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PRIVATE MILITARY COMPANIES IN AFRICA : THE DARK HORSES OF SECURITY OUTSOURCING?

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LIST OF ACRONYMS

APC: ARMORED PERSONNEL CARRIER

CFTF : CIVILIAN JOINT TASK FORCE

COIN: COUNTERINSURGENCY

ECOMOG : ECONOMIC COMMUNITY OF WEST AFRICA STATES CEASE-FIRE MONITORING GROUP

EO : EXECUTE OUTCOMES

FAA: FORÇAS ARMADAS ANGOLANAS

FNLA: FRENTE NACIONAL DE LIBERTAÇÃO DE ANGOLA

JTF: JOINT TASK FORCE

MJTF: MULTI JOINT TASK FORCE

MPLA: MOVIMENTO POPULAR DE LIBERTAÇÃO DE ANGOLA

MPRI: MILITARY PROFESSIONAL RESOURCES INCORPORATED

MSF: MOBILE STRIKE FORCE

NAF: NIGERIAN ARMED FORCES

PMCs : PRIVATE MILITARY COMPANIES

RUF : REVOLUTIONARY UNITED FRONT

SADF: SOUTH AFRICAN DEFENSE FORCE

STTEP : SPECIALIZED TASKS, TRAINING, EQUIPMENT AND PROTECTION

UNITA : UNIÃO NACIONAL PARA A INDEPENDÊNCIA TOTAL DE ANGOLA

US: UNITED STATES

UK : UNITED KINGDOM

CHAPTER 1

INTRODUCTION

1.1. BACKGROUND OF THE RESEARCH

In his notorious work *The Art of War*, Sun Zi explains that as : « water shapes its course according to the nature of the ground over which it flows; the soldier works out his victory in relation to the foe whom he is facing. Therefore, just as water retains no constant shape, so in warfare there are no constant conditions » (Sun Zi, chapter VI). This claim illustrates relevantly the changing form and character of warfare. In particular, the post-cold war environment has given fertile grounds to evolutions in terms of security governance and the conduct of war. One of the most important change has been the growing tendency of outsourcing certain regalian functions of the state to non-state actors, most notably Private Military Companies (PMCs)¹. Ortiz defines Private Security Companies as « legally established international firms offering services that involve the potential to exercise force in a systematic way and by military or paramilitary means, as well as the enhancement, the transfer, the facilitation, the deterrence, or the defusing of this potential, or the knowledge required to implement it, to clients »(Ortiz, 2010 p.48).

Many observers and analysts have voiced critics against private military contractors, especially in relation to the normative implications of their use in combat operations. For instance, as current legal provisions fall short in the regulation of the non-state actors, it can often result in cases of human rights abuses. Private military companies such as Dyncorp, Blackwater Security Consulting or MPRI have thrived, especially in the Middle East and in Africa, but have also become infamous because of several scandals involving their employees. The involvement of Blackwater operators in the shooting of 17 Iraqi civilians in 2007 makes a strong case and is far from being anecdotal in the private security industry (Remote Control Project, 2014, p.59). In most cases people responsible for those misdoings did not face prosecution, showcasing

¹ Authors use different terms such as Private Military and Security Companies PMSCs/ Private Military Firms PMF/ Private Security Providers PSP., etc. The terms Private Military Contractors (PMCs) will be used for the purpose of this research.

the manifest development of a « culture of impunity » in the private military industry. Given those reasons, PMCs have mostly been discarded and considered as a destabilizing force rather than a stabilizing one.

However, most of those cases highlight the perversion of American or British PMCs used to intervene in domestic conflicts in weak states. Some examples outside the West disprove this dark narrative. On the African continent, especially, that there are several cases where the use of PMCs has proved instrumental -in terms of effectiveness- in comparison to national militaries or other external forces, such as UN peacekeepers. For instance, in the 1990's the well-known PMC Executive Outcomes (EO) assisted both the governments of Angola and Sierra Leone in fighting counterinsurgencies (Howe, 1998). The South African firm was made of former SADF soldiers, including some who had fought in the « 32 Battalion, the Reconnaissance Commandos, the Parachute Brigade and the paramilitary 'Koevoet' » (Howe, 1998 : 310).

In Angola, a fight to seize power had arisen between the three nationalist movements born from the war of independence, the MPLA, FNLA and UNITA. A multi-party election was held in 1992 that saw the victory of the MPLA. However, the opposing parties, especially the UNITA, rejected the results claiming the poll was fraudulent. The elections revived the « civil war » between the two movements and « by 1993 [UNITA] controlled 80% of the Angolan territory » (Schaub, 2016 : 13) against feeble MPLA forces. EO was eventually hired by the MPLA government and proved to have a positive impact on both the military capabilities - on the operational, tactical and strategic levels- of the FAA and the negotiations efforts with UNITA. In the case of Sierra Leone, the government struggled to defeat the RUF, a guerrilla unit lead by Foday Sankoh which committed massive abuses against civilians and recruited child soldiers amongst its ranks. For four years, the RUF successively launched attacks and managed to seize control of many towns and their diamond-mines. EO was hired in May 1995 and swiftly turned the tide in favor of the government, regaining large parts of the territory within weeks. Its intervention also contributed to the peace efforts, as it « facilitated a cease-fire » between the belligerents (Howe, 1998 : 314). In the two cases the PMC not only showcased outstanding combat capabilities but also augmented the military capabilities of the national forces of the countries who had employed them.

Those examples are giving strength to the argument that, despite the controversies surrounding their use, PMCs have now become valuable players in contemporary security governance. In particular, the rise of new types of irregular warfare, including insurgency and terrorism, as well as the multiplication of low-intensity conflicts over the world, together with the lack of patronage from Western powers has made the use of PMCs a security alternative worth considering for African governments.

1.2. STATEMENT OF THE PROBLEM AND RESEARCH QUESTION

The thesis firstly aims to answer the question of whether and to what extent the use of private military contractors is effective in comparison to African military forces? While most of the literature consent to the view that the use of PMCs is detrimental and entails several risks, the thesis will argue that in some cases the use of PMCs has proved decisive for the governments that employed them in order to turn the tide in a conflict. The thesis then assesses the impact of PMCs on the military effectiveness of state-centric militaries. It will be argued that PMCs can impact positively the military effectiveness of weak African militaries. The hypothesis will be tested on the case of Nigeria, where the government resorted to employ a South African Private Military Company STTEP in the fight against Boko Haram because its rather weak national army could not tackle the problem. The analysis is essentially concerned with assessing whether the use of PMC in this counter-insurgency operation enhanced or hindered the success of the operation -i.e whether the PMCs was effective- and whether and how STTEP augmented the military effectiveness of the Nigerian army.

1.3. RELEVANCE OF THE RESEARCH

While there is a common negative bias towards private military contractors, which are vilified and put down as mere « mercenaries », it must be acknowledged that they have become necessary actors in the contemporary security governance, to such an extent that many states depends upon them in many areas. In light of the multiplication of non-traditional threats and the rise of irregular warfare, the question of the effectiveness of the use of private military contractors is of great relevance to

contemporary security scholarship and policy-makers. The case of Boko Haram, characterized by a nexus between insurgency and terrorism, presents a complex and compelling example of the increasingly developing new types of irregular warfare. Understanding how contracting private forces enhance combat operations would provide many African war-torn countries with added alternatives when confronted with those kind of threats. There is no denying that there are inherent risks associated with their use, however there are ways to reap the benefits of outsourcing combat tasks whilst minimizing risks.

1.4. RESEARCH DESIGN AND LIMITATIONS

This thesis will employ a qualitative research method. It will draw on Risa Brooks and Molly Dunigan's theories of military effectiveness, evaluating the impact of the use of private military contractors on five attributes of military effectiveness which are: Integration, Quality, Responsiveness, Skill, Compliance with the laws of warfare. The hypothesis will be tested on a case study of the use of private military contractors in Nigeria in the fight against Boko Haram. Due to the confidential nature of the topic, access to data is limited. Most of the information provided in this thesis will be collected from interviews, media sources, investigative reports or human rights organizations reports. While this first chapter provided a contextual introduction to the topic, chapter 2 will analyze the current literature on the privatization of war, as well as the theoretical perspectives on PMCs and military effectiveness. Chapter 3 aims to demonstrate that the use of private military contractors can be more effective than African military forces in conflicts and that PMCs impacts positively the military effectiveness of national armies. Finally chapter 4, will provide direct support to the hypothesis through the case study of STTEP's involvement in the fight against Boko Haram in Nigeria.

CHAPTER 2

LITERATURE REVIEW & THEORETICAL FRAMEWORK

2.1. LITERATURE REVIEW

A plethora of researches have been conducted on the topic of Private Military Companies (PMCs), all emphasizing a specific approach and with varying depth of analysis. This literature review will provide an analysis of the existing work, firstly evaluating ontological issues with the term of PMCs and investigating the forces behind the development of privatized security. In a second part, the review will focus on three recurrent themes related to the topic of the privatization of security, which are issues of state control over force, legal implications and the regulation of PMCs, and moral and ethical implications. Finally, the review will analyze the shortcomings in the current literature and indicate in which ways this research will contribute to bridge the gap.

TERMINOLOGY AND DEFINITIONAL ISSUES

Firstly, a crucial problem in the study of PMCs is the lack of consensus on the definition and the use of different terms to designate them: Singer uses the terms « Private security Firms » (PSF) and « Private Security Providers » (PSP) (Singer, 2003). The International Code of Conduct for private security services providers (ICOC) defines Private Security Providers or Private Security Companies as « any company whose business activities include the provision of security services either on its own behalf or on behalf of another, irrespective of how such company describes itself. » (ICOC, 2010). Some authors also use the term Private Military Security Companies (PMSCs). According to Moesgaard, the term PMSCs was introduced in a desire to « blur the lines between ‘security’ and ‘military’ » because « PMSCs challenge the traditional line of demarcation between the military sector (armies) and security (police forces) by applying their services in both spheres » (Moesgaard, 2013, p6). Finding a universal definition is important because of the political and legal implications it entails. The absence of a universal definition may in certain cases create loopholes allowing

states, such as Germany and the United Kingdoms to « obfuscate their use of private contractors in international interventions »(Krahmman & Friesendorf, 2011).

In an attempt to clarify the terminology some authors have tried to establish categorizations of those firms. The most influential in the study of PMSCs is Singer's « tip-of-the-spear » typology. The author distinguishes those firms on the basis of their location in the battlespace and the range of services they provide (Singer, 2003 : 16). Their specter of intervention is relatively larger than the sole security function, as it also includes consulting, logistics and operational support functions. (Singer, 2003 : 8). However, this distinction proves problematic because the same PMC can provide services that encompass more than one of those categories. In contrast, Avant considers that since the same PSC may provide different services in different contracts, a contract-based distinction is more relevant (Avant, 2005 : 17). Jefferies' categorization differs slightly as it attempts to draw the lines between PMCs and PSCs on the basis of the entity that employ them. According to him, PMCs are « political actors predominantly working for governments » and PSCs are « economic players contracted to the private sector » (Jefferies, 2002 : 106). Shearer (as cited in Moesgaard, 2013 : 6) « defines military companies as entities that are designed to have a strategic impact, whereas private security companies are usually confined to specific areas and guard property and personnel ». While those attempts are encouraging, finding a solid and narrow enough definition of PMC still remains an important challenge.

Scholars have also sought to precise the definition in order to rectify the common amalgam between private security companies and mercenarism (Shearer, 1998; Singer, 2003; Avant, 2005, Kinsey, 2006). Singer, for instance, argues that corporatization and their profit-oriented nature distinguish Private Military Firms from mercenaries and other types of private security actors (Singer, 2003). Jefferies also shows how the term « mercenaries » is wrongly used to « propagandize the issue of PMC operations » (Jefferies, 2002 : 104). The author considers that since it has a pejorative connotation, the use of this term « obscures any positive role that PMCs can play and, as such, constricts and constrains any meaningful and objective debate on the issue before it begins » (Jefferies, 2002 : 104).

FORCES BEHIND THE EMERGENCE OF PRIVATIZED SECURITY

A large body of researches focus on the reasons of the emergence of a private security market. Many scholars recognize that a major factor explaining the rise of private security is the end of the cold war and the subsequent « vacuum in the security market » (Singer, 2003), along with a relative « downsizing of the military » (Singer, 2003; Avant, 2005; Cusumano, 2009; Mandel, 2001; Krahnmann, 2009; Percy, 2009). As Avant explains, « complete units were cashiered, and many of the most elite units simply kept their structure and formed their own private companies. Line soldiers were not the only ones left jobless; it is estimated that 70 percent of the former KGB joined the industry's ranks»(Avant, 2005 : 9). This shift in the supply and demand forces of security triggered the rise of a private market. Also, several authors attribute the rise of private security to an ideological shift, with the advent of economic neoliberalism. This new ideology fueled the belief that the government is inherently less efficient than the private market and therefore that some activities should be entrusted to it (Leander, 2007; Singer, 2008; Cusumano, 2009; Mandel, 2002; Abrahamsen & Williams, 2009). Other works correlate the emergence of private security companies with the degree of resilience of state structures. Cilliers and Mason (1999) investigated the rise of PMCs in several weak or failing states of the African continent. Some authors point out to the development of private security market in Africa in response to the need to protect private interests (Isenberg, 1997; Singer, 2003; Leander, 2005). One notable example is the firm Executive Outcomes, a pioneer in the private security business who intervened in Sierra Leone and Angola to protect the interests of multinational oil companies, but also to help those countries' governments to fight insurgency movements such as the RUF and UNITA.

STATE' S MONOPOLY ON THE USE OF FORCE

Some of the recent debates focus on how the privatization of security affects the state monopoly on the use of force (Singer, 2003; Avant, 2005; Mandel, 2002). According to Max Weber's theory of the modern nation-state: « the state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory» (Weber, 1919). In other terms, the state is considered to be the sole institution with the legitimacy to use force.

Some private security scholars recognize that in recent years, this monopoly of violence has been increasingly challenged by numerous violent non-state actors, including private security companies, thus undermining the state. Singer states that «by removing absolute control from government and privatizing it to the market, the state's hold over violence is broken» (Singer, 2003, :18). Avant argues that it also entails important trade-offs. For instance, she states that « the market undermines the collective monopoly of the state over violence in world politics » and it « changes who has influence over the use of force» (Avant, 2005 : 253). Some other authors, conversely view the privatization of security as a way to enhance state control of violence. Mandel views « the dilution of the state monopoly of violence » as a necessary consequence of the inability for state to still conduct certain functions in an open economic environment (Mandel, 2002). But this statement proves right only in consolidated states, as in weak states the dilution of the monopoly of force to entities that are often corrupted, would undermines the rule of law.

REGULATIONS OF PMCS

A common assumption is that PMCs operate in a complete legal vacuum but many analysts argue that this claim is exaggerated (Caparini, 2006; Singer, 2003; Cusumano, 2009). Regulations do exist, but their uncoordinated implementation at different levels, national or international, results in a fragile patchwork of overlapping legal provisions. Against this background, most scholars acknowledge the need to find a better regulatory framework for PMCs (Singer, 2003; Cusumano, 2009; Schreier and Caparini, 2005; Leander, 2005). Singer points to the ambitious character of the few legal provisions and argues that« given the ultimate importance of the field in which they operate and the potential for serious abuses», strengthening the regulatory framework is vital (Singer, 2003). He also adds that « there still remain lingering questions that apply not only to its underlying legality, but also to how international law's legal protections and sanctions should apply to its employees» (Singer, 2003: 524). Indeed, as legal uncertainty surrounds the status of those firms and their employees, it remains difficult to hold them accountable and prosecute them in case of abuses. One notable example of the legal implications on the use of those private actors is the case of the shooting of 17 innocent civilians in Bagdad in 2007 by Blackwater employees (Tavernise and Bowley, 2007). Cusumano recognizes that be-

cause of the transnational nature of the privatized security industry, single state regulations are not sufficient. He thus stresses the need for a « multilayered approach » to regulations which would include « a broader network of actors alongside states, such as international and non-governmental organizations, private customers and the industry itself » (Cusumano, 2009 : 1). Finally, although most of the literature focuses on the use of PMCs on land, in recent years there are been a growing interest from security scholars in analyzing the use of private security companies in the maritime domain. In this case, the legal implications are highly complexified because of overlapping jurisdictions and concerns over freedom of navigation at sea. Consequently, some authors underline the crucial need to include a « maritime perspective » in the constitution of a new regulatory framework for PMCs (Petrig, 2013). One of the core problem documented in the literature is related to the presence of armed guards on shipping vessels (to protect them from pirates) and how it conflicts with the right of innocent passage (Liss, 2008; Chalk, 2009; Osnin, 2016). Recent attempts to fill the legal void include the 2008 Montreux document and the 2011 International Code of Conduct for Private Security Providers (ICoC).

ETHICAL AND MORAL IMPLICATIONS

There are a number of arguments supporting the belief that PMCs have become essential actors in warfare. Proponents of the use of PMCs argue, for instance, that they could have been used to prevent shortcomings in some cases, such as peacekeeping operations, where the international community lacked the capacity or will to intervene. For example, Bures states that the firm Executive Outcomes « had the capacity to intervene in Rwanda at the time of the genocide, have its first armed troops on the ground in 14 days and have fully deployed 1500 personnel, supported by its own air and fire support, within six weeks » (Bures, 2005 : 539). Nevertheless, a large body of scholars disparages the use of PMSCs. Many authors invoke the moral and ethical dilemmas arising from the privatization of security (Caparini,2006 ; Krahmann, 2010; Pattison, 2014; Eckert, 2016). The main debate revolves around the human rights implications of the use of PMCs. Among the most controversial topics, is the US use of PMCs in Iraq and Afghanistan in the 2000's and the human rights abuses that arose from it.

CRITICS AND GAP IN THE CURRENT LITERATURE

A recurrent critic about the literature on private security is that it is lacking a strong theoretical background and that most of the studies adopt a state centric approach. Some authors also believe that the debate tends to be very polarized in a simplistic manichean dichotomy that should be nuanced (Singer, 2003). Some attempts have been made to fill the theoretical void in the analysis of PMSCs (Avant, 2005; Abrahamsen & William, 2007). One of the most interesting approach is found in Deborah Avant's *The Market for Force: The Consequences of Privatizing Security*. The author chose to base her analysis on the relations of PMCs and the state control of force on « new institutionalism », which is « a diverse set of theory drawing from distinct logics in economics and sociology, but united by an interest in institutional mechanisms and how they affect collective outcomes» (Avant, 2005 p : 6). Abrahamsen & William's analysis draws on global security assemblage theory. Through the security assemblage concept, they highlight the shift in the architecture of security governance with a blurring between private and public sectors which results in an increased number of « hybrid modes of governance » (Abrahamsen & William, 2007). There are also some recent attempts in the literature on the ethics of war privatization to apply the just war theory to the use of PMCs (Pattison, 2008; Pattison, 2014; Machairas, 2014) but very few researches question the need to reassess the prevalent ethical norms -of just war- in light of the new nature of 21st century threats.

Overall, most of the literature on the implications of the use of private military companies stresses the normative aspects, whether it is from a legal or moral perspectives, and precludes the use of PMCs, which are seen as a destabilizing force. The bulk of this literature, however, has tended to focus on democratic Western nations, in particular the US or the UK. There are few attempts to break away from the usual Manichean dichotomy used in the normative debates on the use of PMCs and investigate their use in developing countries. Against this background, this study seeks to bridge the gap in the literature by highlighting the positive contribution that PMCs can make to combat operations in African countries in terms of military effectiveness.

2.2. THEORETICAL FRAMEWORK

CONCEPTUALIZING MILITARY EFFECTIVENESS

Measuring military effectiveness constitutes a difficult task in light of the lack of definition surrounding the term. Indeed, it is a complex multi-layered concept and as John E. Jessup points out, finding a universally applicable definition would be near enough impossible because « military effectiveness is made up of a group of intangible variables that can be defined with some precision only when a sufficiently large data base has been amassed » (Millet & Murray, 2010 : 256). Some authors have nevertheless attempted to develop coherent frameworks for its conceptualization.

One of the most interesting approach to defining and measuring military effectiveness can be found in Risa Brooks's *Creating military power: The sources of military effectiveness*. Brooks developed an « explicit » definition of military effectiveness, posing it in terms of “the capacity to create military power from a state's basic resources in wealth, technology, population size, and human capital”. She identified four characteristics to assess military effectiveness which are: « integration, or the ability to ensure consistency in military activity, create synergies within and across levels of military activity, and avoid counterproductive actions ; responsiveness, which is the degree to which a state accommodates both internal and external constraints and opportunities in preparing itself for armed conflict; skill, including the capacity to ensure that military personnel are motivated and prepared to execute tasks on the battlefield; and quality, or the capacity of the state to supply itself with essential weapons and equipment » (Brooks, 2007 : 2). Moreover, Brooks stresses that all four attributes are essential to military effectiveness as a « state that has shortcomings in just one attitude is likely to be handicapped in generating power» (Brooks, 2007 : 13). Molly Dunigan's approach is quite similar as she drew on the same four attributes to construct her conception of military effectiveness and also considers a military to be effective when it displays high levels of all four. But the author also took into account « tactical, strategic, operational, and political outcomes of warfare » in the definition (Dunigan, 2011 : 34) . According to her, « an effective military is considered to be one that displays high levels of integration, responsiveness, skill, and quality, while: (a) accomplishing its tactical goals, or the maneuvers pertaining to the most immediate battlefield goals; (b) accompli-

shing its operational goals, or the sum of the tactical goals pertaining to a particular theater of operation; (c) accomplishing its strategic goals, or the broader politico-military goals equaling the sum of its tactical goals across various theaters of operation; and (d) accomplishing the political goals of its government» (Dunigan, 2011 : 35). Dunigan additionally included a fifth element to be considered when trying to measure military effectiveness, which is the degree of compliance to the « laws of war » (Dunigan, 2011: 35). She considers the conflicting views on strategies supposed to maximize military effectiveness in the context of insurgency warfare. On the one hand, some scholars support a « hearts and minds » strategy that emphasize « compliance with the laws of war » to achieve better fighting efficiency, but, on the other hand, others argue in favor of a « draining-the-sea » strategy stating that « reliance on brutality towards civilians and non-compliance with the laws serves better military effectiveness » (Dunigan, 2011: 32-33). She concludes that the draining-the-sea approach decreases military effectiveness. Brooks and Dunigan provides strong conceptual frameworks for measuring military effectiveness. This thesis will thus draw on them to analyze the impact of PMCs on the military effectiveness of national forces.

Precisely, the analysis will take into account the five attributes which are : Integration, Skills, Responsiveness, Quality and Compliance to the laws of war to measure military effectiveness of STTEP. The higher the four first attributes, the more effective the military campaign. The fifth attribute will be used to demonstrate how the relations with civilians impact military effectiveness in counterinsurgencies. It will defend Dunigan's claim that the hearts and minds strategy is more effective than the draining-the sea approach because support and protection of the civilian population is essential during a counterinsurgency campaign. It will also argue that a high level of professionalism, compliance with the rules of IHL and regulations mechanisms are essential components for a PMC's activities to be effective. Finally, the thesis will determine whether the overall tactical, military and operational goals set by the Angolan government were met by the PMC.

CHAPTER 3

Private Military Companies Vs. African Militaries

3.1 THE FALLIBILITIES OF AFRICAN MILITARIES

At the exception of some few countries, most African militaries appear to be rather weak and inefficient. They exhibit an evident lack of military professionalism and « suffer from a poor understanding and regard for the rules of war and human rights » (Brooks, 2000 : 2). Those liabilities, resulting in decreased military effectiveness, are due to several factors.

First, during colonial times militaries were « critical to the stability of African states » because of the « strong sense of professionalism and duty » instilled by colonial powers (Brooks, 2002 : 2). However, when those countries gained independence, their emancipation also resonated with the disappearance of the strong structures put in place by the Europeans (Brooks, 2002 : 2). In reason of this, «the capabilities of these military forces declined and the professionalism that characterized them disappeared» (Sibanda, 2009). There is now clearly an important gap between the obsolescent character of African military doctrines, stagnant military capabilities; and the constant evolution of the twenty-first century security threats. Most African militaries have not sufficiently adapted to « adjust to the changing nature and shape of African conflicts» (Abrahamsen, 2013). Even the African militaries that are regarded as the strongest on the continent, such as South Africa, lack effective capabilities and equipment (Leander, 2004 : 5).

Second, African militaries are highly politicized. Numerous military officers have political ambitions and do not hesitate to trade their responsibilities to fulfill those. Also, as Brooks argue, « African militaries are all too often used by imperial presidents and warlords as a means of personal enrichment » (Brooks, 2000 : 4). Such behavior obstructs combat missions by facilitating the spread of nepotism and corruption. African security expert, Assis Malaquias, explains that the problem of corruption within security agencies is « *part and parcel of the highly entrenched patronage network*

that exists in the political and economic system as a whole». The security sector is crippled by those problems mainly in reason of the « secrecy requirements » and « sensitivities associate with national security », which leads to a high degree of opacity and affects the effectiveness of the military (Africa Center for Strategic Studies, 2015).

Third, many African countries were plagued by a long history of coups with many leaders being overthrown by military officers. Since the 1950's, the continent suffered « no less than 85 successful military coups and 19 presidential assassinations » (Varin, 2014). In reason of this, many African leaders have employed coup-proofing strategies. It roughly refers to « the set of actions a regime takes to prevent a military coup » (Quinlivan, 1999 : 133). Among those strategies, Quinlivan notes that leaders may « exploit family, ethnic, and religious loyalties for coup-critical positions balanced with wider participation and less restrictive loyalty standards for the regime as a whole »(Quinlivan, 1999 : 133). He also highlights a common « counter-balancing » strategy that consists in « creating paramilitary forces » and « developing multiple internal security agencies with overlapping jurisdiction that constantly monitor the loyalty of the military and one another with independent paths of communication to critical leaders », thus creating a system of check and balance ensured by competing organizations (Belkin and Schofer, 2005; Quinlivan, 1999 : 133). Finally, in some cases, in order to deter coup attempts, many African leaders have deliberately weakened their armies by « purging their best military officers » (Brooks, 2002 : 2).

All those measures, allegedly curbs the power of the military, preventing it to become too strong and a threat to the government. Additionally, it discourages and makes it harder for military units or treacherous officers to carry out a coup. However, a significant number of studies show that coup-proofing has negative impacts on military effectiveness (Feaver, 1999; Nielsen, 2002; Pilster & Böhmelt, 2011; Powell, 2015; Brooks, 1998; Biddle and Long, 2004). Powell acknowledges that coup-proofing strategies « undermine military effectiveness in authoritarian regimes, and make states more vulnerable to civil conflicts (Powell, 2015 : 9). Pilster & Böhmelt argue that coup-proofing strategies impact negatively « soldiers' leadership qualities and initiative, and the ability to coordinate different parts of the armed forces » (Pilster &

Böhmelt, 2011 : 336). This is mainly because, since soldiers are recruited or promoted on the basis of political loyalties rather than competence, they are not incentivized to develop the competences or skills necessary to successfully wage war (Brooks, 1998). In addition, the counter-balancing strategy, characterized by a strong institutional fragmentation, « undermines military cohesion » and results in « factional defection or paralysis in case of domestic unrest » (Albrecht, Croissant & Lawson, 2016 : 152).

3.2. THE BENEFITS OF WAR CONTRACTING IN AFRICAN CONFLICTS: WHY PMCS SHOULD NOT BE COMPLETELY DISCARDED

The usual normative critics raised against the use of PMCs include their lack of accountability and transparency, as well as the shortage of regulations for those actors. Detractors of the use of PMCs consider that those factors can pose problems in terms of human rights violations, especially when contractors are involved in combat operations. Opponents might also argue that PMCs decrease military effectiveness by weakening the legitimacy of the government as provider of security in the eyes of civilians. Some would also point at the argument that hiring PMCs will alienate the local population and may even push some people to support the insurgency.

There is no denying that those are rightful concerns and that using PMCs can present risks. However, there are cases in which using PMCs is effective because there are more efficient than public security forces. This is the case in many African countries in which the national security forces are paralyzed by weaknesses such as corruption, poor oversight mechanisms, political inertia, low human rights standards and so on. In light of the failure of national militaries to repel insurgencies and the exactions committed by many African armies, the aforementioned arguments do not hold strong. In a situation when the population feels alienated by the abuses and inefficiencies of its own national forces, it will most likely support the hiring of contractors that showcase more effectiveness.

Against this background, hiring PMCs can be a viable alternative to African leaders, especially when they are confronted with long-lasting domestic conflicts. First, in contrast to the ill-equipped African militaries and their stalling strategies, PMCs have much better operational, tactical and strategical capabilities. They can offer the

strong skills and expertise of veterans soldiers, who have fought in the most hazardous battlegrounds. Moreover, they bring to the table tactics that prove more efficient in the conduct of irregular warfare than the ones of traditional armies. Second, the use of PMC allows for a greater degree of flexibility because a state can quickly mobilize highly skilled troops. Once the objectives set by the government are achieved, the contract can also be easily terminated. Third, in contrast with African militaries, PMCs are characterized by their « generally apolitical nature » (Avant, 2006 : 329). Their use can thus help avoid the problem of clientelism and political corruption that undermine military effectiveness in many African countries.

Finally, there are cases when they might be more cost-efficient than traditional security forces. This argument is however quite disputed in reason of the difficulty to measure the overall cost-efficiency of PMCs. On the one hand, it would seem that contracting war does allow to reduce costs. Proponents of this view argue that hiring private contractors is often a less costly option in comparison to the burden of maintaining a standing army in peacetime (McFate, 2017 ; Lynch and Walsh 2000 : 133). Kinsey and Patterson also support this argument by pointing out that while the cost of contractors include « all overhead costs », - direct or indirect - military salaries do not include all of them (Kinsey & Patterson, 2012 : 289). Thus, « even if one include the costs for medical care, retirement, hostile-fire pay, life insurance, family separation allowance, there are still the costs for equipment and administrative support in theater, post-service veteran benefits, in-service education, mid-tour or home leave, training leave and the overhead cost associated with their management » (Kinsey & Patterson, 2012 : 289). Moreover, the salaries of contractors seem very high in comparison to that of soldiers, but it is often exaggerated by the sensationalistic bias of the media, that do not « take into account benefits and compensations » solely enjoyed by military personnel (Kinsey & Patterson, 2012 : 18). Private contractors « are not eligible for pensions, retirement benefits, and long-term health care the way government soldiers are » (Kinsey & Patterson, 2012 : 17). On top of this, when contractors are not needed the contract can easily be terminated, eliminating any cost (Kinsey & Patterson, 2012 : 289).

However, critics argue that this alleged cost-effectiveness is not entirely proven. They believe that PMCs are too costly for African countries, especially in the case of

large-scale interventions. While it is true that their services are not inexpensive, in the long run investing in private military contractors can prove to be a better alternative when a conflict lasts for several years without being successfully tackled by national forces. In those cases, if using a PMC leads to quicker, more effective results, it constitutes for states a strategic investment that is worth the cost and may, in the end, be more profitable. A striking example found in Sierra Leone support this argument. The country hired the firm Executive Outcomes in May 1995 to fight rebels from the Revolutionary United Front (RUF). While the cost of hiring the firm Executive Outcomes for a duration of 22 months amounted to 35 millions USD, i.e « more than 1/3 of the country's annual budget », it was still nothing much compared to the cost of the UN observer force that cost 47 millions USD for only eight months (Brayton, 2002 : 313). Even more striking is that the rebel's leader acknowledged the fundamental role played by EO, by negotiating for its withdrawal and stating that without its intervention they would have probably won the war (Brayton, 2002 : 314). Brooks also points out how « ECOMOG spent hundreds of millions of dollars over several years, losing a war that EO had won in ten months for only 35 million dollars » (Brooks, 2000 : 2).

3.3. THE IMPACT OF PMCS ON THE MILITARY EFFECTIVENESS OF PUBLIC SECURITY FORCES

While PMCs' effectiveness is significantly better than most African national forces, it does not signify that they should replace them entirely. Rather than that, PMCs can be used to fill the capability gap that plagues most African armies, thus improving their military effectiveness. For instance, PMCs that provide training and consultancy expertise, can have a positive impact on national forces by « [improving] the client's operational military skills and responsiveness, thereby enabling them to conduct more elaborate battlefield maneuvers and better adjust to opponent tactics » (Peter-son, 2017 : 1050).

These services can be complemented by intelligence support and thus increase the operational responsiveness of state-centric militaries. In addition, the provision of more sophisticated weaponry and equipment also have positive impacts on the quality and skills of national forces. The combat providers, i.e firms operating at the tip of

the spear, can «improve the client's offensive and defensive war-fighting skills and responsiveness by bringing, for instance, new tactics to the battlefield, by introducing the capacity to conduct air- to-ground attacks, and by setting up superior command-and-control systems » (Petersohn, 2017:1049) .

PMCs can also act as important force multipliers. This effect is generally observable when the contractors are co-deployed alongside the national forces, « in a way designed to make the overall combination more effective (Singer, 2001 : 94). In that case, PMCs either provide « specialized capabilities » that would be financially and operationally impossible to conduct for state-centric militaries, or « general leadership and experience » (Singer, 2001 : 94). According to Singer, the effectiveness does not lie in the number of additional manpower they provide but in the « skills at battlefield assessment, management and coordination » (Singer, 2001: 94). The force multiplier effect can greatly augment the possibilities of success in military operations (Singer, 2001: 201).

Nonetheless, for PMCs to have positive impacts on the military effectiveness of national forces, a few conditions should be considered. First, PMCs services should be employed under the impulse of the recipient country and not by an external force that might use the PMC as a proxy to intervene in a conflict. When it is the legitimate government that decides to make use of private contractors, the intervention will be better legitimized and more supported by the national military forces and the civil population rather than if the initiative comes from another country. Consequently, the risks of PMCs-military frictions and alienation of the civil population, that can arise in co-deployment situations and impacts negatively military effectiveness, can be largely reduced. Second, only PMCs that exhibit high standards of professionalism -meaning that they have, at the very least, oversight mechanisms such as a code of conduct and a strict recruitment policy - should be considered. They should also ideally possess specialized knowledge on the political and cultural features of the area they are operating in. Krahmman and Friesendorf support this argument, pointing out that having the right « local knowledge, network and language skills » can make a large difference in combat outcome (Krahmann & Frisendorf, 2011 : 21).

Finally, the use of PMCs is beneficial when used as a short-term « band-aid » solution to the substantive shortcomings of national security forces, in order to create enough breathing space to allow them to turn the tide of the conflict (Brayton, 2002; Jackson, 2002). However, it does not constitute a viable solution on a long-term perspective. Using them on a long-term perspective decreases the military effectiveness of national forces, by provoking an over-dependency that undermines the consolidation of public security forces (Leander, 2005) and may erode « the ability of African forces to cultivate an internal institutional memory their own » (African Defense Review, 2014). In any case, the military solution offered by PMCs does not address the underlying causes of a conflict and is thus not designed to achieve « long lasting settlement » (Pattison, 2014: 89).

CHAPTER 4 : CASE STUDY

STTEP's Intervention in The Fight Against Boko Haram in Nigeria

4.1. BACKGROUND OF THE BOKO HARAM INSURGENCY

Since 2009, the Northern part of Nigeria lives in terror of the murderous madness of Boko Haram. The Sunni extremist Islamic sect have been perpetrating atrocities of a staggering brutality, making « more than 32.000 deaths and over two million people displaced » (Al Jazeera, 2016).

The movement originated in the city of Maiduguri -Borno state- in 2002, following the preaches of the muslim cleric Mohammed Yusuf. He was vividly denouncing the endemic corruption of the Nigerian political elites and their hypocrisy and advocated the enforcement of the Sharia law in the North of Nigeria. The political imprint of Yusuf's preaches rapidly gained the favors of the poor and disadvantaged population of Northern Nigeria who felt wronged by the political elites. Indeed, there are some important economic and social disparities between the south and the north of Nigeria. On the one hand, the oil-rich South, with the city of Lagos and the Niger Delta has developed into a prosperous area. On the other hand, the north is lagging behind because of deindustrialization, low levels of investment in key sectors of the economy and poor access to education (The Huffington Post, 2012). Beyond the anti-statist dimension, Yusuf's message was marked with a strong anti-Western rhetoric that is reflected in the name of the rebel group. « Boko Haram » is often translated as « Western education is a sin » (BBC News, 2014). The word 'Boko' broadly refers to the act of deceiving in Hausa but it specifically refers to a form of Western education inherited from the British colonial era. The word 'Haram' simply signifies forbidden in Arabic (BBC news, 2014).

Boko Haram used those popular demands and anti-Western rhetoric to rise and expand in the country. The Nigerian government, who started to see a danger in Yusuf and his followers, arrested him a first time in 2009. In June 2009, Nigerian officers from an « anti-robbery security unit » apparently used the pretext of the violation of the - yet usually poorly enforced - bike-helmet law to arrest several Boko Haram militants who were returning from a funeral. The altercation resulted in the officers open-

ning fire on Yusuf followers and « injuring 17 people » (The Atlantic, 2014). The shooting heightened the frustrations of Boko Haram members. Whilst Yusuf « urged caution », some of his followers, including his right hand man Abubakar Shekau, called for immediate retaliation (Al Jazeera, 2016). From the 26th to the 30th of July, the rebels launched deadly attacks in several northern states including Borno, Bauchi, Kano and Yobe. The city of Maiduguri, in particular, was rampaged by the extremist militants who « destroyed several religious buildings and police stations » (Onuoha, 2014). The governor of Borno state, who had refused to acknowledge the group's grievances, called for a vivid military repression against the sect. The repression resulted in the death of a thousand people, most of them being simple civilians. Muhammed Yusuf was arrested on July 30th and illegally executed by the police without being given the chance to have a court settlement (Al Jazeera, 2016). This unlawful killing gave more virulence to the movement and gave rise to the desire to « embrace a more combative approach » among the members of the sect (Falode, 2016).

After his death, the survivors of the Maiduguri repression retreated in neighboring countries to prepare their revenge. The sect started to communicate through videos of its new leader, Abubakar Shekau, posted online. From this point onward, Boko Haram members multiplied their deadly attacks. In particular, the number of targeted murder of high officials and leaders increased considerably, as the sect members felt that the Nigerian Christians and the corrupted Muslim officials had orchestrated the brutality towards them. In August 2011, Boko Haram carried out a suicide attack at the headquarter of the United Nations in Abuja. The Nigerian president, Goodluck Jonathan sent the army to handle the situation but the results were poor. In may 2013, overwhelmed by the situation, Jonathan had no other choice than to declare a state of emergency (Al Jazeera, 2016). In the following year, Boko Haram continued its expansion and gained control of several northern cities. In April 2014, the abduction of 276 schoolgirls in Chibok by Boko Haram attracted the attention of the international community on the insurgency. Shekau declared that « the girls converted to Islam » and had been « married off to members of the sect » (BBC, 2014). This abduction was the first of many more. The sect used neighboring countries as rear bases to give supply to its members. In reason of the non-aggression pact signed with Niger, Chad and Cameroon, the Nigerian army was not able to intervene

beyond the country's borders and the militants were not arrested by neighboring authorities. After the pact ruptured, following a summit in Paris, Boko Haram started to also target Chad, Niger and Cameroon. Conjoint efforts from the international community and the army allowed the recovery of a few cities. In December 2015, Mohammed Buhari, the newly elected, president declared that Boko Haram was vanquished. But, in reality, in March 2015 a new video was posted, showing Boko Haram leader pledging its allegiance to the Islamic State (Mapping militant organizations, 2016). Since then, the movement has continued its deadly terror attacks and while the threat appears to have decreased, Boko Haram is still far from being completely eradicated. Its guerrilla style warfare includes tactics such as : assault, raids, ambushes, improvised Explosive Devices IED and Complex battle Position Defence (Threat Tactics Report : Boko Haram, 2015).

The Boko Haram insurgency is a complex and multidimensional conflict. The movement capitalized both on the political, social and economic grievances to rise and spread throughout the country. The aggressive repression of the Nigerian authorities and their failures to handle those grievances also contributed to the spreading of the insurgency. The execution of Mohammed Yusuf, in particular, triggered an important change, in the sense that Boko Haram ceased to be a monolithic entity and bursted into several dissenting factions. Now that Boko Haram members have spread beyond the country, aided by international terrorists organizations, and that they are not on a unified leadership anymore, the task of fighting them has become more than challenging.

4.2. ASSESSMENT OF THE NIGERIAN ARMED FORCES COUNTERINSURGENCY EFFORTS

OVERVIEW OF THE MILITARY RESPONSE AGAINST BOKO HARAM

At the beginning of the conflict in 2009, Borno state made use of a task force operating under the name « Operation Flush » to crackdown on Boko Haram's extremists (AFRICOM, 2014). The unit managed to capture Mohammed Yusuf in July 2009 and delivered him to the Nigerian police who executed him. However, most of the repres-

sion was limited to the urban centers and left rural areas open to the proliferation of Boko Haram militants (AFRICOM, 2014). The brutal 2009 crackdown was followed by a phase of quasi-inactivity on the part of the extremists. This led the authorities to believe that their counterinsurgency strategy was effective. In fact, most of the insurgents had simply fled to northeast areas in order to regroup (Sule, Ibrahim & Haliluru, 2015 : 5). In August 2010, Boko Haram eventually re-emerged under the more virulent leadership of Abubakar Shekau and began using guerrilla tactics against the Nigerian government.

In June 2011, the Nigerian president established a Joint Task Force (JTF), co-named Operation Restore Order, which is described as an « hybrid government security force, primarily comprised of military, police, and State Security Service personnel » (Human Rights Watch, 2012). The JTF was deployed to various northern Nigerian states to respond to the Boko Haram violence. The military strategies of this new task force included « road blocks, checkpoints, arrests, cordon and search, as well as defense tasks such as guarding of key points, surveillance, protection of very important persons and offensive military raids » (Umar, 2013: 41). Those efforts had mixed results in reason of inadequate manpower and screening equipment, but also a lack of proper coordination between the security agencies and inadequate intelligence (Umar, 2013 : 42-43; Comolli, 2015 : 112). The JTF struggled to rout the insurgents and made many civilian casualties. The authorities sent 3600 soldiers from the JTF in Maiduguri but it appears that they were « stretched too thin to control the large region » (Peace Index, 2016).

In May 2013, faced with an unprecedented increase in the terror attacks, Goodluck Jonathan declared a state of emergency in Yobe, Adamawa and Borno states, ordering the troops to « take all necessary actions, within the ambit of their rule of engagement, to end the impunity of insurgents and terrorists » (Daily Trust, 2013). According to Al Jazeera, « fighter jets and helicopter gunships were deployed for the offensives (Al Jazeera, 2013). The JTF was also replaced by a « specialized military unit » the 7th infantry division, led by chief Commander Obidan Etnan. Based in Maiduguri, the new division was strong of 8000 troops (Campbell, 2014 : 13; Vanguard, 2013).

But despite the creation of the new unit, Boko Haram insurgents were still seizing large parts of the territory. In several instances, the Nigerian troops could not match their opponents and were forced to retreat, abandoning arms and equipment on the battlefield. The capture of the Chibok schoolgirls by the insurgents and the subsequent declaration of a caliphate in Gwoza in 2014, as well as the successive suicide bombings in Kano state in July 2014, clearly demonstrated the failure of the Nigerian military response (Solomon, 2012 : 131). Moreover, the army claimed more than three times to have killed, Abubakar Shekau, but video evidence showing the leader of Boko Haram disproved those claims each time (Premium Times, 2017). The fight against Boko Haram also took a heavy toll on the Nigerian government's security spendings. According to the International Crisis Group, « from 2000 to 2008, its budget was less than 3 per cent of overall government expenditure. From 2009 to 2014, it increased to an average of 7.2 per cent of government spending (\$5-\$6 billion) » (International Crisis Group, 2016). Despite this increase in spendings, the situation remained largely unchanged.

ANALYSIS OF THE FACTORS EXPLAINING THE FAILURE OF THE NIGERIAN ARMED FORCES

Corruption

The gangrene of corruption plagues the Nigerian military from top to bottom and in all kinds of forms. This endemic corruption results in a decreased military effectiveness and it therefore limits the ability of the military to fight against Boko Haram. In interviews with the ICIR, soldiers reported that : « the insurgents, could be defeated in a matter of weeks, even days, but corruption and greed on the part of military authorities, who are benefiting from the on-going crisis, will not let that happen » (ICIR, 2014).

First, corruption is visible in the recruitment practices. An army officer recounts how « the selection of officials [both civilian and military] is done politically and based on who is who » and « even when personnel are picked to oversee certain aspects that involve anything in procurement, it is done based on the gain expected or to be reaped by the 'godfather'² who does the selection » (Africa Focus, 2017). Second, cor-

² The term « godfather » » refers to senior military officials.

ruption in procurement practices is facilitated by the lack of adequate oversight and monitoring. It appears that most of the earmarked funding destined to the counterinsurgency campaign have been siphoned by corrupt military officers, leaving the soldiers with little equipment and weapons, most of which was inadequate or obsolete. Former National Security Adviser, Sambo Dasuki, alone, has been accused of stealing 2 billion dollars of funds destined to the anti-Boko Haram fight through « the awarding of phantoms contracts » (BBC, 2015).

Collusion between military personnel and insurgent groups poses another problem. In June 2014, ten Nigerian generals and five military officers were found guilty of having provided arms and informations to Boko Haram extremists. The « information provided by army officers has helped Boko Haram to ambush military convoys and attack barracks and outposts in its stronghold in north-eastern Nigeria » (The Independent, 2014). The problem is not limited to the top, as even demoralized underpaid soldiers at the bottom of the hierarchy have been incentivized to « routinely take bribes from better paid, better fed and better armed Boko Haram insurgents » (The Huffington Post, 2014). As Emile Ouédraogo claims, the « allegations of corruption in the procurement of inferior equipment and diversion of supplies to Boko Haram have further eroded trust in the Nigerian military and directly compromised its effectiveness » (Ouédraogo, 2014).

Some attempts have been made by president Buhari to introduce anti-corruption measures. For instance, the creation of «two *ad hoc* temporary audit committees» in charge of « investigating defense arms and equipment procurement » (Transparency International, 2017). While those efforts are encouraging, far more measures will be needed to tackle the corruption problem. Investigations have nevertheless revealed that public funds amounting to a total of 15 billion dollars, which according to Nigerian vice president Osinbajo, represents « more than half of the current foreign reserves of the country », were stolen by military chiefs and companies through fraudulent arms procurement deals (Newsweek, 2016). Transparency international also denounced pervasive tactics such as the creation of « inflated or phantoms » defense contracts whose proceeds « are often laundered abroad in the UK or the US », but also the use of « briefcase companies », which are described as « shell companies that only exist on paper » (Transparency International, 2017 : 15).

Inadequate equipment and poor welfare

The lack of equipment and welfare is indubitably a direct consequent of the deep-rooted corruption within the army. Even when the government grants more funds to the army, much of it is often siphoned by unscrupulous greedy high-ranking officials. It is also most likely the result of a coup-proofing strategy from the government of a country darkened by more than 30 years of successive military coups.

But the problem also appear to be partly in reason of a clear mismanagement of the security funding. Despite the ever-increasing budget allocated to national defense, Nigerian troops still remain poorly armed and suffer from an important lack of welfare. For instance, while the 2014 Nigerian defense budget represented 6 billion US dollars, it seems that « only one-tenth went to equipment », while the remaining funds « went to staff elements and a substantial amount to personal use» (Malaquias, 2015). In a similar vein, a recent report from the Chairman of the House of Representatives committee on Army highlighted a sharp deficit in the budget for the welfare of soldiers and procurement of weapons which resulted in soldiers living in «sub-human conditions with no housing accommodation » and a rationing of arms and ammunitions in the war against terrorists (Ynaija, 2016).

Moreover, most of the equipment acquired is not suited for low-intensity conflicts, such as counterinsurgencies. Malaquias supports this argument stating that the weapons bought often do not « match the threat environment » as they are made for conventional warfare (Malaquias, 2015). Soldiers are only armed with standard issue rifles such as FLAL-FN or AK-47 and the majority of the vehicles -Main Battle Tanks (MBTs)- used by the army are archaic « Soviet-Era Tanks from the 1940-50's » (Omeni, 2015). The recurrent shortage of radios resulted in poor communication between the soldiers manning road blocks (Foreign Policy, 2014). In contrast, Boko Haram insurgents fight with more sophisticated weaponry and equipment such as Armored Fighting VehicleS (AFVs), especially Armored Personnel Carriers (APCs), but also Browning Machine Guns (BMGs), rocket propelled grenades or even night vision goggles. (ICIR, 2014). In terms of welfare, the troops often lack sufficient food or water. Many soldiers recounts how they are forces « to find means of buying food to

supplement [their] ration » (ICIR, 2014). According to them, no « sleeping kit » is provided and they are forced to « sleep on the bare earth » (ICIR, 2014).

Inadequate Military Strategy, Tactical doctrine and Training

The military strategy, tactics and training of the Nigerian army are mostly oriented towards conventional warfare, which mostly refers to conflicts involving state actors whose capabilities are more or less similar. However, this approach is not suited for hybrid or irregular warfare, defined as « a violent struggle among state and non-state actors for legitimacy and influence over the relevant population(s) » (Clancy & Crossett, 2007), and which include guerrilla insurgency, counterinsurgency, terrorism and counterterrorism.

According to Kiras, while in conventional warfare « adversaries are more or less symmetric in equipment, training, and doctrine », in irregular warfare, such as insurgency, « the adversaries are asymmetric and the weaker, and almost always a sub-state group attempts to bring about political change » (Kiras, 2007: 188). Insurgents use guerrilla tactics that include hit-and-runs, ambushes, assaults but also terror tactics such as suicide-bombings and counter-value attacks. As Ferreira adds, insurgency « involves strategies and tactics outside the bounds of conventional warfare and is waged in a changing and unpredictable manner (Ferreira, 2011 : 51). Because the Nigerian troops used a « kinetic military strategy », that is « comparable to how conventional engagement is conducted between state actors in conflicts », their operations were not effective against Boko Haram guerrilla-like attacks (Falode, 2016). Carolin Varin also argues that « the prevalent use of conventional warfare by the Nigerian army resulted in the neglect of the counterinsurgency training within the armed forces », thus explaining why the Nigerian army had difficulties in fighting off the attacks of the insurgents (Varin, 2015 : 144).

Low morale, Professionalism and 'Esprit de Corps'

The unjustified cuts in allowance, the failure to meet soldiers most basic needs and the lack of adequate fighting equipment has not only created incentives for more corrupt behaviors but also undermined the professionalism, the morale and the *esprit de corps* of the military. Those factors also aroused anger and resentment toward the federal government and the military high command, who are accused to have abandoned the troops

fighting the insurgents, leaving them resourceless in fighting an endless war (ICIR, 2014). Many soldiers who were supposed to be deployed only for a few months, have now been fighting for several years. Frustrations from the soldiers have translated into several cases of troops mutiny. For instance, in May 2014, some soldiers who were in Chibok, had been forced to return to Maiduguri by the General Officer Commanding GOC. They had requested to spend the night in one of the camp because of the danger of returning at night but were denied it. On their way back, the soldiers were ambushed by Boko Haram militants, resulting in several casualties. Angered by the death of 12 of their colleagues, the survivors opened fire on the vehicle of the GOC at their arrival in Maiduguri (Vanguard, 2014). Instead of acknowledging the grievances of the mutineers, the military authorities arrested 18 soldiers on the charges of among which 12 were sentenced to death (AllAfrica, 2014). Another notable incident happened in December 2016 concerning troops of the 7th infantry division in Maimalari attached to « Operation Rescue Finale » in Sambisa Forest. The troops who « were enraged over poor welfare arrangement and alleged deceit by their commanders », in particular the failure of being given food or water for several days, almost « lynched the commander » (Premium Times, 2016). The daily fear, anger and demoralization of the troops fighting Boko Haram affected their overall professionalism and effectiveness including their combat readiness.

Poor civil-military relations and Human rights violations

David Galula argues that, for a COIN campaign to be successful securing support of civilians and assuring their protection are two critical conditions (Galula, 1964). The repression of the Nigerian military has failed to do so by strongly alienating the population. Indeed, the Nigerian military's intervention has been characterized by a « draining-the-sea » strategy, that is more enemy-centric and relies on « brutality towards civilians and non-compliance with the laws of war serves better military (Dunigan, 2011 : 32). Human rights organizations have documented several of their abuses against civilians through testimonies, video and photographic evidence and military reports. The military forces are accused of having « engaged in excessive use of force, physical abuse, secret detentions, extortion, burning of houses, stealing money during raids, and extrajudicial killings of suspects » (Human Rights Watch, 2012).

The suspects arrested, among which many children and babies, are voluntarily detained in sub-human conditions, causing many death in custody. One of the worst case, concerns the Giwa barrack. Amnesty International reports that « suspects died on a regular basis » and that « up to 180 deaths were recorded on some days » in 2013. Moreover, « in June alone, more than 1,400 corpses were delivered from the barracks to one of the mortuaries in Maiduguri » without any autopsies conducted and without having notified the families of the deceased. The report also states that « the main causes of deaths in detention were starvation, thirst, severe overcrowding that led to spread of diseases, torture and lack of medical attention, and the use of fumigation chemicals in unventilated cells » (Amnesty International, 2016).

A further problem contributing to the poor civil-military relations is the arbitrary and indiscriminate nature of the Nigerian army's repression, seemingly due to the very poor ability to gather intelligence. Indeed, as stated by Amnesty International, « the vast majority of arrests carried out by the military appear to be entirely arbitrary, often based solely on the dubious word of an informant » (Amnesty International, 2015) . It is also important to note that suspects are found through paid informants and that even the military recognized that the informants are unreliable because greed or other personal interests make them provide false informations (Amnesty International, 2015). It also appears that the CJTF, the civilian militia established by the authorities, and working conjointly with the security forces in Borno state, was in part responsible for the « mass arbitrary arrests and screening operations in which informants point out Boko Haram suspects » (Amnesty International, 2016).

It also seems that civilians are the victims of many indiscriminate reprisal attacks. For instance, In April 2013, in response of the attack of a military patrol by Boko Haram militants, Nigerian troops carried out a military raid in the city of Baga that resulted in the « massive destruction of civilian property » and in several civilian casualties. According to the report, « community leaders said that immediately after the attack they counted 2,000 burned homes and 183 bodies » Those claims were corroborated by Human Rights Watch analysis of the Satellite images of the town and is only one among many (Human Rights Watch, 2013).

The consequences of this repression are appalling, both materially and socially. It even appears that Nigerian security agencies may « have killed as many Nigerians as Boko haram did in certain periods » (Campbell, 2014). Amnesty International alleges that since the beginning of the repression, « Nigerian military forces have extrajudicially executed more than 1,200 people; they have arbitrarily arrested at least 20,000 people, mostly young men and boys; and have committed countless acts of torture. Hundreds, if not thousands, of Nigerians have become victims of enforced disappearance; and at least 7,000 people have died in military detention» (Human rights Watch, 2015). These arbitrary arrests and detention, the multiple extrajudicial executions as well as detention of « children below the internationally accepted minimum standard age for criminal liability » all constitute clear violations of the International Humanitarian Law (Amnesty International, 2015).

The arbitrary and indiscriminate nature of the Nigerian army repression not only eroded civilians trust in public security forces but also pushed many to change their allegiance. In this context, Stathis Kalyvas' theory of indiscriminate vs. discriminate violence in civil wars is highly enlightening. Kalyvas supports the argument that the use of indiscriminate violence against civilians is counterproductive because “ it offers incentives for civilians to join discriminate actor”, thus “in order to be efficient, violence generally needs to be selective.” (Kalyvas, 2000: 7) His theory holds true in the case of Nigeria, as several reports attest that many civilians were incentivized to join the ranks of the Boko Haram insurgents, simply to escape the unlawful arrests, torture and killings perpetrated by the Nigerian Army (Amnesty International, 2015). Since many civilians are arrested by the Nigerian authorities only on the basis of mere suspicions of collaboration with the insurgents, whether they are guilty or innocent, the risk-averse solution for them is often to join the insurgency in the hope of having some protection.

4.3. STTEP'S INTERVENTION IN THE COUNTERINSURGENCY

STTEP'S INTERVENTION IN NIGERIA

Given the failure of the demoralized under-equipped Nigerian army to tackle the spread of the insurgency, and the reluctance of the Nigerian government to seek help toward neighboring countries, the hiring of private security contractors in the fight against Boko Haram came as a « logical step » for Jonathan (Varin, 2015). Most of the private military contractors hired in Nigeria were employees of Specialized Tasks, Training, Equipment and Protection (STTEP), a PMC founded by veterans of the South African Defense Forces (SADF). Eeben Col Barlow was later approached to become the chairman of the company. Barlow was the chairman of the defunct South African company Executive Outcomes (EO), a pioneer in security privatization in Africa. Given the company's important track record of successes in countries such as Angola or Sierra Leone, his expertise on African conflicts made him a candidate of choice to preside STTEP. The company advertises itself as « an international, privately-owned Military, Intelligence and Law Enforcement training and advisory company », which has « established itself as a dedicated, apolitical, highly professional, service-driven entity that supports both international - but primarily African governments and business entities » (STTEP International, 2017). Eeben Barlow indeed stated that STTEP was a « true African PMC that provides African security solutions to under-siege governments » (Harvard International Review, 2017). The company's code of conduct claims that STTEP behaves in a « legal, moral and ethical manner in [their] conduct of business ». They also mention how their « honesty, integrity and due diligence » guides them in their tasks and their compliance with « national laws and regulations, all local laws and respect the customs, traditions and religions of the countries [they] work in » (STTEP International , 2017).

STTEP was firstly hired by the Jonathan administration in December 2014- as a sub-contractor for Conella services Ltd-, in an apparent desperate bid to win the elections supposed to be held the following month. The possibilities of the elections being held up at all were strongly compromised by the insecurity provoked by the insurgency and the president was determined to use all necessary means to restore a minimum of stability. The Nigerian authorities had firstly sought to cover the intervention of foreign private military contractors in the fight against Boko Haram, denying any invol-

vement of their part. Goodluck Jonathan later conceded to validate the declarations of their involvement but maintained that they only « offered technical and logistical support» to the Nigerian army (Al Jazeera, 2015). Declarations of Eeben Barlow, however showed evidence that STTEP's assistance went far beyond these dimensions as they provided decisive combat support (Sofrep, 2015). Interestingly, the chairman of US company Blackwater, Eric Prince, apparently travelled to Nigeria and offered to « destroy Boko Haram for 1,5 billions » but the offer was rejected. It thus seems that it is this pan-African aspect on the part of STTEP that motivated Goodluck Jonathan to hire them. The primary objective of their hiring was to train a team in charge of the rescuing of the Chibok schoolgirls. However, due to the frantic intensification of Boko Haram attacks³, the PMC was given the mission to form the obsolescent Nigerian army to « unconventional mobile warfare »and create breathing space to enable the government to hold the elections (The Telegraph, 2015).

THE 72 MOBILE STRIKE FORCE

STTEP contractors mainly contributed to the training of the 72 Mobile force (in Borno state) and its sub-unit the 72 Mobile Strike Force, which possessed « its own organic air support, intelligence, communications, logistics, and other relevant combat support elements » (Beebeagle's blog, 2015; Sofrep, 2015). According to Eeben Barlow, the contractors were not external or adjunct actors but served alongside the Nigerian soldiers in the 72 MSF in order to « boost their confidence and morale as well as monitor the application and effectiveness of their training» (Sofrep, 2015). Co-deployment can often result in some coordination problems between PMCs and military forces, usually characterized by friendly fire incidents.

In total the 72 MSF regrouped 163 Nigerian soldiers and 147 South African soldiers (Sofrep, 2015). In reason of the looming presidential elections, the contractors had to operate under a severe time constraint and was only given two months to train the Nigerian soldiers in Jaji, Kaduna State. The training included « numerous military arts such as musketry, field-craft, combat medical aid, communications, mounted and dis-

³ It is reported that by early January, Boko Haram has control over 20,000 square miles of territory (Sofrep, 2015).

mounted maneuver, and pursuit along with the application of direct and indirect fire » (Harvard Review Eben Barlow, 2017). It appears that the 72 MSF « have been the core users of the REVA MRAPs» that were imported from South Africa by the contractors (Beebeagle's blog, 2016). Those vehicles are Armored Personnel Carriers (APCs) capable of operating in many difficult operations. The 72 MSF launched a successful joint offensive on the town of Mafa and also supported the 7th Infantry Division in preparation for the take of Bama (Beebeagle's blog, 2015). Barlow reports that the « 72 MSF pounded BAMA from the air (almost certainly using Gazelle helicopters), artillery (certainly the new RM-70 122mm MRLS) and mortar fire » (Beebeagle's blog, 2015). The strike force then managed to « cut off the escape routes from Bama » and, eventually, « the main body of the advancing Nigerian army then took the town and carried out mopping up operations » (Beebeagle's blog, 2015).

THE PERFORMANCES OF STTEP CONTRACTORS

In this case, STTEP's contractors proved more efficient than the national army in many ways and disproved the many normative objections that usually discards the use of PMCs in combat operations. Firstly, most critics argue that because PMCs lack of accountability and transparency, they should not be employed in conflicts. Buhari has also tabled on this argument to end STTEP's contract after his election. However, in the case of Nigeria, the argument has poor value considering the opacity and common impunity that characterizes the national defense forces. Moreover, many authors have cautioned against the use of PMCs in combat operations because of the risks of human rights violations created by the lack of oversight on the private contractors. But, considering the track record of human rights abuses of the Nigerian army, the normative objections also do not make sense in this precise case. Other opponents of the use of contractors have voiced concerned over the possible alienation of the population that could result from PMC's involvement. For instance, in a report, the UK based organization Nigeria Security Network, stresses the risks in employing PMC advisors arguing that « their use in combat operations could generate considerable animosity amongst local people in north-east Nigeria and make them more sympathetic to Boko Haram's anti-government, anti-Western agenda» (Nigeria Security Network, 2015). However, a study conducted by Remote Control Project refutes this

thesis. According to the study, 75% of civilians supported the intervention of PMCs in the fight against Boko Haram. Among those, 42% declared that « whatever works to stop Boko Haram » should be employed and 20% believed the army was not good enough. In addition, 71% of the people declared that they supported the intervention of PMCs in combat operations (Remote Control Project, 2016 : 8-9).

As for the cost-efficiency of hiring contractors, the secrecy surrounding the cost of the contract makes it difficult to assess this variable. One report from ICIR attests that the contractors were paid a total of N20000 per day (55, 48 USD), which would amount to a total of 734000 USD for three months (ICIR, 2014). Some other reports claim that the daily allowance amounted 400 USD per day, that being 5 292 000 USD for three months (Mail & Guardian, 2015). In either cases, the price equated excellent performances - because the PMC achieved more in three months than the Nigerian Army in several years- and it remains far below the annual defense spendings of the Nigerian government.

The PMC was crucial in helping turn the tide in favor of the Nigerian army, as several cities were reclaimed thanks to them (The Telegraph, 2015). Those gains might also be imputable to the presence of Chadian, Nigerien and Cameroons troops but the spate of military victories subsequent to their involvement strongly suggests that STTEP proved instrumental in the conflict. In terminating the contract in March 2015, Buhari compromised the fragile progresses made against the insurgency and Boko Haram militants started regaining territory. In fact, the Nigerian defense headquarters soon realized that the army could not match the deadly tactics of the insurgent and many military chiefs urged the president to recall the PMC (Vanguard, 2015).

4.4. STTEP'S IMPACT ON THE NIGERIAN ARMY'S MILITARY EFFECTIVENESS

STTEP had a significant impact on the responsiveness and operational skills of the Nigerian army. As Campbell notes « what changed [was] the presence of well-trained, well-equipped fighters that are skilled in warfare» (Campbell, 2014). The South African contractors had the necessary expertise and experience to fight on the continent and in dangerous battlegrounds. For instance, Jackie Cilliers notes how « their skills acquired in tracking and operating in the wooded terrain of southern Angola [made] their intervention particularly relevant to conditions in northern Nigeria » (Institute for Security Studies, 2015). The contractors provided good guidance to the Nigerian troops, especially concerning the dreaded 60.000 square kilometers large Sambisa Forest where Boko Haram militants had retreated (The Guardian, 2014). They thus had a positive impact on the skills of the Nigerian army by providing them this excellent expertise.

The PMC also largely improved the tactical abilities of Nigerian troops. The obsolete and inefficient conventional tactics were replaced by a tactic known as « relentless pursuit »⁴ in which the troops « mimicked Boko Haram's violent guerrilla tactics», including hit-and-runs and non-stop assaults, to match their opponents (The Telegraph, 2015). The same tactic was successfully used in the 1990's against insurgents of RUF and UNITA in Angola and Sierra Leone. Barlow further explains : « Once the enemy's direction is determined, troops can leap-frog forward, carried by helicopters or riding in armored vehicles the way SADF Koevoet trackers did during South Africa's border war. Once those troops become tired, they are quickly replaced with a fresh squad. The enemy is pursued relentlessly during both day and night. Once spotted, enemy forces are engaged at the soldier's maximum effective firing range with RPGs, machine guns, sniper rifles, or 60mm mortars » (Sofrep, 2015). It also seems that bush tracking, a tactic widely used during the decolonization era guerrilla wars in Africa, was instrumental in « flushing out Boko Haram extremists » in the hostile Sambisa forest (Stapleton, 2014; The Telegraph, 2015). In particular, Barlow argues that trackers are useful because they « can tell the age of a track as well as indicate if the enemy is carrying heavy loads, the types of weapons he has

⁴ Eeben barlow describes the tactic in those words: « Relentless pursuit implies the enemy is pursued with speed and aggression, without stopping, pushing him past the limits of his endurance whilst we continually substitute the men doing the pursuit with fresh troops. This forces the enemy into a state of exhaustion as he has no time to eat or rest. It also impacts negatively on his morale, leads to panic and subsequently leads him to make mistakes » (see Eeben Barlow Military and Security Blog, 2011)

(this is identified when locating enemy resting points), if the enemy is moving hurriedly, what he is eating and identify disturbances in the soil or tripwires indicating a possible landmine or IED » (Barlow, 2011).

The training of the 72 MSF, increased the skills and quality and thus the overall responsiveness of the national forces. By offering tailored tactical training to the Nigerian troops, the PMC allowed them to improve their operational flexibility. The success of the joint offensive launched in February 2015 on the town of Mafa, which had been a recurrent target of Boko Haram terror attacks, demonstrates it well. In addition, STTEP's logistical support improved the operational capabilities and quality of the Nigerian army by providing more sophisticated equipment and weaponry. In particular, the 24 REVA MRAPs and the new weapons made a consequent difference. STTEP's contractors also provided them with training on how to use the new military hardware. Moreover, the addition of an « air wing » to the strike force was particularly useful (Sofrep, 2015). The tasks of the pilots included « CASVAC, MEDVAC, resupply runs, transporting troops, and even providing air support for the strike force » (Sofrep, 2015). Some reports claim that SAAF pilots were « flying Russian Mi-24 Hind helicopters » during night operations, which was a clear gain for the Nigerians in their counterinsurgency campaign (Institute for Security Studies, 2015). Finally, the PMC increased responsiveness, skill and quality of the Nigerian military by improving intelligence efforts. The Nigerian COIN strategy initially relied on faulty intelligence provided by paid informants but the troops managed to gather credible informations after STTEP « deployed its own intelligence cell to Maiduguri where it began cooperating with the intelligence elements of 7 Infantry Division » (Harvard International Review, 2017).

The intervention had varying impact on military integration. On the one hand it contributed to better civil-military relations because of the abandon of the brutal « draining-the-sea » approach that alienated the population. On the other hand, one case of friendly fire have been reported due to miscommunication between two teams. The incident made two casualties and, according to an ICIR report : « After the two mercenaries were killed, it was learnt that it took the intervention of the Office of the National Security Adviser to get the mercenaries to continue with the fight against Boko Haram (ICIR, 2016). The incident could have been deadlier if it was not for the PMC

commander's orders to not strike back. At the end of the day, the incident was forgotten and the contractors remained.

Finally, STTEP clearly bolstered military effectiveness in terms of the compliance with the laws of war. As mentioned, previously, the PMC opted for a « heart and mind » strategy, as opposed to the national military arbitrary and inefficient « draining-the-sea » approach toward civilians. The PMC was strongly aware of the necessity of maintaining good relations with the local populations. As stated by Carolin Varin, no cases of human rights abuses similar to the likes of Blackwater in Iraq occurred, because the South Africans were « aware of the importance of local support for intelligence gathering on counterinsurgencies and take pains to maintain good relations with the Nigerians ».

CHAPTER 5

Conclusion and Final Remarks

The changing nature of African conflicts has conditioned the need for a more pragmatic approach to war outsourcing, that evaluates its benefits in terms of military effectiveness instead of discarding PMCs entirely. Considering the weak performances of most African armies, the use of military contractors can, in some instances, have advantages over national militaries. In addition, PMCs can have favorable impacts on the military effectiveness of the state's defense forces. The case of Nigeria clearly demonstrated it, showing the instrumental role PMCs can play in helping states confronted with long-lasting insurgencies regain the control of the use of force and turn the tide of the conflict in their favor. STTEP also improved the overall military effectiveness of the unit it worked conjointly with, for all five attributes of military effectiveness prescribed by Brooks and Dunigan. In only a few months, the newly improved force achieved more than the Nigerian army did in several years. STTEP entirely fulfilled the tactical, operational and strategic goals it was hired for. Their intervention notably provided the necessary stability to hold the presidential elections in March 2015.

Several factors did contribute to the success of their involvement. The fact that the Nigerian government was the one who hired the force did play a role in mitigating PMC-military tensions. Moreover, the PMC employed a more civilian-centric heart-and-minds approach, that completely contrasted with the brutal draining-the-sea approach encouraged by the Nigerian security forces. In addition, the fact that STTEP is a pan-African PMC, that has deep knowledge of African conflicts and extended expertise of the hazardous battlegrounds of the continent, contributed to reducing the identity gap or possible frictions between the Nigerian army and the civil population. While the benefits of hiring PMCs are undeniable in terms of the strategic, operational and logistical military effectiveness they carry with them, PMCs should not be used on a long-term perspective. Their intervention should primarily serve the short-term purpose to allow a government the necessary breathing space to turn the tide in a conflict. If not, they risk developing an over-dependence upon PMCs services and undermine the consolidation of state security institutions.

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