ibid.; Reno, 1998:125-27).

As Sierra Leonean rebels, warlords, bandits and rebels from Liberia controlled a significant segment of the country's territory multiple sovereignties ensued leading to multiple control of state territory which resulted in loss of monopoly over the use of coercion by the state (Conteh-Morgan, 2006; Musah, 2000). In such situation, as Conteh-Morgan (2006:89) wrote, the elements of statehood (people, territory, government, sovereignty) become more contested. Even in quiet zones the government was not able to maintain the schools, bridges,

roads, and police forces in a manner necessary for functional sovereignty (Kaplan, 1996:9; Reno, 1998). A premodern formlessness governed the battlefield, which evoked the wars in medieval Europe prior to the Peace of Westphalia (Kaplan, 1996:9). At this particular point in time the state in Sierra Leone lacked the Weberian “means” to statehood – particularly the means of force to manage and control all action taking place in the area of its jurisdiction (Jackson and Rosberg, 1982; Reno, 1998).

In 1985, retiring dictator Siaka Stevens picked Joseph Momoh as his successor because the latter enjoyed some authority with in the military, virtually the only state institution that retained any significant organizational identity (Reno, 1998:116; Musah, 2000). Stevens’ strategy of limiting army recruitment to about 2,000-3,000 troops and relying instead on loyal paramilitaries left Momoh in a materially weak position vis-à-vis the former dictator and his associates. Momoh was not only politically weak but also incapable of ending the private control many of Stevens’ associates enjoyed over the country’s resources (Reno, 1998:116). Montague (2002:230) has noted that:

in every respect, Sierra Leone squarely fits the description of ‘the soft state’ - that is a state that lacks effective authority and is characterized by an absence of social discipline in relation to the application and respect for laws, and where rules and directives are deliberately ignored. The consequence is perennial clash between rules and directives espoused by the formal state and those inherent in the operations of a dominant informal political economy characterized by diamond mining.

The idea of ‘the soft state’ in describing the state of affairs in Sierra Leone expressed above relates to what Reno (1995) (cited in Clapham, 1996:249) described as a ‘shadow state’ and further elaborated by Clapham in 1996. The shadow state as Clapham (1996:250) wrote:

is one that governance system operates in parallel structures – formal and informal. Such state was founded, not on accepted concepts of legitimacy or even on governmental institutions, but on the control of markets, and on the ‘ruler’s ability to manipulate access to the resources created by those markets in such a manner as to enhance his own power.

Deep discontent within society which started in mid-1970s had begun putting excessive strains on the fragile neocolonial state structure that the ruling elite had helped erect (Musah, 2000). The one-party legacy along with the neopatrimonial system bequeathed to Momoh was on its last legs and the artificial unity of the nation, encouraged by Stevens through co-optation, was giving way (Musah, 2000; Dupuy and Binningsbo, 2007). The RUF, the guerrilla movement which was at the centre of the Sierra Leone civil war was the cumulative product of the events discussed in the earlier sections and the popular challenges to the state (Reno, 1998; Musah, 2000; Dupuy and Binningsbo, 2007).

Fighting broke out in March 1991 along Sierra Leone's eastern border. The rebel invasion posed greater threat in its capacity to mobilize economically active segments of Sierra Leone's population (Reno, 1998:123-25). The RUF invasion forced Momoh to rely heavily on the disorganized military to protect his regime. He expanded enlistment from 3,000 to about 14,000 troops, but he lacked the capacity to finance the expanded military (ibid.; Musah, 2000). Sierra Leonean army commanders tended to "lead" campaigns from the rear, leaving young, non-commissioned officers in charge of actual battle operations. Valentine Strasser was one such commander, leading troops who received pay late, if at all, and who were backed with field hospitals short of supplies and stocked with defective equipment. Strasser and his armed supporters marched to Freetown to complain, which resulted in a coup against the Momoh regime on 29 April 1992 (Reno, 1998:125; Musah, 2000:86). The start of the civil war in 1991 was accompanied by an extensive influx and deployment of 'mining' mercenaries from other countries, mainly from the UK, into Sierra Leone. Among the precursor mercenary outfits were the German firm, Specialist Services International, the British firms Marine Protection Services, Frontline Security Forces and Special Projects Services Ltd, as well as the American firm Sunshine Boule (Musah, 2000:77).

4.1.2. The Conflict in Sierra Leone and the Role of PMSCs

Gurkha Security Guards

The year 1995 marked a watershed in the influx of organized private armies into Sierra Leone, beginning with the British private security organization GSG (Musah, 2000). In February 1995, the then ruling junta, the NPRC, contracted the services of the GSG. GSG

was tasked with providing security for the possessions of the US-Australian mining concern, Sierra Rutile, and offering training to special forces and officer cadets of the RSLMF in the prosecution of the war against the RUF (Musah, 2000:87; Vines, 1999:129). The GSG immediately dispatched 58 Gurkhas to the country (ibid.).

By the end of April 1995, three major mining centres in the country, the Kono and Kanema diamond districts; the Swiss-owned Sierra Ore and Metal Company (SIEROMCO) bauxite mine at Makanji; and the US-Australian-owned Sierra Rutile operations at Gbangbatok had fallen to the RUF, who already controlled vast areas of southern Sierra Leone and were bearing on the capital, Freetown (Francis, 1999:325; Vines, 1999:129; Musah, 2000:87). At that point, it had become obvious that the incompetent, undisciplined, poorly trained and unpaid RSLMF troops who had earned themselves the pejorative ‘Sobel’ (bandit soldiers or ‘soldiers by day, rebels by night’), were proved largely incapable and in no position or mood either to take on the RUF insurgents or to protect civilians against excesses despite military assistance from Guinea and Nigeria (Francis, 1999; Howe, 1998; Vines, 1999; Musah, 2000). The acute lack of security had prompted self mobilization by the civilian population to defend settlements against both the rebels and the army (Musah, 2000:87). The near total collapse of state institutions and central authority in Sierra Leone forced the Strasser regime and foreign investors to seek private military intervention (Francis, 1999; Vines, 1999; Musah, 2000; Reno, 1998).

Against this background of a desperate and chaotic security situation, the NPRC government had to look for outside assistance mainly from the private military and security companies on the international market (Francis, 1999:325). This, therefore, triggered the hiring of private security in Sierra Leone. The Gurkha Security Guards was thus called in to help reverse the tide against the rebels (ibid.; Vines, 1999:125-30; Musah, 2000:87; Peleman, 2000:155). Though some GSG staff at the time maintained that the Gurkhas “were not in Sierra Leone in an offensive role”, in reality the GSG’s team not only provided specialist training for the Sierra Leone army in jungle warfare, but also safeguarded the strategic Camp Charlie military base in the heart of the country and ensured the pacification of the surrounding area after skirmishes with the rebels (Vines, 1999; French, 1996). The

GSG adventure was short lived. On 24 February 1995, while seven members of the group and a platoon of RSLMF infantry were undertaking a scouting mission, they stumbled into an ambush near a RUF training camp which resulted in confrontation (Vines, 1999; Douglas, 1999; Musah, 2000). The result was that as many as 20 troops of the scouting soldiers lost their lives, among them Mackenzie, Myres and an aid to the NPRC leader Captain Strasser (Musah, 2000; Reno, 1998). After that incident, GSG continued with their operations but refused to engage in combat. Eventually, the Gurkhas withdrew from Sierra Leone in April 1995 due to the dangers (Vines, 1999; Douglas, 1999; Musah, 2000; Francis, 1999). Besides GSG, other private military companies explored market opportunities for their services in Sierra Leone. Though many sought to provide their specialist knowledge in the military/security sector, the most prominent ones were the South African- based private military company EO and UK-based PMC, Sandline International (O'Brien, 2000; Musah, 2000; Vines, 1999; Douglas, 1999).

Executive Outcomes

The near total collapse of state institutions and central authority in Sierra Leone forced the Strasser regime and foreign investors to seek desperately a replacement for GSG as RUF fighters moved just outside Freetown (Reno, 1998:129-30). The danger to the regime and citizens lay in the likelihood that soldiers would join RUF in looting the city if the government and military command collapsed further (ibid.). The departure of GSG from Sierra Leone in April 1995 coincided with the arrival of a Pretoria-based private military company, EO (ibid.; Douglas, 1999). Following the fate of GSG, virtually all the companies that explored the freelance military market avoided direct combat, that is, with the exception of EO and Sandline International. It was against this background that, in April 1995, Captain Strasser contracted EO's services (Douglas, 1999; Pech, 1999; O'Brien, 2000; Musah, 2000).

The military (security) situation dictated the deal. In effect, EO was hired by a desperate government struggling for its regime's survival and functioned as quick fix security at whatever price (Francis, 1999). Strasser hoped for strategic advantage in the war; EO, by controlling the security balance in Sierra Leone, hoped to be able to influence internal

politics as a leverage to secure financial and mineral concessions on the cheap from the enfeebled government (Francis, 1999; Douglas, 1999; Pech, 1999; O'Brien, 2000; Musah, 2000). EO's first item of business was a restructuring exercise, which saw the reorganization of basic and specialist training. Given the urgency of the situation, a crash course for individual soldiers and rifle companies was conducted at the same time to deter the immediate threat to Freetown (Douglas, 1999:180; Reno, 1998). In May 1995 EO deployed a 100-man team/soldiers/mercenaries in the conflict. At the height of their operation they had at least 300 troops in Sierra Leone, backed by one M-17 and another M-24E transport and gunship helicopters and BMP-2 armoured vehicles (Vines, 1999:132; Musah, 2000:89; Francis, 1999:327). In addition to engaging in direct combat, EO also trained, armed and deployed the local Kamajor militia and RSLMF units in anti-RUF operations as part of their forces when carrying out air and ground offensives on rebel bases (Kinsey, 2007:593; Reno, 1998:130; Pech, 1999:94; Vines, 1999:132; Musah, 2000:89; Francis, 1999:327).

According to the EO commander Brigadier Burt Sachs in Sierra Leone at the time, the company's operational strategy in Sierra Leone was to concentrate on 'reorganizing the RSLMF into a proper military structure and ... retraining its forces to a level it could uphold the government without external assistance' (Francis, 1999:327). Based on an analysis of the military situation, EO recommended a three-prong objective to the government, namely: 1) evict the RUF from the peripheral districts of Freetown; 2) stabilize the diamond area around Koidu; 3) locate and destroy RUF headquarters (ibid.).

On the battleground, the immediate strategic impact of EO's direct military assistance – that is their intelligence capacity, air power, their functions of command, control, communications, helicopter support, logistics and fire support combined with the superior terrain knowledge of the Kamajors and the increased efficiency of the reorganized units of the army, had tilted the balance in the civil war in favour of the NPRC government for the first time since the rebel war started in 1991, dealing severe blows to the RUF in several fronts (Howe, 1998:314-6; Reno, 1998:130; Musah, 2000:89; Francis, 1999:327-31). This made EO the government's security provider and guarantor (Howe, 1998; Musah, 2000;

Francis, 1999; Douglas, 1999; Pech, 1999; Tuscan and Ozpinar, 2009). Within nine months of their arrival, EO had led the anti-RUF coalition to recapture all major mining centres including the Kono diamond mines and Sierra Rutile possessions and opened the roads to Freetown for food and fuel transport (Kinsey, 2007:593 Francis, 1999:327 Musah, 2000:89). The coalition had also formed a *cordon sanitaire* around the capital, Freetown, checking the advance of RUF guerrillas and permitting a semblance of normalcy to return (Kinsey, 2007:593; Howe, 1998:314; Musah, 2000:89; Francis, 1999:327; Douglas, 1999; Pech, 1999).

The security EO provided enabled the retrained units and Kamajors to strike against rebels with dramatically improved results. Reconquered areas were cleared of rogue military units along with rebels (Reno, 1998:130). The collaborative effort also strengthened a hard line under Bio's leadership that sought to beat rebels and wayward politicians on the battlefield (ibid.). Their war machine having been greatly weakened, the RUF were forced to retreat along the bush to regroup. The coercive stability provided by EO helped facilitate a cease-fire (Reno, 1998:133-8; Howe, 1998:314; Musah, 2000:89; Francis, 1999:327). As a result, the Julius Maada Bio government, which had seized power from Strasser, organized democratic elections which were held in February and March of 1996 without serious complications. It also forced the RUF to the negotiating table, which led to the Abidjan Peace Accord on 30 November between the RUF and the newly elected government (ibid.; Douglas, 1999; Pech, 1999). As force multiplier EO's troops proved instrumental at the battle of Kono in Sierra Leone. Their pilots often flying MIG fighters and MI helicopters, greatly assisted ground and intelligence operations (Howe, 1998:315-7). In Sierra Leone, EO also conducted counter-intelligence operations. EO intelligence operators identified possible informants, isolated and trained them, and then supplied them with communications equipment (ibid.). EO reportedly forestalled a planned coup against the 1996 elections. Executive Outcomes employees also engaged in combat against rebels concentrated close to the Liberian border (ibid.; Reno, 1998:132).

Immediately after coming to power and before his overthrow, the imminent expiry of EO's contract posed the biggest security dilemma for Kabbah. It was generally presumed that EO'

exit would lead to a deterioration of the precarious security situation, providing an opportunity for the military to have another go at power (Musah, 2000). Because of this circumstance, one of Kabbah's first moves as president was to extend EO's presence in the country and strengthen the Kamajors (Musah, 2000:91; Reno, 1998). The centrality of foreign private soldiers to the weak-state coalition in Sierra Leone became especially apparent after Kabbah's election. He faced at least three coup attempts in his first ten months in power, mostly from officers concerned about what they saw as the president's growing alliance with the Kamajors and EO at the expense of the unreliable army (Reno, 1998:137; Musah, 2000). The threat posed by the army made EO's presence very important to Kabbah. Reportedly, EO's intelligence efforts uncovered the coup plots, and it moved directly to defuse them (Reno, 1998:137). However, Kabbah's relation with the EO was made complicated by the International Monetary Fund (IMF) (Reno, 1998; Musah, 2000). Alarmed by the staggering pay-offs in cash and mineral concessions to EO and its partners, the Fund made the termination of EO's contract a precondition for supporting the Sierra Leone economy (Musah, 2000).

Kabbah who was under enormous pressure from donors to end the contract of EO abruptly terminated the contract in early 1997. Reports at the time suggested that EO warned Kabbah that his government would be overthrown within 100 days if he carried out the decision to expel them. Kabbah was overthrown on the 95th day after EO's 'exit'! (Musah, 2000:100). Indeed there was evidence to suggest that 'Lifeguard, the security wing of both EO and Sandline into which many EO personnel were absorbed after EO officially left Sierra Leone, was responsible for supplying a shipment of arms (comprising RPG-7 rockets, AK-47 ammunition, mines, mortar bombs and a range of small arms) to the Armed Forces Revolutionary Council (AFRC) in Sierra Leone'. Lifeguard as EO's affiliate had provided safety to other mining companies in the mining fields (ibid.:100-101; Francis, 1999:332).

As Howe (1998); Francis (1999); Musah (2000) have noted EO's role in the war and its continued involvement in the provision of regime security in Sierra Leone after the war was well documented. Soon after the elections of 1996, a Sierra Leone government official and a close aid to Tejan Kabbah placed before the president a policy document intended as the

blueprint for the future security of Sierra Leone (Musah, 2000). The document was entitled ‘Strategies to Adopt – Restructuring the Army, Role of EO and Control of the RUF Forces. As (Musah, 2000:94) claimed the official in rebutting the opinion that the Kamajors were the main force that defeated the RUF prior to the elections, and building the arguments for his eventual recommendations for EO, stated that:

The success in the war against the RUF is due primarily to EO’s disciplined ground forces, communication and surveillancing equipment installed in their Cessna aircraft and general air supremacy. The air craft locates the rebel camp, the helicopters pulverise the RUF from the air, before the ground forces move in and conduct a mop-up operation.

The policy document mentioned above envisaged various roles for the EO including but not limited to ‘planning, recruitment, training and streamlining the police, paramilitary forces and the secret police based on complete loyalty to the president (Musah, 2000). The presidential memo saw multiple and endless possibilities which even called for EO to provide fast patrol boats to be attached to the navy ... with training and supervision services by the EO. The policy paper outlined detailed roles to be played by EO regarding the army, the Kamajors, the RUF, the air force and the navy (ibid.:94-5). However, this act of voluntary surrender of control over national security was temporarily shelved by the military coup of 25 May 1997, the coup the memo sought to forestall (ibid.:95).

Sandline International

Sandline International entered the lucrative military/security market of Sierra Leone following the termination of EO’s contract on 31 January 1997 and a military coup staged by the former NPRC officers (Francis, 1999; Musah, 2000). On May 25 1997 the 15-month old civilian government was overthrown by the military which called itself as the AFRC. Though the AFRC aligned itself with the RUF to form a coalition government and ‘Peoples Army’, it was internationally isolated and lacked any semblance of domestic and external sovereignty (Francis, 1999:327). The deposed president, Tejan Kabbah, while in exile in neighboring Guinea, entered into an agreement with the UK-based private military company, Sandline International, and their mining partners – the Toronto-based British-

Canadian company DiamondWorks (Musah, 2002:912; O'Brien, 2000:60; Commission on Human Rights, 1999). In July 1997 a plot was set in motion for the invasion of Sierra Leone to dislodge the AFRC. A three way communication network was set up between the exiled government, Jupiter Mining Company and Sandline International (Musah, 2000:98).

As the British equivalent to EO, Sandline provided the same military services. Therefore, the role of Sandline was: 1) to train and equip some 40, 000 Kamajor militia, some of whom were based in camps inside Guinea and others involved in skirmishes with the AFRC-RUF alliance; 2) plan the strategy and co-ordination of assault on Freetown; 3) provide arms, ammunition, transportation and food for the assault coalition; 4) co-ordinate with 20, 000 Economic Community of West African States Monitoring Group (ECOMOG) (mostly Nigerian troops) based in Lungi Airport near Freetown for the assault on Freetown (Musah, 2000:98; Douglas, 1999:192; Pech, 1999). At the time Sandline International, clearly stated its objective in Sierra Leone as 'to return the democratically elected government to Sierra Leone by means of direct action; combat, procurement and delivery of arms and logistics' (Musah, 2000:99; Douglas, 1999:189).

In a \$10 million operation, Sandline shipped 35 tons of Bulgarian arms and ammunition to forces loyal to the exiled government and the Nigerian led West African peacekeeping ECOMOG forces (Francis, 1999:328; Musah, 2000:99; O'Brien, 2000:60). Though Sandline agreed to provide a range of military related services from tactical intelligence to troops transport, delivery of weapons and logistics by helicopter, the junta was overthrown by the combined forces of ECOMOG, the Kamajors and about 200 personnel/mercenaries of Sandline International on 18 February 1998 that launched an air and ground assault on Freetown before the arrival of the Bulgarian arms (Francis, 1999:328; Musah, 2000:99). However, Sandline played a valuable role in the restoration of the civilian government in February 1998. The AFRC-RUF alliance was no match for the combined forces and, within a day, most of its guerrillas had tactically surrendered the capital, Freetown, to the invading forces and fled into the bush and neighbouring countries (Musah, 2000:99). With the help of the key role played by Sandline in the counter-coup, Tejan Kabbah's government returned

to Freetown from exile (Francis, 1999:328; Musah, 2000:99; Pech, 1999:94; Commission on Human Rights, 1999:11-2).

The involvement of private military forces in the security landscape of Sierra Leone continued even after the restoration of the Kabbah regime. Private military companies spearheaded by Sandline continued to support Nigerian operations with their helicopters and supplies pilots (Musah, 2000). In addition to stepping up its training of the Kamajors, the private security sector continued to provide escort facilities for Non-Governmental Organizations (NGOs), UN agencies and foreign businesses (Musah, 2000; Abrahamsen and Williams, 2005). Through the entrenchment of various private security entities in Sierra Leone, Sandline International had made itself indispensable for the very survival of the Kabbah administration (Musah, 2000). With this influence the private security network dominated and dictated terms in the security market. Besides the EO and Sandline groups, other security companies were active in the country. These included Defence Systems Ltd., which provided security to UN and NGO humanitarian convoys and the American groups International Chartered Incorporated (ICI) and Military Professional Resources Incorporated (MPRI) (ibid.:105).

The end of the conflict in Sierra Leone did not stop the proliferation of PMSCs in the country. In fact the private security sector continued to grow at an astounding rate. A pervasive sense of insecurity arising from the decade-long conflict, combined with concerns over the capacity and integrity of the police service may explain this trend (O'Brien, 2000; Abrahamsen and Williams, 2005). The proliferation of private security in the country had a negative impact for the overall security situation and political economy of Sierra Leone. This is partly because such a situation caused rivalry between the various PMSCs which sought control of Sierra Leone's diamond fields triggering an inter-mercenary war (Peleman, 2000).

4.2. Angola

The involvement of foreign military actors in Angola started immediately after the country gained its political independence from Portugal in 1975. The ruling MPLA and the rebel

group UNITA were bitter rivals even before the country gained independence (Cleary, 1999; Vines et al., 2005). The former Soviet Union, Cuba, the United States and apartheid-era South Africa were involved in the Angolan conflict from the start (Clapham, 1996; Frynas and Wood, 2001; Kinsey, 2007; Howe, 1998; Cleary, 1999; BBC, 2010; Vines et al., 2005).

4.2.1. Internal Strife and Privatization of Security in Angola

The involvement of foreign military actors in Angola started immediately after the country gained its political independence from Portugal in 1975. The ruling MPLA and the rebel group UNITA were bitter rivals even before the country gained independence (Cleary, 1999; Vines *et al.*, 2005). In the Angolan civil war that lasted for 27 years (1975-2002), the Americans and the South Africans supported UNITA where as the Soviets and the Cubans stood on the side of MPLA (Reno, 1998; Cleary, 1999; French, 1996; Vines *et al.*, 2005; BBC, 2010). During the civil war, in addition to foreign armed forces which supported both sides, commercial military entrepreneurs designated as “mercenaries” and PSCs were contracted for combat and training missions by UNITA as well as by the government forces (Rimli, 2007:45). Post-independence instability in Angola has therefore its roots deep in history, including Portugal’s failures to prepare its colonies for independence, the involvement of foreign actors, and ethno-regional divisions among nationalist movements that fought the Portuguese and turned on each other (Cleary, 1999:141; Vines *et al.*, 2005:19). This led to a violent struggle for supremacy at independence in 1975 (*ibid.*). As was the case elsewhere in post-colonial Africa the one-party system under MPLA became the main provider of goods and benefits driven by its ideological belief as a liberation movement that it was a people’s vanguard party (Vines *et al.*, 2005:19; Clapham, 1996). However, faced with conflict rebellion and a struggle to retain power, the party neglected the provision of services – a situation aggravated by the decline of agriculture owing to the war and inefficient centralized Socialist management. Peasants and the urban poor became further marginalized (Vines *et al.*, 2005:19).

The economic, cultural, ethno-regional, political and other cleavages in Angola during the 1950s and 1960s was reflected by the emergence of Angola’s three “liberation movements” which was in line with the pattern of colonial rule (Cleary, 1999:143; Vines *et al.*, 2005:19).

The MPLA was drawn more heavily from urban left-wing Mbundu based elite, while UNITA whose core lay in the Ovimbundu-dominated central highlands on a peasant base, and the FNLA, drawn heavily from northern Bakongo groups, had more rural backgrounds (ibid; Justin, 2004:14). As UNITA grew to become the main guerrilla force, military realities – with the MPLA supplying and protecting the urban centres and UNITA in the country side – sharpened the urban/rural divide (Vines *et al.*, 2005:19). Since Angola’s birth as an independent state in 1975, there had always been at least two distinct versions of Angola – one represented first by the FNLA and later by UNITA and the other represented by MPLA (Cleary, 1999). The first version in its nature was constituted in terms of institutional culture as rural-traditional African in contradiction to MPLA’s urban, *Luso-African* character (ibid.). The Angolan urban elite of the coastal corridor, many of whom are traditionally supporters of MPLA, are the products of the Portuguese colonial administrative culture. The *assimilados* were seen as the natural partners and later, heirs of the Portuguese, succeeding them as cultural surrogates (Cleary, 1999:144; Vines *et al.*, 2005).

The urban elite’s sense of superiority to the Ovimbundu of the central plateau, whose economic roles were minimal in colonial times had continued even after independence (Cleary, 1999:144). Political mobilization among the urban elite since 1975 has been the function of this feeling of superiority to, and fear of the *pretos/mutumbas* (pejorative terms for non-*assimilado* black Angolans). UNITA’S resentment of the domination of the *mulatos* and Luandenses fuelled its campaign against the MPLA since independence (ibid.). People in different parts of Angola expressed perceptions of distinctness from those who exercised state power in Luanda. The feeling of exploitation and marginalization particularly among the people in the Lunda provinces were common even after the end of the conflict (Justin, 2004:13). People expressed being enslaved and colonized by the MPLA ruling elite in Luanda. In places like Cabinda, separatist sentiments/rebellion pre-dates Angola’s independence from Portugal (ibid.; Frynas and Wood, 2001:592). In the Cabinda enclave where most of the Angolan oil had been extracted until recently, grievance over state neglect among other things was one of the main factors in the armed conflict of the Cabinda separatist groups (Frynas and Wood, 2001:592). There was, as such, no common perception of the existence of a single Angolan nation. The elite of Luanda had an exclusive concept of

their Angolan identity more or less similar to that of the majority of South African whites during the apartheid era (Cleary, 1999). At times the antagonism and distinctness of each side to the 'other' was extremely frightening, a distinction often expressed in terms of differences between the creolized culture of the Angolan coastal elite and the traditional African culture of the people of the interior and other parts of the country (ibid.; Justin, 2004; Vines *et al.*, 2005).

Angola was a highly militarized society for decades. The war destroyed physical infrastructure, and human capital, and distorted national institutions. As in many African countries Angola functioned through personalized networks (Vines *et al.*, 2005; Clapham, 1996). In these networks, money and favours are allocated by patrons to clients, in exchange for political support and leaders are considered more accountable to their clients who may be drawn from their own social, ethnic or family (or other) groups than the concept of the nation (Vines *et al.*, 2005). A patron-client system such as the one in Angola which lasted for decades was harmful to the population and marginalized the poor (ibid.; Rotberg, 2002). The patrimonial system which was further complicated by the civil war which restricted the non-resource economic activities had serious consequences for the Angolan State (Vines *et al.*, 2005). For example, if a narrow criterion of statehood such as Weber's monopoly of force was to be adopted, statehood in Angola had been in doubt periodically as the state could not claim the monopoly of force in its jurisdiction (Jackson and Rosberg, 1982:12; Clapham, 1996). Because of the civil conflict particularly from 1975-1982, Angola did not qualify as a stable community which seriously affected national political stability and made the capacity of the government to control its territory very difficult (Jackson and Rosberg, 1982:5, Justin, 2004:3; Clapham, 1996).

As Rotberg (2002) noted, during the second phase of the civil war (1992-2002), Angola was one of the failed states in Africa. The country exhibited as was in Sierra Leone, in Sudan, in Burundi most traits of a failed state (Rotberg, 2002:132; Clapham, 1996:156). Angola experienced acute shortage of food leading to starvation; a collapsed health system; the end

of regular schooling opportunities; a deteriorated or inefficient infrastructure; high levels of corruption; rising ethnic, linguistic, and cultural hostilities (Rotberg, 2002:132; Commission on Human Rights, 1994:19). Not only these, as the social contract that binds citizens vanished, so did security, the most important political good. Throughout the period of the civil war the government in Angola was not only unable to provide security to the whole population but also it was incapable of controlling the country's strategic natural resources such as diamond and oil fields (Rotberg, 2002; Vines, 2000; Justin, 2004; Vines *et al.*, 2005).

After 16 years of fighting (1975-1991), Angola's move toward peace started facilitated by the United States, with the discreet assistance of the former Soviet Union (Cleary, 1999:144; Clapham, 1996:159). The trilateral talks between Angola, South Africa and Cuba linked the withdrawal of Cuban combat troops and logistic specialists from Angola to Namibia's independence (Cleary, 1999; Clapham, 1996). South Africa's withdrawal from Angola and Namibia and its cessation of military assistance to UNITA were the *quid pro quo* for Cuba's withdrawal from Angola (Cleary, 1999:144). The Bicesse Accords of 1991 temporarily saw the cessation of the conflict between the MPLA and UNITA forces reliving Angolans from the shock of war just for sixteen months. Angola's first democratic elections were held on 29 and 30 September 1992 (Cleary, 1999:153; Clapham, 1996:205). Tensions arose within a short time after the close of the polls, when government media began to broadcast results, not released by the National Electoral Commission (NEC), reflecting victories for the MPLA and president dos Santos in many constituencies (Cleary, 1999:153). On 3 October, 1992, Savimbi announced to UNITA supporters suggesting that UNITA would not tolerate electoral fraud and he withdrew from Luanda. Subsequently, as UNITA rejected the results of the 1992 elections, the war resumed (Cleary, 1999; Clapham, 1996; BBC; 2010).

Between 31 October and 2 November 1992, while negotiations to resolve the crisis were still under way, the riot police and other FAA units attacked and destroyed all UNITA's residences and party offices in Luanda, leading to the death of many and the capture of almost all its military and civilian cadres in the capital (Cleary, 1999:153). While UNITA was at the receiving end in Luanda, its officers and men began to leave the camps where

forces had been concentrated before the elections and fanned out into neighbouring municipalities (ibid.; Howe, 1998). The events in Luanda in which many of UNITA's senior officers and party leaders were killed had traumatized Savimbi. After an air and ground attack on Huambo in January 1993 destroyed Savimbi's personal house as well as much of the surrounding area, the UNITA leader advised the then president of Portugal Soares, among others, that he was obliged to "... put on my general's uniform, or we shall all be killed." (Cleary, 1999:154). Savimbi's assumption of command changed the situation on the ground. UNITA regrouped its forces and counter attacked in many fronts including Huambo, Cuito, Menongue, Cuito Cuanavale, M'banza Congo, Saurimo, Malangue, Benguela, Puerto Quipiri, Soyo and other areas rich in diamonds, most importantly the Cuango valley (Cleary, 1999:154; Commission on Human Rights, 1994:18) . By the end of 1992, the government of Angola only held the mining towns of Lunda Sul, Dundo, Lucapa and Nzaji (eastern Lunda Norte), while UNITA took control of the surrounding countryside and villages. In late 1992, UNITA held about 85 percent of Angola (Cleary, 1999:154; Justin, 2004:4; Howe, 1998:325). As in Sierra Leone and other states in sub-Saharan Africa, Angola during the civil war had ceased to be a "state" in the empirical sense-that is its central government lost control of important areas as a result of its struggle with UNITA (Jackson and Rosberg, 1982; Clapham, 1996). The national government exercised only tenuous control over the people, organizations, and activities within its territorial jurisdiction (Jackson and Rosberg, 1982).

In the context of privatization of security in Africa and the involvement of private military actors in an African conflict, Angola is a unique case at least for four reasons. 1) As an operational ground for a PMC that is EO, Angola was one of the first countries in the early 1990s; 2) In the proxy conflicts in sub-Saharan Africa during the cold war, many of the 500 or so South African recruits with EO fought alongside UNITA; 3) In many senses, Angola had been a testing ground for the development and evolution of PMCs in Africa as of the more than 90 private armies that operated throughout Africa by mid-1997, the majority of them were in Angola (over 80 according to some writers) ; and 4) It is believed that EO's involvement changed and made a significant difference in the outcome of the conflict in

Angola (Reno, 1998:62; Rimli, 2007:45; French, 1996:160; Clapham, 1996:254; O'Brien, 2000:51; Howe, 1998:312; Shearer, 1998:78).

With the resumption of the civil war in 1992, new foreign actors emerged in the private security business in Angola, such as EO. Escalating fighting within Angola prompted EO's entry in 1993 (Rimli, 2007:50; Howe, 1998:311). Rejecting the results of the elections and returning to fighting, Savimbi's UNITA soon controlled over 80 percent of Angola's country side (Howe, 1998:311). By 1993, UNITA controlled an estimated \$1 billion in annual earnings from mineral exports. Angola's government needed those revenues to finance its effort to rearm and to fight UNITA (Reno, 1998:64). The critical security and economic situation forced MPLA to desperately seek help, which it could no longer obtain from Cuba and the Soviet Union (Reno, 1998; Rimli, 2007; Howe, 1998). Outgunned, outnumbered by UNITA forces and deprived of military support from its cold war external patrons, the fragile Luanda government found itself in a complex security situation (O'Brien, 2000; Peleman, 2000; Justin, 2004; Vines, 2000). As in Sierra Leone, the state in Angola, wracked with intra-state instability, civic lawlessness, the looting of natural resources and violent challenges to the state, the government was forced to seek security through private military and security companies (Small, 2006:27). It was in this security context that the beleaguered Angolan government resorted to the private security sector for help (Reno, 1998; O'Brien, 2000; Peleman, 2000; Justin, 2004; Vines, 2000).

4.2.2. The Role of PMSCs in the Angolan Conflict

Executive Outcomes in Angola

EO's involvement in the Angolan conflict began in 1993 when it was contracted by the Angolan State oil company, Sonangol, to provide security for the Soyo oil installations against UNITA attacks and then train government soldiers (Vines, 2000:172; Reno, 1998). Although EO lost the installations to UNITA, the Angolan government gave EO a one-year contract in September 1993 and then renewed the contract every year till mid-1996 (Reno, 1998:64; Vines, 2000:172; Leander, 2005:608; Kinsey, 2007:595). UNITA forces had overrun the Soyo oil fields twice in 1993 that caused considerable destruction and the

shelling by UNITA forces had forced oil wells to cease production (Frynas and Wood, 2001:592).

As UNITA continued on the offensive throughout Angola, the increasingly desperate MPLA government, which recognized EO's capabilities signed the contract for \$40 million. Of this amount, \$20 million was for military supplies requested by EO, while the other \$20 million went directly to EO (Shearer, 1999:73; Vines, 2000:172; Howe, 1998:311-12; Kinsey, 2007:595). EO served primarily as a 'force multiplier' – a small group whose specialized skills enhanced the effectiveness of a much larger force. It fielded a maximum of 550 soldiers and trained about 5, 000 government (FAA) troops and 30 pilots (Howe, 1998:312). At Longa special operations training base, near Luanda, EO personnel instructed the MPLA in skills such as motorized infantry, artillery, engineering, signals and medical support, as well as sabotage and reconnaissance (Howe, 1998:312; Rimli, 2007:50; Kinsey, 2007:595; Vines, 2000). According to Singer (2001-2002) EO in Angola acted as a military provider firm one which offered services at the forefront of the battlespace, engaged in actual fighting or direct command and control of field units, or both (Singer, 2001-2002). Thus as a 'force multiplier' EO's personnel were distributed across Angola's armed forces which had low military capabilities and faced immediate, high-threat situations to provide leadership and experience (ibid.).

In the Angolan conflict, EO's major turning point occurred in June 1994 when the EO-trained 16th Brigade triumphed over a strong UNITA force at N'dalatando, a strategic town outside Luanda (Reno, 1998:64; Howe, 1998:312-15). N'dalatando was the Brigade's first battle; with EO-FAA joint planning, EO-trained soldiers along EO's own personnel proved instrumental in seizing the town, and EO personnel helped recapture the diamond areas of Saurimo and Cafunfo in mid-July 1994, the source of much of UNITA's funding for its war effort and the oil installations at Soyo by November. At the battle of Cafunfo, which is a strategic diamond town, EO's troops proved instrumental (Reno, 1998:64; Howe, 1998:312-15; O'Brien, 2000:52; Vines, 2000:173). EO's rapid military successes against one of Africa's most capable guerrilla armies attracted attention elsewhere in the African continent (Howe, 1998:313). In fact after the battle of N'dalatando, Barlow stated that 'that battle

changed the whole attitude of the Angolans, everything else fell into place for us (the EO) in Angola and word spread throughout Africa' (Howe, 1998).

Shearer (1998) (cited in Cleary, 1999:161) gave a useful description of EO's activities in 1994 as follows:

In January 1994, the FAA's 16th Regiment was airlifted to N'dalatando, a key town south-east of Luanda, and retook it with tactical assistance from EO. The Cafunfo diamond fields in Lunda Norte province were captured in June 1994 in an operation in which EO personnel participated directly. In August the FAA regained Soyo and took the provincial capital Uige, and, in September, the key town of Huambo fell to the government forces.

An EO member involved in Angola at the time admitted on South African television in 1995 that his organization did not just train soldiers but engaged in aggressive military operations. According to his account about the battle at Cafunfo (quoted in Vines, 2000:173) he stated that:

A team went ahead to clean up Cafunfo. We followed up later and, on the way to Cafunfo, we killed about 300 enemy soldiers. Executive Outcomes was engaged in attacks all the time. It did give some training as well, but the success of the MPLA could be directly attributed to Executive Outcomes' involvement.

EO's personnel were also active in Uige and Huambo. Pilots belonging to Ibis Air and Capricorn Systems Air often described as EO'S 'air wing', in which EO was a significant shareholder flew combat missions in Mi-8, Mi-17 and Mig-23 fighters and were used to transport personnel and logistics for operations. EO's pilots greatly assisted ground and intelligence operations (Francis, 1999:323; Howe, 1998:312-15). Defence strategists at the time generally credited EO with greatly assisting the MPLA to turn back the resurgent UNITA (Vines, 2000:172; Francis, 199:323; Howe, 1998:312-5; Kinsey, 2007:595). As military provider firm engaged in force multiplication, EO's upgrading local military capability in the form of training and intelligence proved equally important as its combat capability. In Angola, EO provided the FAA with specialized services which its previous patrons, Cuba and the USSR, had not furnished (Howe, 1998:315; Vines, 2000). As Reno

(1998:62) observed “Executive Outcomes has supplied “security specialists,” a euphemism for a private military force, for state officials and private-firm clients in Angola.”

EO transferred its close knowledge of UNITA’s capabilities to the MPLA and the FAA. EO offered its Angolan clients insights into UNITA tactics and operations, since the rebel group was its cold war ally (Howe, 1998:315; Reno, 1998:64). Its planes and helicopters conducted aerial, including infra-red reconnaissance flights. Its radio operators listened to, and jammed UNITA communications (Howe, 1998:315). EO’s long-range reconnaissance and aerial surveillance provided visual identification of enemy (UNITA) camps. EO not only did most of the fighting by launching a number of helicopter assaults on UNITA positions, but also employed and used tactics that UNITA was unaccustomed to in its confrontation with the FAA including night fighting and air-land assaults (O’Brien, 2000:52). Using its air assets to attack UNITA bases and troop concentrations, a joint EO/FAA force was able to launch operations to take back large areas of Angola from UNITA control. The joint force (EO/FAA) became the spearhead of a government counter offensive eventually securing the entire oil region of Angola and much of the diamond producing areas. (Kinsey, 2007:595). EO not only excelled at combat support operations, proving its worth by enhancing the strategic capability of the Angolan military and, generally regarded as having a critical part in securing victory for the government forces, but also on behalf of the Angolan government, it procured armour, artillery, and deployed fighter and bomber aircraft that included Soviet-made helicopter gunships, ground attack aircraft and other military hardware (Kinsey, 2007; Howe, 1998; Pech, 1999; Cleary, 1999; Shearer, 1998).

In the Angolan conflict, as in the Sierra Leone, the involvement of EO had a direct impact in the conflict. Like the RUF in Sierra Leone, the rebel movement UNITA in Angola, consistently resisted negotiated, consent-based settlement. There was little chance of a breakthrough until more coercive measures were applied (Shearer, 1998:75; Francis, 1999:329; Kinsey, 2007:595; Howe, 1998:312). The series of military defeats suffered by UNITA due to EO’s direct military assistance helped to strengthen the government’s position and forced the chastened rebel movement to the negotiating table and brought about

the subsequent Lusaka Accord (*ibid.*). The Protocol ended the fighting and prepared the ground for another round of elections. In effect, EO's immediate strategic impact created the conditions for negotiations and a peace settlement, something others like the UN and OAU had not been able to achieve throughout the conflict (*ibid.*; Cleary, 1999:163; Vines, 2000; Small, 2006; Shearer, 1998).

The indispensability of EO to the MPLA government and its critical role in the Angolan conflict was illustrated by the positions held by the MPLA government and UNITA respectively (Cleary, 1999; Kinsey, 2007). On the one hand the entry of EO and its continued availability and efficiency – together with arms deliveries from several countries gave the Angolan government reason to believe that the FAA could continue to disregard the cease-fire which UNITA unilaterally declared in September 1993 throughout the Lusaka talks (*ibid.*). As Drogin (1994) (Cited in Cleary, 1999:163) observed “as a result of international legitimacy and superior military capability, government hardliners insist that Savimbi can now be beaten, or at least pushed back into the bush. They want to force UNITA from diamond-producing areas and cut its supply lines to Zaire.” There was no doubt that the “military capability” of the FFA was hugely enhanced by EO's joining of the military theatre. UNITA on its part, before signing the Lusaka Accord in November 2004, demanded the withdrawal of EO from Angola, no doubt because of the impact EO's training and leadership was having on the FAA (Kinsey, 2007).

4.2.3. Other Private Military and Security Companies in Angola

Very few of the private military and security companies which operated in Africa were able to deploy combat operations similar to those undertaken by the EO in Angola and Sierra Leone. Contracts of the size, scale and cost that EO had with the MPLA government were very rare (Howe, 1998; Pech, 1999; Francis, 1999). However, other PMSCs had operated or sought to operate in Angola. These include International Defence and Security Ltd. (IDAS), Saracen International, Shibata, AirScan, GSG, Teleservice, Omega Support Ltd, Alpha 5, Bridge Resources, Defence Systems Limited (DSL), LR Avionics and MPRI and others (Reno, 1998; Pech, 1999; Cilliers and Douglas, 1999; O'Brien, 2000; Peleman, 2000; Vines, 2000; Rimli, 2007). In Angola, IDAS had provided demining operations and played

instrumental in the MPLA's war strategy against UNITA in 1996. At the time, the hard core of Jonas Savimbi's UNITA rebels were reported to have withdrawn to strongholds in the Cuango valley and across the border in Zaire (Peleman, 2000:163). IDAS was hired to guard the route from Zaire, thus blocking rebel incursions against government forces. In payment, the Angolan government granted IDAS a diamond concession near the Angolan-Zairean border in 1996 (Peleman, 2000:163; Rimli, 2007).

The MPLA government also targeted the Front for the Liberation of the Enclave of Cabinda (FLEC), a secessionist group that has been struggling for independence since the 1960s. In October 1997, the Angolan government conducted an operation in the Cabinda region with security assistance provided by a PMC called AirScan (O'Brien, 2000:57; Vines, 2000:188). AirScan was hired by Luanda in 1997 on the recommendation of Cabinda Gulf Oil Company, a subsidiary of U.S. Chevron Oil, to provide protection against guerrilla attacks from FLEC (O'Brien, 2000:57; Vines, 2000:188; Rimli, 2007:54). AirScan had deployed in Cabinda a modified Cessna E337 aircraft equipped with tactical radios and a Global Positioning System receiver which conducted a 24-hour searches for insurgents in the vicinity of the oil fields. AirScan's air surveillance operations in Cabinda were widely perceived to serve the Angolan Armed Forces in supporting their military cleansing offensive launched in October 2002 against the separatist FLEC guerrillas from the Mayombe forest (Vines, 2000:188; Rimli, 2007:54).

During their time in Angola, EO established numerous affiliates and subsidiaries. Among these were Saracen International, Bridge International and Shibata. When EO's contract was terminated in December 1995 and its personnel left in January 1996, Saracen International was used to guarantee EO a continuous presence in Angola, both directly through Strategic Resources Corporation's (SRC's) (a company affiliated to EO) control over Saracen and indirectly through former EO personnel who continued to work for Saracen (O'Brien, 2000:52; Rimli, 2007). The company provided demining work around Soyo, and established a special rapid reaction police unit in Angola. Shibata Security under the SRC umbrella, provided security for mining facilities and demining operations throughout 1996, as well as demining operations, following EO's withdrawal (O'Brien, 2000:52-3). After EO's exit

from Angola, PMSCs established and controlled by former EO employees like Alpha 5, Omega Support Ltd, Bridge Resources and others provided security to mining and other commercial facilities in Angola (O'Brien, 2000; Rimli, 2007). The British-based DSL also provided security to mining and petroleum sites as well as protecting diamond routes. DSL was specifically contracted to provide protection to the Soyo offshore oil fields from UNITA (O'Brien, 2000; Vines, 2000; Rimli, 2007). The Israeli company, LR Avionics, is reported to have been active in both civil and military security projects. LR Avionics provided radar systems used by the Angolan Armed Forces to detect diamond smuggling flights on behalf of UNITA, and in 2001, received a USD 30 million contract for a comprehensive security package for the Angolan president Jose Eduardo dos Santos (Rimli, 2007:54). The company also engaged in arms procurement through Slovakia on behalf of the Angolan government in 2001 (ibid.).

Another PMC which reportedly sought to operate in Angola was the U.S. based private military company MPRI. It is widely reported that the Clinton administration in 1995 threatened to block UN aid to Angola and allegedly threatened economic reprisals against it unless president dos Santos terminated Angola's contract with EO and replace it with MPRI (Nossal, 1998:30; Francis, 1999). Some South Africans complained that the U.S. pressure on the Angolan regime to end the contract with EO was an attempt to edge out South Africans in favor of a U.S. military training firm (Reno, 1998:67; Nossal, 2001). It was claimed that the former U.S. president Clinton directly requested president dos Santos to consider the employment of MPRI to train the FAA and immediately after the departure of EO; the American firm received a contract from the Angolan government to train the army (Nossal, 1998:30; Cilliers and Douglas, 1999). MPRI maintained that it has never had any significant activity in Africa, though it is believed that it has been pursuing a significant contract in Angola where the U.S. government played a direct role in pressuring the Angolan government to evict EO and lobbied hard on behalf of MPRI (Cilliers and Douglas, 1999; Musah; 2002; Renou, 2005). Although senior MPRI representatives had visited Angola on a number of occasions to negotiate a contract, little was known about the success, nature and detail of the contract. However, it was believed that MPRI had links with AirScan (Cilliers and Douglas, 1999; O'Brien, 2000). MPRI stated that it can perform any

task or accomplish any mission requiring military skill ... short of combat operations. It is therefore logical to conclude that it had offered to Angola those services which it provided to Croatia under The Democracy Transition Assistance Program for the Republic of Croatia of U.S. military assistance (Cilliers and Douglas, 1999). That military assistance included officer and non-commissioned officer training, as well as core military competencies among other things (ibid.).

4.3. Private Military Forces across the Conflict Divide in Sierra Leone and Angola

In both the conflicts in Sierra Leone and Angola private military companies or mercenaries were involved across the conflict divide. According to the Angolan government, UNITA also employed Israeli, Serb, Ukrainian and South African mercenaries (Vines, 2000; Rimli, 2007). Since the outbreak of the 'second civil war' in October 1992, General Joao de Matos, then chief of Staff of the FAA, and other persons had accused UNITA of making use of mercenaries. General Matos was quoted in January 1995, as saying that "... some 300 South African mercenaries [by which he meant EO] serve with the government forces and slightly less with UNITA..." (Cleary, 1999:149). Venter (1995) (cited in Cleary, 1999:149), wrote that:

Savimbi, too, is recruiting mercenaries and transport pilots in South. Specialists from Belgium, Israel, Morocco, France, Germany and Zimbabwe are training UNITA forces in northern Angola near the Zaire border and in Zaire itself, which is his main conduit of supplies. Many of these professionals are employed to teach special forces-tactics to counter the FAA accent on dislocating enemy command and control centres.

Similarly, a report by the Commission on Human Rights (1994:19) states that:

UNITA's control of the eastern provinces has reportedly facilitated the arrival in Angola of mercenaries from Zaire to fight alongside the rebel forces; clandestine flights from Durban and Johannesburg to Macusso and Jamba have also transported mercenaries, weapons and military equipment. UNITA is primarily responsible for having established links, since the onset of the civil war 18 years ago, with foreign mercenaries, whom it has used both for training its personnel and military operations.

The report mentioned above did not indicate any specific PMSC involved in those mercenary activity. But it did refer to a warning by the Chief of South African Defence Forces who on 11 September 1993 confirmed that members of the special elite forces and former members of the South African intelligence services were receiving ‘offers of employment’ to fight in Angola as mercenaries (Commission on Human Rights, 1994). It is a well documented fact that UNITA did utilize foreign combatants in its struggle against the MPLA. The SADF’s Special Forces and South Africa’s former 32 Battalion saw heavy services in Angola as part of apartheid South Africa’s destabilizing forces (Howe, 1998; French, 1996). Most of EO’s soldiers were recruited from the 32 Battalion and other units of the SADF who had a thorough knowledge of UNITA’s guerrilla capabilities and of the Angolan terrain. As apartheid South Africa’s destabilizing military forces, these soldiers had fought against the Angolan army and saved Savimbi’s UNITA several times from defeat (Pech, 1999; Howe, 1998; Shearer, 1998; French, 1996; Kinsey, 2007). As in Angola, mercenaries from other countries also involved in the Sierra Leonean conflict. Private armies/mercenaries from Burkina Faso, Guinea, Liberia and Libya fought alongside RUF against the Sierra Leone government (Musah, 2002; Holmqvist, 2005; Dupuy and Binningsbo, 2007). The Sierra Leone government utilized mercenaries from Liberia in addition to Executive Outcomes personnel. The RUF rebels used PMSCs to bolster capacity through training and assistance in the use of high technology weapons (Reno, 1998; Musah; 2002, Holmqvist, 2005; Dupuy and Binningsbo, 2007). In line with mercenary ‘tradition’ EO employees who once worked for the Sierra Leone government have switched sides and fought for the rebels as well (O’Brien, 2000).

4.4. The Cost of Security in Sierra Leone and Angola

The involvement of private military actors in Sierra Leone and Angola or other countries in Africa not only had deleterious (negative) impact on financial and natural resources, human security, economic and social welfare but also on ideational aspects of statehood like sovereignty and the legitimate use of force within a state’s territorial jurisdiction (Reno, 1998; Musah, 2000; Francis, 1999; Cleary, 1999; Rotberg, 1982; Jackson and Rosberg, 2002; Kaplan, 1996; Lowenheim and Steel, 2010). Here, for example, one could say that

EO's intervention in Angola had helped the FAA and the Angolan government achieve their objectives. However those objectives were achieved at a terrible cost (Cleary, 1999; Francis, 1999). The determination of the Angolan government and EO to continue the war despite UNITA's unilateral cease-fire which started in September 1993 had cost the lives, in that year alone, of perhaps 200,000 Angolans, destroyed most of the national infrastructure, and fractured the Angolan economy (Cleary, 1999:164-66). Social and economic conditions in Angola were markedly worse in September 1995, when EO signed a contract for the third time (ibid.; Commission on Human Rights, 1994). EO had used indiscriminate weapons in their tactical field operations, namely the cluster fuel air bomb, which is viewed as immoral under national military codes and international conventions pertaining to the conduct of war. Those heavy air attacks that EO carried out on rebel-held areas killed civilians indiscriminately (Small, 2006:25; Pech, 1999:94).

The 21 months of operations by EO in Sierra Leone cost the government over \$35 million. There were two aspects to EO's contract with the government. One was cash arrangement and the other was diamond mining concessions (Francis, 1999:331, Musah, 2000; Howe, 1998). Documentary proof of mining concessions granted to EO by the government had not been found due to the sensitivity of the deal. However, three months after EO started operations in Sierra Leone, Branch Energy (one of the several corporate mining entities affiliated with EO), acquired the Kono diamond mining rights, thereby confirming diamond mining concessions as part of the payment (ibid.; Kufuor, 2000). The granting of mineral fields to a PMC as an incentive or payment was well illustrated by the deal between the government of Angola and IDAS in 1996. In this regard, (Peleman, 2000:163), recounts the offer the Angolan government made to IDAS by quoting Paul Beaver of the British-based Jane's Information Group. According to Beaver, IDAS's Angola contract was an incentive contract. IDAS was told: 'Clear out the rebels, and a share of the diamonds is yours.' In an interview after returning to power and terminating EO's contract, Kabbah spoke of the expensive nature of the deal with the military company. In this regard, (Musah, 2000:97) quotes Kabbah as saying "we had to pay these people over a million dollars a month, and by the time I became president we owed them a lot of money, millions. And so what we had to

pay every month and what had accumulated was becoming a serious burden on our economy.”

By the time EO departed from Sierra Leone in January 1997, it was owed \$19.5 million by the government. This debt was to be repaid at a rate of \$600,000 a month between March 1997 and the end of 1999, and budgeted for in the country’s yearly expenditure (Francis, 1999:331). EO’s indispensable role as the government’s security provider was converted to its commercial advantage by monopolizing the diamond mining industry and operations (Francis, 1999). In Angola, EO was paid over \$40 million a year in diamond and offshore oil exploration and diamond concessions (Pech, 1999; O’Brien, 2000). Similarly in Sierra Leone, EO/Sandline was compensated for their service to Kabbah through the selling off 30% of the country’s diamantiferous land, worth an estimated \$200 million (Musah, 2002:912). PMSCs thrive on conflict, and it is these conflicts that provide market opportunities, without which they are failed business ventures (Francis, 1999). These are some of the real costs of private military intervention that private security watchers deliberately ignore when they refer to the ‘strategic advantage and cost effectiveness’ that mercenary groups bestow on those who hire them. The economic exploitation of low-intensity conflicts by corporate mercenarism therefore becomes evident (Musah, 2000:92-101). Mercenaries loot, plunder and sometimes kill indiscriminately, leaving in their wake chaos, death and destruction. Their poor human rights record contradicts their public relations (Francis, 1999:332; Vines, 2000; Commission on Human Rights, 1994). In Sierra Leone, in January 1996, three LifeGuard Security personnel guarding the Rutile mines in Mobimbi were captured by the RUF, which provoked a serious military offensive from EO in a desperate bid to rescue them. That offensive ended in very high civilian casualties (Francis, 1999:332; Vines, 2000). Another example is when the Gurkha forces’ commander was killed in an ambush; the unsuccessful military offensive to recover his body was remarkable for its brutality and indiscriminate killings. The alleged unprofessional conduct of the Gurkha forces and the torture of captured rebels caused resentment with in the army and the government (Francis, 1999:332). Commenting on mercenary intervention in Sierra Leone, president Kabbah explained how engaging a private military force undermines the interest of a state. In this respect, (Francis, 1999:332), quotes Kabbah as stating:

the military junta at the time was of the view that they needed outside assistance and they were desperate. In such situations, you really find yourself at a disadvantageous position and you may commit your country in an activity or obligation which may not be in the best interest of the country.

EO's operations in Sierra Leone had been criticized on the basis of its threat to the political sovereignty of the state. The indispensable role of EO as the prime security provider gave it a strangle hold on the NPRC government. During its stay in Sierra Leone, EO virtually held to ransom the entire politico-military and economic system (Francis, 1999:332). The Sandline/EO transnational mercenary conglomerate and its mining wing, made significant inroads into the political economy of the troubled country, dictating terms in the security market, winning lucrative mining and security contracts, such as the Koidu diamond concessions (Musah, 2002:925). Corporate networks with links to PMSCs had managed to part-own the state in Africa. Both the Angolan and the Sierra Leonean governments experienced the long-term drawbacks of sub-contracting their state security functions. Unable to provide financial payment for the services of PMSCs, these two governments had resorted to payment through mining and mineral concessions mortgaging natural resources to foreign firms (Small, 2006:27; Reno, 1998:64-131). Indeed, the hidden cost of corporate intervention in the civil wars in the African countries in question in particular and in other African civil wars in general, besides the mortgaging of natural resources, is sovereignty (Reno, 1998; Musah, 2000; Commission on Human Rights, 1999). Corporate mercenarism represents a return to exploitative neocolonialism and its debilitating effects on the African state system (Reno, 1998:131; Francis, 1999:331; Howe, 1998). Many authors argued that employing external military expertise is not a lasting way of building up internal state capacities. It does not seek to re-establish the social contract between state and citizen, it does not seek to address the root cause of instability (the fundamental political and socioeconomic issues that prompted the conflict), nor does it seek negotiation in the quest for peace (Francis, 1999; Small, 2006; Musah, 2000; Commission on Human Rights, 1999).

Hiring of private military forces in Sierra Leone and Angola amounted not only to considerable erosion of political sovereignty, but also to mortgaging of mineral resources

and national security to private actors (Francis, 1999). In the same vein, Small (2006:27), observed that the engagement of private military actors in Sierra Leone and Angola essentially represented the long-term mortgaging of a country's natural resources undermining the right to independent development and ultimately state sovereignty. As Nana Busia (1997-98) (cited in Francis, 1999:332) argued:

the *raison d'être* and *modus vivendi* of mercenaries is instability, and it is in their interest that a perpetual state of instability is maintained. With mercenaries, it is the very survival of the state that is at stake. The war against mercenarism is therefore a war to preserve sovereignty, against lawlessness.

Chapter V

Challenges Posed by PMSCs and Responses to Security Privatization

5.1. Challenges Posed by Private Military and Security Companies in Africa

Africa faces multiple challenges in the form of irregular non-state security threats. These irregular non-state security threats and challenges include militia factions, armed gangs, terrorism, drug trafficking, maritime threats such as piracy in the Indian Ocean, organized crime, weapons smuggling and threats from private armies, human smuggling and trafficking in persons and others (Le Sage, 2010:1-8; Gumedze, 2007; Hutchful, 2000). This study is not concerned with the discussion of the various irregular non-state security threats and challenges that many countries in Africa face. In this section an effort will be made to discuss the specific challenges that the private military/security sector poses with in the context of the scope of this thesis in Africa in general.

5.1.2. Privatization of Security and its Impact on State Sovereignty and the legitimate use of Force

The privatization of military and security functions come as a direct contradiction to the two accepted philosophies in IR – namely, state sovereignty and the legitimate use of force by state actors as envisioned by the Westphalian order (Small, 2006:3; Musah, 2000:76; Francis, 1998:332). The emergence and empowerment of non-state actors in the form of PMSCs by definition challenges the legitimacy of the sovereign state by deploying a competitive form of violence within borders. The emergence of PMSCs as transnational corporate entity distinguishes them in terms of their systemic challenge to the idea of Westphalian system (Lowenheim and Steel, 2010). Thus, for instance, the EO and other PMSCs involved in African conflicts indeed threatened the sovereignty of certain African countries like Sierra Leone and Angola; they also threatened the principle of sovereignty itself, in part by challenging the form of institutionalized, transborder violence legitimized by IR (Lowenheim and Steel, 2010).

According to International Alert (IA) the legitimate use of force is considered the corner stone of the nation state. The privatization of security has serious implications on the legitimacy and consequences of governments' contracting out this responsibility (IA, 2000:22). States are obliged not to abdicate their responsibility for the legitimate use of force and protection of their citizens; doing so can upset the fragile social and political structures which underpin the state, aggravating tensions (ibid.). The delegation of military functions to private agents by empowering private sources of authority in the form of PMSCs in the military realm forever alters state power (Small, 2006). More worryingly, the privatization of military functions unveils classified national security information and know-how. Specialist knowledge is transformed into privatized knowledge, thus compromising state authority and even potential state security (ibid.:16-7). If the state is undercut or marginalized in the realm of military affairs, states' collective as well as general control of the use of force will be destabilized, affecting not only the state actor but also the international system itself (Holmqvist, 2005:8; Shearer, 1997:205). Gumedze (2007:3) claims that privatization of security implies the ceding of the state's sovereignty on matters of legitimate coercion, maintenance of law and order and averting conflicts. Similarly, Hutchful (2000:211) declares that the state is at the center of security when he argued that "governance is both about creating and assuring conditions of security, and at the same time is necessarily underpinned by the management of the instruments of violence.... Governance involves the effective administration, regulation and control of the instruments of violence."

The empowerment of non-state violence wielding actors such as PMSCs detach from the state its monopoly over violence, that makes security which is the crucial historical variable in the rise of the state a commodity thereby making the state more vulnerable (Hutchful, 2000; Small, 2006). As already noted and emphasized in the preceding sections, the principal debate regarding PMSCs revolves around on the impact such entities have on state sovereignty. The Commission on Human Rights (1999:14) argues that:

with in the historical structure of the nation state, which is still the basis of international society, it is inadmissible for any state legally to authorize

mercenary activities, regardless of the form they take or the objectives they serve. Even where legislation is lacking or deficient mercenarism is an international crime. Mercenary activity arises in the context of situations that violate ... the sovereignty of states. The mere fact that it is a government that recruits mercenaries, or contracts companies that recruit mercenaries, in its own defence or to provide reinforcements in armed conflicts, does not make such actions any less illegal or illegitimate.

In the same fashion (Gumedze, 2007:5) observes that:

the institution of police is akin to the modern state, and public policing is one of the defining characteristics of state power. Today, the legitimate use of physical force is shared between the public and private security sectors at national and international level. No doubt, the seeming change in the African security architecture does pose a challenge to peace and stability on the continent, a human security threat to be precise.

The impact of the use of private military companies or non-state private military actors on the legitimate use of force is an extremely complex issue which challenges existing international norms and standards, and calls into question the desirability of the use of such entities in armed conflicts (IA, 2000; Lowenheim and Steel, 2010). According to Small (2006:14):

the PSI, PSCs and PMCs embody security actors other than the state thereby eradicating the sovereign requirement of activity in this realm. They are not security actors in the sense of being another form of non-state organized violence, though they are. Their agency is conceptually much greater than that. They embody other security providing entities that have legitimately been accepted beside the state. They are qualitatively and structurally distinct. By providing state-like military and security services, PSCs and PMCs attain state-like agency in the sense they perform a core state function. This significantly challenges the notion of both the Tillian and the Weberian state. The privatization of security not only displaces the state as security shield but also de-monopolises the legitimate use of force. Privatizing security essentially undermines the state building project as it compromises the state-citizen affiliation that is forged under the security racket. It also erodes the economic base that maintains the state security shield as that financial investment then goes towards private protection associations. In other words, the state actually becomes more inadequate through its and its citizens reliance on private security providing entities.

Strange (1996) (cited in Small, 2006:17) wrote that:

once the security structure is redefined ... then the central role of the state crumbles. In other words, the selling off state assets amounts to a loss of its empirical organizing principles. This has an eroding effect on the state as the state no longer needs to build up its institutions or foundations.

In the words of the Commission on Human Rights (1998:24):

the state may privatize many things and many services that lie within its competence, but not that which constitutes its very *raison d'être*. If it hands over such authority to a private company, and a foreign private company at that, it is agreeing to the limitation of state sovereignty, with the further drawback that the substantive legal rights of its inhabitants will be impaired and basic human rights principles and norms of humanitarian law may be violated.

Thus with the privatization of security the concept of the state as a supreme legitimate authority endowed with the sole and exclusive coercive capacity diminishes. Private military and security companies therefore challenge the very idea of both empirical and juridical statehood (Small, 2006; Musah, 2000).

5.1.3. Private Military and Security Companies and their Impact on Human Rights

Private security and military companies' performance of functions traditionally associated with the state raises serious concerns about who is accountable for their actions and for any wrong doing, such as human rights violations (IA, 2000:24). The privatization of security and the outsourcing of state functions have blurred the boundaries between the public services of the state and the private commercial sector creating a dangerous "grey zone" in which transnational private military and security companies operate under murky legal restraints (Commission on Human Rights, 1999; Schreier and Caparini, 2005; Singer, 2004). This affects as already noted state sovereignty, the self-determination of peoples, the stability of constitutional governments, and more particularly, the current system of human rights protection and international humanitarian law (Commission on Human Rights, 1999:20).

The Commission on Human Rights (1999:23) states that the privatization of war being promoted by private companies has “unforeseeable” implications for the exercise of human rights. Studies and researches made in Africa and beyond on PMSCs and their perceived impact on human security showed that PMSCs had a negative impact on ‘human’ security. In fact PMSCs, rather than improving the security environment they decrease it as they are armed, block the road, are badly behaved and seem to attract trouble, hence increasing the feeling of insecurity (Schmeidl, 2007).

A report by the Commission on Human Rights (1999:28) stated that:

Mercenaries base their comparative advantage and greater efficiency on the fact that they do not regard themselves as being bound to respect human rights or the rules of international humanitarian law. Greater disdain for human dignity and greater cruelty are considered efficient instruments for winning the fight. The participation of mercenaries in armed conflicts and in any other situation in which their services are lawful may jeopardize the self-determination of peoples and always hampers the enjoyment of the human rights of those on whom their presence is inflicted.

The involvement of PMSCs in African conflicts has had a significant bearing on both International Humanitarian Law (IHL) and International Human Rights Law (IHRL) (Gumedze, 2009:1). The alliance that exists between PMSCs and extracting firms in most conflict zones around Africa is primarily profit-driven activity that impact negatively on conflict dynamics and human security (Musah, 2002). According to the Commission on Human Rights (1999:22), if governments outsource their traditional functions to private military and security companies whose sole aim is money; they forsake their peoples and expose them to the risks of private protection that can discriminate among population groups for reasons of race or ideology; make use of military offensive and combat weapons normally reserved for forces that are the expression of the authority of the state; and, in that context, commit every kind of human rights abuse and violation. In conflict zones around Africa and elsewhere, private military companies have often transferred deadly expertise in weapon handling to unaccountable local militias. The Kamajor militia in Sierra Leone grew in expertise and deadliness in their association with the EO (Musah, 2002:929). Gumedze

(2007:11) wrote that “ in conflicts where employees of PMSCs involved such as those in DRC and Burundi several of them were accused of ‘engaging in perverse, illegal and inhumane behavior and purchasing illegal weapons, women, forged passports and committing other immoral acts.’”

The Commission on Human Rights (1999:12) criticizing the role of EO in Sierra Leone, stated that ‘Executive Outcomes was supposed to have provided Sierra Leone with effective protection and security. Obviously, these claims were nothing but propaganda. The deep-lying structural problems remained untouched or unsolved when EO left the country.’ A serious challenge posed by PMSCs involved in any conflict is the issue of accountability for violations of human rights. Who is responsible for the human rights violations committed? The PMSCs will say it is the mercenaries acting individually or abusing their powers. The state will say that responsibility lies with the PMSC and not with its officials or forces (Commission on Human Rights, 1999; Holmqvist, 2005). Similarly Small (2006:15-6) claims that:

the state not holding a monopoly over the coercive instruments of violence raises serious questions with regard to accountability and transparency. The PSI, PSCs, and PMCs represent private acts of violence unbridled by the state and international law. PSCs and PMCs are not accountable in the same way as national armies and security apparatuses. Their activities and decisions are not subject to the same political process of deliberation and prosecution. Indeed PSC and PMC employers are not covered by or bound to accept the Rules of Engagement, the Geneva Convention, or international humanitarian law. This raises significant problems when it comes to war crimes and deciding whom should be held accountable.

Mercenaries, by definition, act without regard for ideals or legal or moral commitments. In Sierra Leone, paramilitary forces had committed gross violations of human rights after training and advice from Sandline International mercenaries (Commission on Human Rights, 1999:14; Francis, 1999; Musah, 2000). Appalling acts of cruelty has been committed by mercenaries on captured rebels and on civilians suspected of collaborating with the insurgents. For instance, during the week of 30 November 1998, 70 rebels were killed in

battle in Gebray, a rebel base 100 kilometres north of the capital. Many of the bodies were mutilated and incinerated (Commission on Human Rights, 1999:12). EO introduced indiscriminate weapon into Angola. EO personnel not only looted but their pilots used weapons indiscriminately (Vines, 2000:174; Montague, 2002). The pervasive presence of heavily armed PMSCs in Angola guarding public buildings undermined trust building in the police, by transmitting the message that not even the government holds confidence in the police's capacities (Rimli, 2007:57).

Mercenary companies like EO and others are not interested in the security and stability of conflict ridden-countries (Francis, 1999). In the words of Harding (1997:87) EO is a mercenary organization which represents a new incarnation of the army for hire that 'thrives on the absence of civility, consensus, law and order.' There is ample evidence about gross human rights violations by private military and security companies involved in many conflict zones. In September 2007, security guards who worked for a U.S. private security company, Blackwater, killed 17 Iraqi civilians in a Baghdad street. Blackwater was also implicated with the abuse of prisoners in Iraq (BBC News, 2008). Dyncorp and MPRI (both U.S. PMSCs), to whom the U.S. government outsources train-and-equip contracts abroad, have often been blamed for gross human rights abuses committed by government security forces in the Colombian drug wars and by Croatian forces in the Balkans (Musah, 2002:929). According to Madsen African-American mercenaries and U.S. private security firm, Brown and Root, trained and supported Rwandese forces with arms and logistics and participated in the massacre (extermination) of thousands of Hutu refugees in DRC (Madsen, 2001:38-9). Allegations of criminality, acts of looting and lawlessness perpetrated by PMSCs against the civilian population have been dismissed as part and parcel of conflicts. As Francis (1999:333) puts it, mercenaries are not only providers of 'security', but also brokers of death. Compared with state-run military and police forces, PMSCs act with relative impunity in the current international and domestic legal landscape. The result involves increased human rights abuses and decreased accountability for the actors committing those abuses (Commission on Human Rights, 1999; Turcan and Ozpinar, 2009). Further, private military companies, mercenaries and others privately engaged in combat in

the shadows of war in weak states, often operate without being accountable for the violations of international law, including human rights and the plundering of resources (Commission on Human Rights, 1999; Francis, 1999; Turcan and Ozpinar, 2009).

As Avebury (2000) (cited in Musah, 2002:926) explained, mercenary pilots supplied by Sandline and EO to the Kabbah government such as Neil Ellis was a subject of a number of accusations, including the indiscriminate bombardment of civilian areas, and killing and maiming scores of unarmed civilians. In Sierra Leone although EO was successful in repelling the RUF from the mineral-rich enclaves, its actions left much of the civilian population vulnerable to continued RUF attacks (Montague, 2002:233-4). EO operations come at the expense of civilians residing outside of diamond mining areas, as the firm had little interest in providing humanitarian services outside of financially lucrative areas (ibid.). The Commission on Human Rights (1999:21) cites a British documentary made in 1997 on “The War Business” and shown on British television in May 1998 which charged that “EO had exploded a napalm bomb in a market in an African village, killing 500 people, including civilians, in a single day.” Privatization of security raises serious questions and concerns when it comes to the protection of fundamental human rights of populations in conflict zones. The Commission on Human Rights (1999:22) questions that if PMSCs are allowed to intervene in any conflict, then who guarantees the human rights of the inhabitants? Who guarantees that the provisions of the 1949 Geneva Conventions and their Additional Protocols will be respected in such fighting?

5.1.4. Private Military and Security Companies and Exploitation (Looting) of Natural Resources

In conflict zones the alliances that exist between PMCs and extracting companies are primarily profit-driven marriages of convenience. In a way, conflict zones serve as fertile grounds for mega profits (Musah, 2002:929). Once a PMC can build a *cordonne sanitaire* around mineral-rich enclaves, there are practically no structures within the society which are in a position to negotiate favourable contractual agreements with the PMC’s mining

partners or oversee production figures and declared profits (ibid.). Howe (1998:318) described EO as a 'recolonising force.' According to him 'recolonisation' involves highly advantageous concessions, support for pro-EO politicians, and the permanent retention of foreign security personnel. The loyalty of PMSCs is divided between the client that hired their expertise and that of its shareholders. As such the security of the mining fields takes precedence over the security of the whole country (Francis, 1999:332-3). The so-called security and coercive stability provided by EO was largely geared towards securing and protecting the economic exploitation of the conflict (ibid.). Montague's explanation (2002:235) perhaps provides the clearest picture of a link between resource exploitation and a PMC's multiple negative roles in an African conflict situation:

with future mineral concessions in question, the very survival of the state and its citizens was at the mercy of questionable corporate players interested in the protection of commercial interests. Although Sierra Leone experienced a positive short-term gain, the partnership between EO and Branch Energy undermined the central government's right and ability to develop its own resources, as the government is now tied to a mining deal secured in desperation, leaving it tens of millions of dollars in arrears. Additionally, small arms trafficking networks were most likely developed by EO, a company experienced in the illicit transfer of weapons throughout Africa.

In the conflict zones of Africa, oil and mineral extracting firms as well as illegal gem buyers from the West, Eastern Europe, South Africa and the Middle East, are complemented in their ventures by private security companies (Musah, 2002:924). Preying on the vulnerability of kleptocratic regimes, the corporate armies mainly target the creation of safe havens around enclaves that are rich in natural resources. A major preoccupation of EO's operations in Sierra Leone just like in Angola was to secure the mining fields (Musah, 2002:924; Francis, 1999:333; Musah, 2000:110). As Montague (2002:233) puts it "Sierra Leone's ability to pay EO for services rendered – to the sum of \$1.8 million per month – depended on Executive Outcomes forcing the RUF from diamond areas and implementing a \$30 million mining contract with Branch Energy."

In the words of Reno (1998:140):

Sierra Leone shows that the privatization of violence in the interest of new political alliances means size and uniform control over territory matter less. Control of resources has greater weight than uniform administrative control over one's entire corner of the world, especially in places such as Sierra Leone where valuable resources are concentrated and portable.

In relation to the future development of the government and the ability of the state to provide services for its citizens, the operations of EO in the African conflicts in question reflects and reinforces the relationship between the looting of resources and the privatization of security (Montague, 2002). As Smillie *et al* (2000:7) have noted:

the problem is not the individual episodes, but the bigger picture which they help to form – of a world in which beleaguered and legitimate governments find little formal international protection against internal predators, and are forced into Faustian bargains in order to survive ... In the absence of a governmental capacity for self-protection, and in the absence of effective mechanisms for international protection, private security firms and mercenaries may be seen by some as the way of the future. Closely related to mining interests the phenomenon of EO, however, is more than just a convenient way to let the international community 'off the hook.' It begins to look like a protection racket, with the payment for assistance made in future mineral concessions – 'concessions for protection.'

Howe (1998:309) characterized EO as arguably the world's first fully equipped corporate army ... the advance guard for major business interests engaged in a latter-day scramble for the mineral wealth of Africa. Francis (1999) and Musah (2000, 2002), claim that mercenary activities from the 1960s to 1990s have primarily been motivated by private gain. The new 'Dogs of War' such as companies like EO and Sandline fought their battles not only for cash but for strategic minerals on behalf of privatized military corporate establishments. On the issue of the contract between EO and the Sierra Leone government and the expenses it involved Shearer (1997:205) had this to say "EO is a commercial venture motivated principally by profit and will charge what it fills the market will allow, not merely to cover its costs. The expense may prompt a desperate regime to empty its country's coffers, thereby jeopardizing future government programmes."

The lure of rich resources not only serves as powerful incentives for PMSCs but also these strategic minerals-motivated 'Dogs of War' reflect the new face of neo-mercantilism in Africa (Francis, 1999:323; Shearer, 1998). Francis (1999) sums up the claim that PMSCs involved in African conflicts engage in resource exploitation by stating that the mortgaging of natural resources to corporate mercenarism represents a new variant of the neoliberal 'barter' system, i.e. security for strategic minerals.

5.1.5. Private Military and Security Companies and Arms Proliferation

Arms proliferation is one of the more worrying challenges that PMSCs pose. PMSCs have become a channel through which weapons are transferred into conflict situations (Mathieu and Dearden, 2007:750). Private military entrepreneurs have been shown to be at the centre of the diffusion of small arms and light weapons (SALW) that has taken on the life of its own in many societies, engineered the creation of multiple centres of power and brought into play many more armed actors (Musah, 2002:929). In Sierra Leone, Executive Outcomes was reported to have introduced anti-personnel landmines into the conflict. The clearest example of mercenary involvement in the proliferation of arms in the Sierra Leonean conflict is Sandline International's brokering of the shipment of 35 tons of AK-47 assault rifles, ammunition and mortars into a country already a wash with weapons in February 1998 in violation of UN Security Council's sanction and prohibition of the supply of weapons to Sierra Leone (Musah, 2000:99; Francis, 1998:328).

LifeGuard Systems, a private security company affiliated with EO, which protected diamond fields in Sierra Leone, was strongly believed to have shipped arms like RPG-7 rockets, mines and mortar bombs and a range of other small arms to the rebels during the civil war (Mathieu and Dearden, 2007:750; Musah, 2000:100). The result is the exacerbation of conflicts and the culture of violence. Proliferation of weapons, particularly SALW are prone to rights abuse as they are easier to maintain, manipulate and carry (Musah, 2002:929). Air lines such as Sorus Air, Capricorn Systems Air and Ibis Air which served as 'air wing' of PMSCs in conflict zones have facilitated the transportation of

weapons. In one case two British companies, Sky Air and Occidental have reportedly shipped nearly 400 tons of arms and ammunition from the Slovak Republic to the RUF forces in Sierra Leone during the civil war (Musah, 2000:109; Francis, 1999:323).

A secret air strip in Sierra Leone in Eastern Kenema manned by the RUF was used as a main entry point for illegal weapons – AK-47 assault rifles, 60 mm portable mortars and even surface to air missiles, mainly from Eastern Europe – to the anti government forces by mercenary pilots from Russia, Ukraine and Central Europe (Musah, 2000:109). A pilot of Capricorn Airlines, a company linked to EO/Sandline PMC family, confessed to ‘smuggling many diverse cargoes including arms, among other things (Wood and Peleman, 1999) (cited in Musah, 2002:927). As already discussed the end of the cold war brought many changes in the international system. Concomitantly, the international arms trade opened up to an increasing number of buyers and sellers, which not only allowed a large number and broader variety of actors to access weaponry, but opened more and easier ways for PMCs to profit from conflicts by engaging in the arms trade, thus facilitating arms proliferation (Schreier and Caparini, 2005:4-5). Hence, PMC activity in the arms trade has helped to fuel the privatization of political violence which undermines – or makes more difficult – the reestablishment of the state monopoly on legitimate violence (ibid.). Gumedze (2007:8) provides a clearer and perhaps powerful explanation about the link between arms proliferation in Africa and the private security sector when he stated that “small arms and light weapons are now debatably Africa’s ‘weapons of mass destruction’ and the private security sector provides for their easy access.”

5.1.6. Private Military and Security Companies and Escalation of Conflicts

PMSCs involved in African conflicts are viewed as having a vested interest in conflict and conflict escalation (Schreier and Caparini, 2005). The privatization of security in a conflict environment has an exacerbating influence and the greater the numbers and varieties of private security structures present in any particular conflict, the deadlier and more intractable the conflict becomes. Angola, DRC and Sierra Leone point to that (Musah,

2002:929). According to the Commission on Human Rights (1999:22) there is no one who can guarantee that PMSCs, whose sole purpose is gain, will not artificially intensify or prolong the conflicts and situations of insecurity for the sole purpose of extending their stay and earning more money. Examining the conflict vortices in Liberia, Guinea, Sierra Leone and the Great Lakes Region in Africa shows the interface between corporate military conquest and escalating violence (Musah, 2002:924).

It could be argued that PMSCs are not interested in the speedy and successful completion of their contracts, and may even possibly prolong violence in order to secure further mining concessions. The multiple loyalties of mercenary companies therefore undermine what ever security they are hired to provide (Francis, 1999:333). Both in Sierra Leone and Angola, the involvement of foreign private military forces provided ephemeral security. The security provided by EO collapsed like a pack of cards after their departure from Sierra Leone, which culminated in the overthrow of the civilian government (Francis, 1999:330; Musah, 2000:92-109). In Angola the so-called security provided has only exacerbated the conflict. In both countries private military intervention has at best only secured partial victory for the hiring party in conflict and consequently only transient and fragile peace (Musah, 2000:92-109; Francis, 1999:330; Holmqvist, 2005:13; Percy, 2009:67). EO's involvement in Angola did not create peace or stability. Five years after EO's involvement in the conflict and their subsequent departure, the Lusaka peace process was dead and the country was back at war with UNITA rebels (Vines, 2000). Thus as Hutchful (2000:239) argues "governments which rely on the use of force by mercenaries ... to achieve victory in armed conflict without genuine attempts at reconciliation, are likely to suffer a reversal once this military support is withdrawn."

According to Shearer (1997:205) a state that hires the services of a PMSC on top of facing economic burden as already discussed, it also grapples with a precarious security situation and a likelihood of conflict escalation. As he puts it:

there is little incentive for a security company to prolong its stay if a country is unable to pay. The company may cut short its operations when the money runs out, regardless of the consequences. Alternatively, a lucrative contract may act as an incentive to prolong violence and justify the company's existence.

The Commission on Human Rights (1994:19) echoed the same concern of the link between conflict escalation and the presence of private military forces or mercenaries in the Angolan conflict when it stated that "... obviously in this context [the context of escalation of violence], the presence of mercenaries, chiefly from Zaire and South Africa is one of the factors increasing the seriousness and ferocity of the conflict."

The argument that the presence of private actors in any form in any conflict situation escalates violence, impedes human rights, violates IHL and that such actors prop up tyranny is evidenced by the recent claim that in Libya Colonel Muammar Gaddafi is using mercenaries to crush popular protests against his regime (Finn, 2011; The Telegraph, 2011; Reuters, 2011). At the time of writing, reports coming out of Libya claimed that Gaddafi is relying on mercenaries to crush a popular uprising. As Finn (2011, Para. 1) puts it "Libyan leader Muammar Gaddafi is largely relying on paramilitary forces, some of them bolstered by foreign mercenaries, to crush a popular uprising amid signs of schisms in the regular army, according to Libyan and military experts." Finn (2011, Para. 2) further adds that "Reports emanating from Libya suggest that foreign mercenaries have been among the most brutal forces sweeping through the streets of Tripoli, the capital, and other cities. Foreigners continued to flow into Libya on Wednesday [23 February 2011]." The Telegraph (2011, Para. 4-12) stated that African mercenaries are used to act as "shock troops" against the protesters. Tanks and helicopter gunships full of foreign mercenaries are fighting gangs of demonstrators. Witnesses who spoke to The Telegraph (The Telegraph, 2011, Para. 13-14) claimed that:

Some of these mercenary shock troops have been killed or captured, and some of them are paid to the equivalent of around 500 dollars a day. These killers are coming from countries like Chad. They're vicious killers. People are so terrified of them that they've been doing everything possible to get away.

The Telegraph (2011, Para. 16-17) quoting witnesses further explains that many of the mercenaries did not speak Arabic but only French "making them impossible to reason with." "They don't ask questions - they just shoot live ammunition," "Innocent people are getting caught up in all this." Zarate (2011) quoted in Finn (2011, Para. 10) said that "I think the history of foreign mercenaries is one of the ability of those individuals to detach themselves from local conditions and to be relatively ruthless," "And in Libya, it's a thug corps." According to Finn (2011, Para. 9) identity cards from Guinea, Niger, Chad, Mauritania and Sudan were reportedly found on individuals wearing Libyan uniforms and killed in the eastern city of Benghazi and other locations. Further, on Gaddafi's use of mercenaries, U.S. Secretary of State Clinton was quoted by Reuters (Reuters, 2011, Para. 1) as saying "We have seen Colonel Gaddafi's security forces open fire on peaceful protesters. They have used heavy weapons on unarmed civilians. Mercenaries and thugs have been turned loose to attack demonstrators." The situation in Libya thus attests to what experts and security analysts refer as the existence of a traditional army alongside a "parallel army" controlled by and loyal to the authoritarian leader and augmented by alien private military forces that are hired to kill (Musah, 2002; Finn, 2011; The Telegraph, 2011; Reuters, 2011).

In addition to the challenges discussed above, PMSCs involved in conflicts in Africa have also been linked with *coup d'état* and affecting civil military relations as well as engaging in primordial mercenary activities (Shearer, 1997; Musah, 2002; BBC, 2004). According to Shearer (1997:205) the advantages private military force might bring to stabilizing a conflict might upset the delicate balance between the country's political leaders and its military. In Sierra Leone where the EO has been involved the military has turned on its political masters. The Sierra Leonean army overthrew the government in May 1997 because it believed its position had been undermined. Also in Angola the Dos Santos regime which is plagued with strongmen "*garimpeiro* [wildcat miner] generals" used the EO to rein in members of his regime (Shearer, 1997:205; Reno, 1998:66-197). Private armies such as Executive Outcomes not only helped to control insurgents, but also provided some check on

the political ambitions of the national armies which they were ostensibly employed to support (Clapham, 1996:254).

The fact that mercenary groups were involved in the military coup d'état in many African countries is a general knowledge (Musah and Fayemi, 2000; Howe, 1998; Francis, 1999; The House of Commons, 2002). In Sierra Leone Brigadier Julius Maada Bio who ousted Captain Strasser in a palace coup in February 1996 used his liaison position with Executive Outcomes (Reno, 1998:131). A recent example of a PMC/mercenary involvement in an African coup plot is provided by the 2004 attempted Equatorial Guinea plot. A group of 64 mercenaries led by Simon Witherspoon referred to as a "known South African mercenary" was detained in Zimbabwe (BBC News, 2004). Witherspoon was a member of the South African mercenary company Executive Outcomes. Witherspoon's group along with other suspected mercenaries who were held in Equatorial Guinea had been part of a plot to remove President Teodoro Obiang Nguema and put an exiled opposition leader in power (BBC News, 2004). With financial support coming from a syndicate of British and South African investors, the mercenary muscle was provided by British and South African soldiers-of-fortune, and the pay-off would come in the form of cash and a cut of future oil revenues for the investors plus a contract for the mercenary group to provide security for the new regime (Dyer, 2004). The involvement of classical mercenaries militarily in conflicts that do not concern them was directly motivated by financial gain. The same is true of modern business groups dressed as PMSCs offering security services on an industrial scale around the world and recruiting, financing and using mercenaries for some of their activities (Commission on Human Rights, 1999; Musah, 2002; Francis, 1999). A number of PMSCs employees have also been mercenaries at one time or another (Gumedze, 2009; Dyer, 2004; Leander, 2005; Shearer, 1998; Singer, 2001-2002).

Musah (2002:928) claims that PMCs are increasingly becoming the launch pads for the rebirth of primordial mercenary activities. According to him there is an intimate link between PMCs and traditional mercenaries. For a short time in the late 1980s, it seemed as

if mercenaries of the classical type were going out of fashion and being replaced by the slick PMCs. However, it now seems that the opposite is more likely. He states that “wherever PMCs are active, they spawn mercenaries who, after serving out their contracts with the PMCs and having familiarized themselves with the conflict terrain, go on to offer their services as lone wolves to local warlords.”

5.2. Responses to Privatization of Security

The debates regarding PMSCs revolve around their very existence and their murky legal status. As Schreier and Caparini (2005:3) put it:

most surprising is that in today’s world of regulations – where even what food we may eat or which cosmetics we may use is subject to strict regulation and monitoring by public authorities – the private military industry so central to national and international security remains largely unregulated.

At the most general level responses to the privatization of security can be divided into two. These are banning (outlawing) and regulating PMSCs. Those who are generally opposed to privatization of security and disposed negatively towards PMSCs and call for the limitation, banning or outlawing of the functions and services of PMSCs base their arguments on the fact that these entities undermine state sovereignty, the legitimate use of force, lack of oversight, accountability, and PMSCs have a negative impact on the authority of public security forces (Aljazeera, 2010; Commission on Human Rights, 1999; Small; 2006; Musah, 2000). Further, those who oppose the privatization of security and the commodification of violence claim that doing so represents a significant abdication of the state’s responsibility to fulfill its social contract (Small, 2006). PMSCs as already discussed have the potential, because they are non-state actors, privately motivated, and often external to the conflict, to complicate civil wars and extensive security privatization is also linked with significant problem associated with lack of command and control (Percy, 2009). Critics point out that PMSCs serve as a cover for illegitimate and criminal activities such as, violations of human rights and humanitarian law, proliferation of weapons, terrorism, drug trafficking, organized crime and others. PMSCs are also accused of propping up and working for dictators (Small,

2006; Musah; 2002; Vines; 2000; Turbiville, 2006; Schreier and Caparini, 2005; Commission on Human Rights, 1999). The Commission on Human Rights (1999:21) opposing the involvement of EO in the Sierra Leonean conflict, stated that “the recruitment, financing and use of mercenaries by such companies are unacceptable under any circumstance, even when the aim is claimed to be the restoration of a constitutional regime overthrown by a *coup d’état*.”

At the time of writing, Afghan president Hamid Karzai has called for the banning and dissolution of private security companies, saying they undermine government security forces (Aljazeera, 2010, Para. 2). A statement by Afghan government spokesman declared that “dissolving the private security companies is a serious programme that the government of Afghanistan will execute” (Aljazeera, 2010, Para. 2-4; BBC News, 2010, Para. 6). The spokesman further added that “it's not about regulating the activities of private security companies, it's about their presence, it's about the way they function in Afghanistan ... all the problems they have created.” The conduct of PMSCs and their involvement in the Afghan conflict raised issues of violation of human rights, killing of civilians, hiring of drug users to help train the Afghan army and proliferation of arms (Aljazeera, 2010, Para. 4-18). According to BBC News (2010, Para. 11-12) the Afghan president was quoted to have said that the Afghan government “could no longer tolerate the existence of such ‘parallel structures’ ... whether they are owned by foreigners or Afghans. People do not trust these companies and believe their existence is against Afghanistan’s national interests.”

To the Commission on Human Rights (1999:21) national security and public safety and action to combat rebels, traffickers and terrorists are not merchandise that can be freely sold. They are, instead, matters related to a state’s very existence and *raison d’être*; providing security and maintaining law and order is solely the state’s responsibility. These ideational assumptions therefore preclude PMSCs from providing functions traditionally performed by states (Commission on Human Rights, 1999; Small, 2006; Francis, 1999). Outlawing (banning) PMSCs is a self-explanatory term requiring little or no explanation from the author. However, those who want to outlaw (ban) PMSCs suggest that it is neither lawful nor advisable, no matter how often short-term or emergency reasons are invoked, to entrust

a country's security and the speedy settlement of armed conflicts to private companies for a number of reasons, such as ideational, legal, moral, material or otherwise (Small, 2006; Musah, 2000; Montague, 2002; Commission on Human Rights, 1999). A ban in view of UK's House of Commons would be the most direct way of dealing with an activity that many find objectionable (The House of Commons, 2002:22).

To authors and institutions that are negatively disposed towards privatization of security, the distinction between using mercenaries for good or evil ends is no more admissible than is the distinction between good and bad mercenaries (Commission on Human Rights, 1999; Leander, 2002; Musah; 2000). They claim that privatization of security is a euphemism used to describe the displacement of state militaries by private military agents. This is because PMCs provide the same tactical military capabilities as the militaries of the nation states (Commission on Human Rights, 1999; Small, 2006; Francis, 1999; Musah; 2000; Turcan and Ozpinar, 2009). According to the critics and opponents of PMSCs/mercenaries and the privatization of security, any kind of threat cannot be a justification to resort to soliciting the services of private military agents. They vehemently argue that the so called security void/vacuum which PMSCs fill can be addressed by other means (Kufuor, 2000; Francis, 1999; Commission on Human Rights; 1999). Scholars, researchers and institutions that reject the privatization of military and security functions say that a state's weakness, its impoverishment and disintegration, the breakdown of a central authority, internal armed conflicts and any thing that might constitute a grave risk for public order and peace in a country must be resolved on the basis of global or multilateral security arrangements that exist in all regions and on all continents (Kufuor, 2000; Francis, 1999; Commission on Human Rights; 1999).

Opponents of security privatization propose that states and the international community at large instead of supporting PMSCs should assist in strengthening the police and military forces of weak states. In short, phrased in very general language, the standard argument held by critics of privatization of security is that hiring PMSCs is a false solution (Small, 2006; Commission on Human Rights, 1999; Musa, 2000; Leander, 2005; BBC News, 2010). Here it is suffice to say that what Francis (1999:324) who states that "replacing the 'mercenary' stereotype with the term 'military company' is more like clothing an illegitimate activity

with a cloak of legitimacy reflects the views of many opponents of PMSCs and privatization of security.

As already noted, another option to respond to the privatization of security is regulation of PMSCs. Regulation as an approach to address the privatization of security and commodification of violence can be seen at least for the purpose of this study from two levels – national (domestic) and international. Proponents of regulated use of PMSCs view regulation as a mechanism to hold PMSCs accountable for their actions (Schreier and Caparini, 2005; Gumedze; 2007; Holmqvist, 2005; Shearer, 1998; Isenberg, 2009). Though critics of the provision of security by private firms have argued as indicated above that regulating or allowing the private military industry would confer undue legitimacy on what are inherently illegitimate actors, proponents of security privatization however, suggest otherwise (Holmqvist, 2005).

Advocates for regulated use of PMSCs base their arguments on the assumption that private military and security companies fill the security void, particularly in weak states. They also claim that such entities supplement public security agencies thereby enhancing/augmenting human security in countries where the public security agencies are too stretched or too weak (Singer, 2001-2002; Isenberg, 2009; Gumedze, 2007; Holmqvist, 2005; Shearer, 1998). They say that an out right ban is unrealistic, it would be impossible to enforce and importantly, would work against the aim of greater transparency and accountability in the security sector by increasing the likelihood that the industry would be pushed underground (Singer, 2004; Isenberg, 2009; Gumedze, 2007; Holmqvist, 2005; Shearer, 1998). Further, those who demand the regulation of PMSCs do not accept the idea that PMSCs are the results of natural evolution/metamorphosis of classical mercenaries as suggested by those who call for the outlawing/banning of private military and security forces (Shearer, 1998; Singer, 2001-2002). It is also claimed that PMSCs have greater efficiency for breaking up pockets of resistance, extinguishing hardline opposition or opening up avenues for humanitarian assistance (Singer, 2001-2002; Holmqvist, 2005; Shearer, 1998; Kinsey, 2007;

Howe, 1998; Gumedze, 2007). On top of these advocates for regulated use of PMSCs argue that such entities will help in UN peacekeeping missions which are increasingly becoming expensive economically and complicated politically (Singer, 2001-2002; Holmqvist, 2005; Shearer, 1998; Kinsey, 2007; Howe, 1998; Gumedze, 2007).

In general the call for regulation of PMSCs stems from the fear that failing to do so not only disassembles states but also exacerbates human insecurity particularly in Africa. Not only these, but also, the establishment of the global security industry is a fait accompli something that is destined to stay (Holmqvist, 2005; Shearer, 1998; O'Brien, 1998; Gumedze, 2007). Thus supporters of regulation of PMSCs argue that to ignore any engagement with it (the private security sector) would mean the waste of a potentially useful resource (Holmqvist, 2005; Gumedze, 2007; Shearer, 1997). Gumedze (2007:3-4) maintains that:

it is accepted that, if left uncontrolled, PSCs and PMCs are both capable of compromising state power and sovereignty. The threat becomes more real in the fragile African state. The private security sector, per se, is not a threat, but the absence of effective regulatory mechanism for its operation presents many risks, which then make it a threat.

The point that most supporters/advocates of regulated private security activity raise is that the mere existence of PMSCs does not improve the security situation. In fact the security situation in the context of Africa did not get any better despite the involvement of PMSCs (Gumedze, 2007). According to those who support regulation of the private security sector, effective regulation of PMSCs is needed especially in Africa, not only for ensuring peace, but also for fostering a democratic culture which is always scarce on the continent (ibid.). Despite the call for the banning of PMSCs on one hand and the demand for the regulation of the private security sector on the other, in reality both remain to be rhetoric. A ban so far has not been achieved nor has effective regulation and PMSCs thrive and proliferate in the process. Setting aside outlawing/banning PMSCs, regulatory mechanism at the international and domestic levels as a response to security privatization is far from achieved. The point is, as Singer (2004:531-2) maintains, contrary to common belief, a total ban on mercenaries

does not exist in international law. More importantly, the existing laws do not adequately deal with the full variety of private military actors. In short, the privatized military industry lies outside the full domain of existing legal regimes under international law. At the international level, however, the most frequently cited legal documents in the literature on private security are the UN and OAU/AU conventions on mercenary activity (Holmqvist, 2005). Another international instrument is what is commonly known as the “Montreux Document” on pertinent legal obligations and good practices for states related to the operations of private military and security companies during armed conflict (ICRC, 2009). Neither the UN nor the OAU/AU conventions are ultimately applicable to the activity of contemporary PMSCs, even where such entities are hired for combat services in a situation of armed conflict (Singer, 2004). The Montreux Document, as the document itself states is not the final word on all questions – regulatory or otherwise – associated with PMSCs. The document is not a legally binding instrument and can not be construed as eroding the use of PMSCs in any particular circumstance but seeks to recall legal obligations and to recommend good practices if the decision has been made to contract PMSCs (ICRC, 2009:9).

On the African continent, at the (national) domestic level, only few countries have laws that attempt to regulate PMSCs. These include countries like the Republic of South Africa (RSA), Angola, and Sierra Leone. The South African law which is known as Regulation of Foreign Military Assistance Act (FMAA), however, only attempts to limit the involvement of South African citizens in mercenary and related activities. The bill does not prohibit such activities that is, PMSC activities which employ mercenaries rather it brings them under governmental control (Francis, 1999; Commission on Human Rights, 1999; Nossal, 2001). According to Nossal (2001:466) FMAA had two broad purposes. First it sought to prohibit ‘mercenary activity’, defined as ‘direct participation as a combatant in armed conflict for private gain’; and the second purpose of the bill was a sweeping attempt to regulate the offering of military assistance abroad. The FMAA stipulates that a South African intending to offer military assistance of any sort – advisory, training, personnel, logistics, finance, operations, recruitment, and procurement of equipment and ‘any other action that has the

result of furthering the military interests of a party to the armed conflict' requires the approval of the National Conventional Arms Control Committee.

Other African countries with national regulatory frameworks on PMSCs as indicated above are Angola and Sierra Leone (Rimli, 2007; Abrahamsen and Williams 2005). The Angolan law was issued by the Angolan government in 1992. The law targets PSCs that offer services such as personal protection, industrial and commercial surveillance, as well as those that engage in the commercialization and installation of technical security equipment in residences, commercial, industrial and service establishments in Angola. The law omits other areas of activities in the military and defence realm (Rimli, 2007). In Sierra Leone, the private security sector is regulated by the National Security and Intelligence Act of 2002, and the Office of National Security (ONS) is responsible for the licensing and regulation of PSCs. As Abrahamsen and Williams (2005:11) observe the Act 'opens up the possibility that PSCs may be armed.' Assessment for licensing also involves considerations of issues such as public interest, the adequacy of the resources, and the validity of mode of acquisition of equipment, including any arms and ammunition. Abrahamsen and Williams (2005:11) note that "importantly, there are no clear criteria for these assessments, nor is the Act supported by any specific regulations. No specific duties are placed on the private security providers, nor are there any specific penalties laid out for breach of the Act."

Legislation on private security activity at the national (domestic) level is undoubtedly the most effective response to the privatization of security and most easily enforced (Holmqvist, 2005). However, national legislation is inadequate to address all the challenges and complexities involving private security activity. Some of the reasons that explain the inadequacy of national legislation to deal with PMSCs include: a) mobility of PMSCs. It is clear that PMSCs facing an unfriendly or tightly regulated regime in one national jurisdiction can simply move their operations to another, more friendly country. For example, as Singer (2004:535) explained, at the time that South African legislation began to focus on EO in the late 1990s, Eben Barlow, the founder of EO, expressed that he was not

all that concerned, because “three other African countries had offered them a home and a big European group had even proposed buying them out.”; b) serious difficulties in actually enforcing extraterritorial legislation in a system still dominated by the ideals of national sovereignty; c) the ability of PMSCs to adapt in order to circumvent or evade legislation; and d) lack of adequate mechanisms for oversight of companies operating abroad (Nossal, 2001:467; Singer, 2004:535-6). Another escape option for PMSCs is to take on a new corporate identity or name whenever they are challenged by national legislation. Lifeguard Security that emerged and operated in Sierra Leone after the termination of EO’s contract in that country and EO’s legal troubles in South Africa after the promulgation of FMAA is the case in point. In this connection Singer (2004:535) observed that:

the emergence of Lifeguard Security which was considered by many as a spin-off from Executive Outcomes indicates that EO did not wither; it metamorphosed and relocated to Sierra Leone. Lifeguard was made up of many of Executive Outcomes’ former employees, maintained some of its old corporate ties, and operated in its former contract zones.

Beyond the African continent the most commonly cited regulatory response to the activities of PMSCs is the British “Green Paper”. This policy paper makes six suggestions as options for regulating PMSCs. These are: a ban on military activity abroad, a ban on recruitment for military activity abroad, a licensing regime for military services, registration and notification, a general license for PMCs/PSCs and self-regulation: a voluntary code of conduct (The House of Commons, 2002:22-6). The “Green Paper” though it covers wider activities of PMSCs, it is only applicable to UK companies and in that sense it can not serve universal regulatory needs. Further, apart from the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, the major obligations for states in the field of mercenary and PMC or PSC activities arise from the law of neutrality and the prohibition of the use of force (which grew out of the 1907 Fifth Hague Convention) against the political independence and territorial integrity of states which applies to both international and national conflicts (Schreier and Caparini, 2005:103). Another effort to regulate the global private security industry is the one undertaken by the UN Human Rights Council. This is an ongoing process in which the Working Group of the UN Human Rights Council follows regional approach and consultations to deal with the activities of PMSCs.

The central focus of this group which was established in July 2005 is the adoption of a new legal instrument on private military and security companies, its scope of application and its content based on regional consultations comprising of Latin America and the Caribbean, Eastern Europe and Central Asia, Asia and the Pacific, Africa and Western European and others Group (UN Human Rights Council, 2010:2-8).

From the discussions made in the preceding sections it is suffice to say that the legal status of PMSCs and the inadequacy of and the legal gap in both national and international laws to address the privatization of security and the challenges it poses is one of the most controversial and debatable issues in the context of privatization of security in Africa and beyond (Turcan and Ozpinar, 2009; Gumedze, 2007; Singer, 2004; Commission on Human Rights, 1999). In the absence of effective regulatory mechanism, it is therefore obvious that addressing challenges posed by PMSCs remain a huge task, particularly in Africa where many states are weak and institutions by far lack resources and capacity (Turcan and Ozpinar, 2009; Gumedze, 2007; Singer, 2004; Commission on Human Rights, 1999).

Chapter VI

Summary and Concluding Remarks

This study has attempted to discuss in large the role of private military and security actors in African conflicts by taking two African countries as a reference. In the process the paper tried to show that a number of interrelated factors have contributed for the privatization of security in Africa along with the various challenges the private security sector poses indicating the possible responses to it. This author believes that the discussion of all problems and challenges afflicting Africa, be they political, conflict, economic backwardness, social or otherwise must begin by looking at and identifying the agents responsible for such problems and challenges. In this respect it is the opinion of the writer that for the failure of African societies and peoples in the past several decades both internal and external factors have played their negative roles. African politicians, academics and researchers have said and written a lot about the external factors such as neocolonialism which imperiled Africa.

However, equally important is the role played by African leadership of all sorts in intensifying Africa's suffering and fall. The fact that the African elites have abandoned the masses is a general knowledge. It is also true that Africa is an abode for two categories of black people – one category lives in a shell isolated from the masses and it lives in luxury, corruption, impunity and it is despotic and decadent. This group constitutes the failed African leadership and most of the lackey elites who live on resources which is almost the result of near extortion by the African state from ordinary Africans (Mbeki, 2009:19-34; Clapham, 1996:178; Reno, 1997, 1998). The other category forms ordinary Africans largely peasants, but also petty civil servants, the urban poor, pastoralist communities, ethnic and religious minorities and other marginalized human beings who live as second class citizens in their own countries and continent. These constitute the majority of Africans but they live in abject poverty, destitution, suppression, exploitation and astonishing neglect inhabiting rural Africa and the slums of its 'modern' cities.

It has been a foregone fact that for any malaise that Africa was subjected to and still being subjected has greatly been facilitated by the African leadership itself. Personalized rule, repression, economic stagnation, illegitimate resource appropriations, corruption, state decay, privatization of security, divide and rule and what have you, have been ‘professions’ in which African leaders excelled all. Here, the fact that the African state and its leadership have been the main sources of insecurity for the majority of the African peoples is not something new that this paper wants to introduce. To chart a better future for Africa and its peoples, to develop and utilize the continent’s resources for the benefit of the African peoples the chapter on tyranny, neopatrimonialism, corruption, and unaccountable governance system in Africa must be closed and a new era of responsibility, justice, equity, freedom and democratic accountability should begin and it must begin soon. To address the underlying and multifaceted malaise and challenges including the deployment of foreign private armies into the continent a concerted action needs to be taken on several fronts.

First, an end to predation by African states, particularly its kleptocratic rulers of African societies. This in other words means that instead of focusing on the extraction of wealth similar to the colonial state, the African leadership must focus on the creation of it. Here for instance if a certain African regime faces legitimate African resistance because it failed to meet the demands of ordinary Africans such as a demand for democracy, equity, or rule of law; then, it should wither. Such a regime should not be allowed to prolong its tenure by getting protection from private military agents. Second, African leaders should work to build a cohesive society with a common vision instead of using divisions that exist naturally (or that do not exist at all) such as ethnicity to achieve a political end. Playing one ethnic group against the other was a tactic used by both governing and rebel groups in Angola on both sides of the conflict divide inhibiting amicable relations in that country and fomenting the conflict.

Third, political power and assumption of executive leadership should be a result of open competition among political groups in which merit not birth bestows on an individual the

role of a leader. This means that executive and legislative offices, functions and powers must not be inherited – either by groups of any kind or persons of any birth – these must be vested on individuals or institutions through the free and sovereign expression of the people in any country in Africa. Fourth, one of the reasons that exacerbate violent conflicts in Africa is unfortunately the existence of abundant natural resources in the continent. Here it should not be construed that the existence of resources necessarily leads to conflicts, but failure to distribute resources equitably does. Both in the Sierra Leonean and the Angolan conflicts the control and the use of natural resources such as diamonds and oil was one of the critical factors not only in prolonging the conflicts and altering the course/outcome but also a contributing element for the deployment of foreign private military forces into those conflicts. Another issue equally important and related to the points mentioned above is the practice almost by all African leaders to develop the habit to become ‘Swiss Clients’ starting from their first day in office to the end of their tenure. This relates to the stealing of African wealth and stashing it in the Swiss Banks for the private use of African leaders, their family members and cronies. Any genuine effort to address problems in Africa must also look into this practice of robbing of African wealth by leaders which could be used to improve the lives of millions of ordinary Africans by way of creating job opportunities, building schools, clinics, roads, provision of clean water and other services which can help to reduce the suffering of many people on the continent.

So long as privatized rule continues in Africa so will the various challenges that countries in Africa face including privatization of security. The existence of multiple sub-state actors with coercive capacity in the form of private military and security companies in Africa translates into increased securitization of a continent which is already highly militarized. Excessive militarization in any given society in conflict situation in turn means the increasing insecurity of the society in question and escalation of conflict. It is therefore in this context that the deployment of private military forces into Africa is considered as adding insult to injury in that innocent and impoverished peoples like those in Sierra Leone, Angola, DRC and others not only tribute natural resources that rightfully belong to them to private military and security companies as payments for protecting corrupt and predatory

regimes but also get abused and killed by various forms of armed private actors. It is a well established fact that most regimes in Africa not only failed to deliver the basics to the people but they used violence against the masses bordering on terror. African security forces at one or other time were engaged and still continue to engage in ‘professional killing’ against the African people only because they demanded freedom and the rule of law. Nigeria, Zaire (now DRC), Ethiopia, Sudan, Libya, Somalia, Angola, Sierra Leone, Liberia, Zimbabwe and many others point to that.

Then what is the way forward? It is problematic to come up with a clear and straight forward answer. However, one possible suggestion on the part of the author is a call in Africa to make politics genuinely open and public and an end to personalized and privatized rule. This requires commitment on the part of African leaders to abandon pursuing politics from twin tracks – nominally the public/formal track where elections are held as rituals every four or five years – and substantively subverting democratic transition through the private/informal track by rigging elections, intimidating peaceful opposition, muzzling independent media and the privatized exercise of state power for private purpose. Therefore put in the simplest of terms, to address the underlying challenges that Africa faces, be they poverty, youth unemployment, economic stagnation, authoritarian rule, lack of basic rights and freedoms and threats from non-statutory armed private forces; what is important is to get rid the continent off the root causes of the various forms of threats and challenges. And that requires the replacement of bogus, corrupt and criminalized institutions such as parliament, the courts, the police, the army and others in most parts of the countries of Africa by genuine, impartial, functioning, accountable and representative ones.

Resorting to private protection by African regimes to quell domestic challenges against prolonged and in most cases devastating ruling political systems cannot solve Africa’s problems. Private military and security companies are ghost forces that negatively affect the security situation in Africa and further diminish the stature of the African state. In short, the deployment of private military and security companies into Africa and allowing such

entities to engage in core state functions such as waging war amounts to attack on the sovereignty of the state in Africa. These forces do not fill a security void as claimed, but protect the privileged interests of repressive and corrupt regimes and are signs of the extraordinary level of state failure in Africa. If the deployment of private military and security companies continue to flow into Africa 'invited' by African rulers who generally lack genuine popular legitimacy as recent events have shown particularly in Libya, but also in Egypt, Tunisia and other parts of Africa, and also as this study has attempted to show in Sierra Leone and Angola; then Africa in the future will be to borrow a phrase from former U.S. Secretary of Defence Donald Rumsfeld, a place of "unknown unknowns."

References

- Abrahamsen, Rita and Williams, Michael C. (2007), “Introduction: The Privatization and Globalization of Security in Africa”, International Relations, Vol.21, NO. 2, pp. 131-141.
- Avant, Deborah D. (2004), “Mercenaries”, Foreign Policy, NO. 143, pp. 20-28.
- _____ (2008), “Private Security”, in Paul D. Williams (ed.), Security Studies: An Introduction, pp. 438-449, New York: Routledge.
- Bellamy, Alex (2008), “The Responsibility To Protect”, in Paul D. Williams (ed.), Security Studies: An Introduction, pp. 422-36, New York: Routledge.
- Booth, Ken (2007), Theory of World Security. New York: Cambridge University Press.
- Cilliers, Jackkie and Douglas, Ian (1999), “The Military as Business – Military Professional Resources, Incorporated”, in Jackkie Cilliers and Peggy Mason (eds.) Peace, Profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 111-122, Pretoria: Institute for Security Studies.
- Clapham, Christopher (1996), Africa and the International System: The Politics of State Survival. Cambridge: Cambridge University Press.
- Cleary, Sean (1999), “Angola – A Case Study of Private Military Involvement”, in Jackkie Cilliers and Peggy Mason (eds.) Peace, Profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 141-173, Pretoria: Institute for Security Studies.
- Conteh-Morgan, Earl (2006), “Globalization, State Failure, and Collective Violence: The Case of Sierra Leone”, International Journal of Peace Studies, Vol. 11, NO. 2, pp. 87-103.
- Creswell, John W. (1998), Qualitative Inquiry and Research Design: Choosing Among Five Approaches, 2nd ed. Thousand Oaks, CA: Sage.
- Dooley, David (2003), Social Research Method, 3rd ed. New Delhi: Prentice-Hall of India.
- Douglas, Ian (1999), “Fighting for Diamonds – Private Military Companies in Sierra Leone”, in Jackkie Cilliers and Peggy Mason (eds.) Peace, Profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 175-200, Pretoria: Institute for Security Studies.
- Drorian, Sevgi (2005), “Turkey: Security, State and Society in Troubled Times”, European Security, Vol. 14, NO. 2, pp. 255-275.

- Dupuy, Kendra and Binningsbo, Helga M. (2007), "Power-sharing and Peace-building in Sierra Leone: Power-sharing Agreements, Negotiations and Peace Processes", Center for the Study of Civil War, (PRIO), CSCW PAPERS, pp. 1-35.
- Flint, Julie and de Wall, Alex (2008), Darfur: A New History of a Long War. New York: Zed Books Ltd.
- Francis, David J. (1999), "Mercenary Intervention in Sierra Leone: Providing National Security or International Exploitation?", Third World Quarterly, Vol. 20, NO. 2, pp. 319-338.
- French, Howard W. (1996), "Now for Hire: South Africa's Out-of-Work Commandos", in Purkitt Helen E. (ed.) Annual Editions: World Politics, pp. 160-161. Guilford, Connecticut: Brown & Benchmark Publishers.
- Frynas, Jędrzej G. and Wood, Geoffrey (2001), "Patrimonialism & Petro-Diamond Capitalism: Peace, Geopolitics & the Economics of War in Angola" Review of African Political Economy, Vol. 28, NO. 90, pp. 587-606.
- Gumedze, Sabelo (2007), "The Private Security Sector in Africa: The 21st Century's Major Cause for Concern?" Institute for Security Studies, ISS Paper 133, pp. 1-20.
- _____ (2009), "Addressing the use of Private Security and Military Companies at the International Level", Institute for Security Studies, ISS Paper 206, pp. 1-18.
- Haass, Richard (1979), "The Primacy of the State... or Revising the Revisionists", Daedalus, Vol. 108, NO. 4, pp. 125-38.
- Harding, Jeremy (1997), "The Mercenary Business: 'executive outcomes'", Review of African Political Economy, Vol. 24, NO. 71, pp. 87-97.
- Hermann, Richard K. and Shannon, Vaughn P. (2001), "Defending International Norms: The Role of Obligation, Material Interest, and Perception in Decision Making", International Organization, Vol. 55, No. 3, pp. 621-654.
- Holmqvist, Caroline (2005), "Private Security Companies: The Case for Regulation", Stockholm International Peace Research Institute (SIPRI), SIPRI Policy Paper NO. 9, pp. 1-59.
- House of Commons, UK (2002), Private Military Companies: Options for Regulation. London: The Stationery Office.
- Howe, Herbert M. (1998), "Private Security Forces and African Stability: The Case of Executive Outcomes", The Journal of Modern African Studies, Vol. 36, NO. 2, pp. 307-331.
- _____ (2001), Ambiguous Order: Military Forces in African States. Boulder: Lynne Rienner.

- Hutchful, Eboe (2000), "Understanding the African Security Crisis", in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 210-232. London: Pluto Press.
- Isenberg, David (2009), "Private Military Contractors and U.S. Grand Strategy", International Peace Research Institute, PRIO Report 1/2009, pp. 1-49.
- Jackson, Robert H. and Rosberg, Carl G. (1982), "Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood", World Politics, Vol. 35, NO. 1, pp. 1-24.
- Kaplan, Robert D. (1996), "The Coming Anarchy", in Purkitt Helen E. (ed.) Annual Editions: World Politics, pp. 8-12. Guilford, Connecticut: Brown & Benchmark Publishers.
- Kinsey, Christopher (2007), "Problematising the Role of Private Security Companies in Small Wars", Small Wars & Insurgencies, Vol. 18, NO. 4, pp. 584-614.
- Kufuor, Kofi O. (2000), "The OAU Convention for the Elimination of Mercenarism and Civil Conflicts" in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 198-209. London: Pluto Press.
- Lang, Gerhard and George, Heiss (1990), A Practical Guide to Research Methodology. Lanham: University Press of America.
- Le Sage, Andre (2010), "Africa's Irregular Security Threats: Challenges for U.S. Engagement", Strategic Forum, NO. 255, pp. 1-12.
- Leander, Anna (2005), "The Market for Force and Public Security: The Destabilizing Consequences of Private Military Companies", Journal of Peace Research, Vol. 42, NO. 5, pp. 605-622.
- Lock, Peter (1999), "Africa, Military Downsizing and the Growth in the Security Industry", in Jackie Cilliers and Peggy Mason (eds.) Peace, Profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 11-36, Pretoria: Institute for Security Studies.
- Lowenheim, Oded and Steel, Brent (2010), "Institutions of Violence, Great Power Authority, and the War on Terror", International Political Science Review, Vol. 31, NO. 1, pp. 23-39.
- Machiavelli, Niccolo (1952), The Prince. New York: The New American Library.
- Madsen, Wayne (2001), "Suffering and Despair: Humanitarian Crisis in the Congo" Prepared Statement Before the Sub-Committee on International Operations and Human Rights, Committee on International Relations, U.S. House of Representatives, Washington, DC, 17 May.

- Mathieu, Fabien and Dearden Nick (2007), “Corporate Mercenaries: The Threat of Private Military & Security Companies”, Review of African Political Economy, Vol. 34, NO. 114, pp. 744-755.
- Maxwell, Joseph (2005), Qualitative Research Design, 2nd edition: Applied Social Science Methods Series Volume 41. London: Thousand Oaks.
- Mbeki, Moeletsi (2009), Architects of Poverty: Why African Capitalism Needs Change. Johannesburg: Picador Africa.
- McNabb, David E (2005), Research Methods for Political Science: Quantitative and Qualitative Methods, Delhi: Prentice-Hall of India.
- Montague, Dena (2002), “The Business of War and the Prospects for Peace in Sierra Leone”, The Brown Journal of World Affairs, Vol. 9, NO. 1, pp. 229-237.
- Musah, Abdel-Fatau (2002), “Privatization of Security, Arms Proliferation and the Process of State Collapse in Africa”, Development and Change, Vol. 33, NO. 3, pp. 911-933.
- _____ (2000), “A Country Under Siege: State Decay and Corporate Military Intervention in Sierra Leone” in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 76-116. London: Pluto Press.
- Musah, Abdel-Fatau and Fayemi, ‘Kayode (2000), “Introduction”, in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 1-12. London: Pluto Press.
- Ndlovu-Gatsheni, Sabelo J. (2007), “Weak States and the Growth of the Private Security Sector in Africa: Wither the African State?”, in Sabelo Gumedze (ed.) Private Security in Africa Manifestation, Challenges and Regulation, ISS Monograph Series, NO. 139, pp. 17-38, Pretoria: Institute for Security Studies.
- Nossal, Kim R. (1998), “Roland Goes Corporate: Mercenaries and Transnational Security Corporations in the Post-Cold War Era”, Civil Wars, Vol. 1, NO. 1, pp. 16-35.
- _____ (2001), “Global Governance and National Interests: Regulating Transnational Security Corporations in the Post Cold-War Era”, Melbourne Journal of International Law, Vol.2, NO. 2, pp. 459-475.
- O’Brien, Kevin A. (2000), “Private Military Companies and African Security 1990-98” in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 43-75. London: Pluto Press.
- _____ (1998), “Military-Advisory Groups and African Security: Privatized Peacekeeping?”, International Peacekeeping, Vol. 5, NO. 3, pp. 78-105.

- Pearce, Justin (2004), “War, peace and Diamonds in Angola: Popular Perception of the Diamond Industry in the Lundas”, Institute for Security Studies, Situation Report, pp. 1-17.
- Pech, Khareen (1999), “Executive Outcomes – A Corporate Conquest”, in Jackie Cilliers and Peggy Mason (eds.) Peace, Profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 81-109, Pretoria: Institute for Security Studies.
- Peleman, Johan (2000), “Mining for Serious Trouble: Jean-Raymond Boulle and his Corporate Empire Project” in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 155-168. London: Pluto Press.
- Percy, Sarah (2009), “Private Security Companies and Civil Wars”, Civil Wars, Vol.11, N0.1, pp. 57-74.
- _____ (2003), “This Gun’s for Hire: A New Look at an Old Issue”, International Journal, Vol.58, N0.4, pp. 721-736.
- Piantanida, Maria and Noreen, Garman (1999), The Qualitative Dissertation. Thousand Oak, CA: Corwin Press.
- Reno, William (1998), Warlord Politics and African States. Boulder, London: Lynne Rienner.
- _____ (1997), “African Weak States and Commercial Alliances”, African Affairs, Vol. 96, N0. 383, pp. 165-185.
- Renou, Xavier (2005), “Private Military Companies Against Development”, Oxford Development Studies, Vol. 33, N0. 1, pp. 107-115.
- Rimli, Lisa, (2007), “Case Study Angola”, in Private Security Companies and Local Populations: An Exploratory Study of Afghanistan and Angola, Swisspeace Report, pp. 45-77.
- Rotberg, Robert I. (2002), “Failed States in a World of Terror”, Foreign Affairs, Vol. 81. N0. 4, pp. 127-140.
- Rubenson, Sven (1978), The Survival of Ethiopian Independence. London, Ibadon, Nairobi, Lusaka: Heinemann in association with Esselte Stadium and Addis Ababa University Press.
- Schmeidl, Susan (2007), “Case Study Afghanistan – Who Guards the Guards”, in Private Security Companies and Local Populations: An Exploratory Study of Afghanistan and Angola, Swisspeace Report, pp. 14-44.
- Shcreier, Fred and Caparini, Marina (2005), “Private Security: Law, Practice and Governance of Private Military and Security Companies”, Geneva Centre for

- The Democratic Control of Armed Forces (DCAF), Occasional Paper – N0. 6, pp. 1-184.
- Shearer, David (1998), “Outsourcing War”, Foreign Policy, N0. 112, pp. 68-81.
- _____ (1997), “Dial an Army”, The World Today, Vol. 53, N0. 8/9, pp. 203-205.
- Singer, P.W. (2001-2002), “Corporate Warriors: The Rise of the Privatized Military Industry and Its Ramifications for International Security”, International Security, Vol. 26, N0. 3, pp. 186-220.
- _____ (2004), “War, Profits, and the Vacuum of Law: Privatized Military Firms and International Law”, Columbia Journal of Transnational Law, Vol. 42, N0. 2, pp. 522-550.
- Small, Michell (2006), “Privatization of Security and Military Functions and the Demise of the Modern Nation-State in Africa”, The African Centre for the Constructive Resolution of Disputes (ACCORD), Occasional Paper Series: Volume 1, Number 2, pp. 1-44.
- Smillie, Ian, Gberie, Lansana and Hazleton, Ralph (2000), “The Heart of the Matter: Sierra Leone Diamonds and Human Security” The Insights Series, pp. 1-13, Partnership Africa Canada (PAC): Ottawa.
- Smith, Stephen (2010), “Nodding and Winking”, London Review of Books, Vol. 32, N0. 3, pp. 10-12.
- Tilly, Charles (1985), “War Making and State Making as Organized Crime”, in P.B Evans, D. Rueschemeyer and T. Skocpol (eds.), Bringing the State Back In, pp. 169-191. Cambridge: Cambridge University Press.
- Turbiville Jr, Graham H. (2006), “Outlaw Private Security Firms: Criminal and Terrorist Agendas Undermine Private Security Alternatives”, Global Crime, Vol. 7, N0. 3, pp. 561-582.
- Turcan, Metin and Ozpinar, Nihat (2009), ““Who let the dogs out?”: A critique of the security for hire option in weak states,” Dynamics of Asymmetric Conflict, Vol. 2, N0. 3, pp. 143-171.
- Van Evera, Stephen (1997), Guide to Methods for Students of Political Science, Ithaca, NY: Cornell Hall.
- Vines, Alex (1999), “Gurkhas and the Private Security Business in Africa”, in Jackie Cilliers and Peggy Mason (eds.) Peace, profit or Plunder?: Privatization of Security in War-Torn African Societies, pp. 123-139, Pretoria: Institute for Security Studies.

_____ (2000), “Mercenaries, Human Rights and Legality”, in A. Musah and J. K. Fayemi (eds.), Mercenaries: An African Security Dilemma, pp. 169-197. London: Pluto Press.

Vines, Alex, Sharon, Nick and Rimli, Lisa (2005), Drivers of Change Angola. London: Chatham House.

Weber, Max (1946), “Politics as a Vocation,” in H.H Gerth and C. Wright Mills (eds.), From Max Weber: Essays in Sociology, pp. 77-128. New York: Oxford University Press.

White, Jay D. & Guy, B Adams (eds.) (1994), Research in Public Administration, Thousand Oaks, CA: Sage.

Williams, Paul (2008), “War”, in Paul D. Williams (ed.), Security Studies: An Introduction, pp.

151-169. New York: Routledge.

Internet Sources

Abrahamsen, Rita and Williams, Michael C. (2005), “Country Report: Sierra Leone: The Globalization of Private Security”. Available at <http://users.aber.ac.uk/rbh/privatesecurity/country%20report-sierra%20leone.pdf> (Accessed 07 December 2010).

Aljazeera (2011), “Karzai Bans Private Security Firms”, Available at <http://english.aljazeera.net/news/asia/2010/08/2010816104813959499.html#> (Accessed 10 February 2011).

BBC News (2010), “The Men Behind the ‘Guinea Plot’”, Available at <http://news.bbc.co.uk/2/hi/africa/3504748.stm> (Accessed 13 December 2010).

_____ (2010). “Angola Country Profile”, Available at <http://news.bbc.co.uk/2/hi/africa/country-profiles/1063073.stm> (Accessed 22 December 2010).

_____ (2011), “Blackwater ‘Could Lose Iraq Role’”, Available at <http://news.bbc.co.uk/2/hi/7788641.stm> (Accessed, 04 February, 2011).

_____ (2010), “Karzai ‘to Scrap Private Security Firms in Afghanistan’”, Available at <http://www.bbc.co.uk/news/world-south-asia-10930113> (Accessed 10 February 2011).

Commission on Human Rights (1999), “Report on the Question of the use of Mercenaries as a means of Violating Human Rights and Impeding the Exercise of the Right of Peoples TO Self-determination”, Available at

- <http://www2.ohchr.org/english/issues/mercenaries/annual.htm> (Accessed 03 February, 2011).
- _____ (1994), “Report on the Question of the use of Mercenaries as a means of Violating Human Rights and Impeding the Exercise of the Right of Peoples TO Self-determination”, Available at <http://www2.ohchr.org/english/issues/mercenaries/annual.htm> (Accessed 22 December 2010).
- _____ (1998), “Report on the Question of the use of Mercenaries as a means of Violating Human Rights and Impeding the Exercise of the Right of Peoples TO Self-determination”, Available at <http://www2.ohchr.org/english/issues/mercenaries/annual.htm> (Accessed 03 February, 2011).
- Dyer, Gwynne (2004), “Africa: Prison Cell, Not Riches, Awaits Mercenaries”, Available at <http://www.corpwatch.org/article.php?id=11539> (Accessed 17 October 2010).
- Finn, Peter (2011), “Experts say Gaddafi relying on paramilitary forces, foreign mercenaries to crush protests”, Available at <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/23/AR2011022306426.html> (Accessed 24 February 2011).
- ICRC (2009), “The Montreux Document on Pertinent Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies during Armed Conflict”, Available at <http://www.icrc.org/eng/resources/documents/misc/montreux-document-170908.htm> (Accessed 09 October 2010).
- International Alert (2000), “The Privatization of Security and Peacebuilding”, Available at [http://www.reliefweb.int/rw/lib.nsf/db900sid/LGEL-5F9JUE/\\$file/intalert-privatisation-sep02.pdf?openement](http://www.reliefweb.int/rw/lib.nsf/db900sid/LGEL-5F9JUE/$file/intalert-privatisation-sep02.pdf?openement) (Accessed 22 December 2010).
- Leander, Anna (2002), “Global Ungovernance: Mercenaries, States and the Control over Violence”, Available at http://www.diis.dk/graphics/COPRI_publications/COPRI_publications/publications/4-2002.pdf (Accessed 09 October 2010).
- OAU (1977), “OAU Convention for The Elimination of Mercenarism in Africa”, Available at http://www.africa-union.org/official_documents/Treaties_%20Conventions_%20Protocols/Convention_on_Mercenaries.pdf (Accessed 09 October 2010).
- Reuters “Secretary of State Hillary Clinton accused Libyan leader Muammar Gaddafi on Monday of using "mercenaries and thugs" to suppress a popular uprising as world leaders sought new ways to isolate and oust him”, Available at <http://www.reuters.com/article/2011/02/28/us-libya-usa-clinton-idUSTRE71Q1JA20110228> (Accessed 01 March 2011).

The Telegraph (2011), “Libya protests: ‘foreign mercenaries using heavy weapons against demonstrators’”, Available at <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8336467/Libya-protests-foreign-mercenaries-using-heavy-weapons-against-at-demonstrators.html> (Accessed 26 February 2011).

UN Human Rights Council (2009), “UN Draft International Convention on the Regulation, Oversight and Monitoring of Private Military and Security Companies”, Available at <http://www.mgimo.ru/files/121626/draft.pdf> (Accessed 09 October 2010).

_____ (2010), “Report of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination” Available at <http://www2.ohchr.org/english/issues/mercenaries/docs/A.HRC.15.25.pdf> (Accessed 09 May 2011).

DECLARATION

I, the under signed, declare that this thesis is my original work and has not been presented for a degree in any other university and that all sources of material used for the thesis have been duly acknowledged.

Eyasu Gizaw Wolde

April 2011

This Thesis is submitted for examination with my approval as an advisor of the candidate

Dr. Tarekegn Adebo

April 2011

