

Private Military Companies and their Effectiveness in Achieving Security Goals: Comparing Private Military Companies to Traditional National Forces



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Abstract

The last few decades there has been a notable increase in the number of private military companies (PMCs) active in the world (Tonkin, 2011, p. 6). One explanation for this boom of PMCs is the idea that PMCs are more effective in achieving security goals compared to traditional national forces (TNF). This thesis compares the effectiveness of PMCs to TNF in achieving security goals. The current debate on PMCs is mostly normative. The subject of this debate is the question if and how PMCs are accountable for their actions. There is little research done on the differences between PMCs and TNF and what advantages PMCs might have over TNF when achieving security goals. This thesis offers new qualitative data on the differences between PMCs and TNF of their effectiveness in achieving security goals to provide more data to the normative debate on PMCs. The Dutch case is the focus of this research; data is gathered from interviews with Dutch PMC directors. The data gathered from these interviews is triangulated with data from the Dutch government, the Dutch Chamber of Commerce and journalists. In the data gathering process the effectiveness in achieving security goals is measured by taking components of this broader concept, such as the cost-effectiveness of PMCs, and comparing them to similar attributes of TNF. The conclusion of this research is that PMCs are more effective than TNF in achieving security goals in certain situations due to the fact that PMCs are more cost-effective and flexible than TNF. Another conclusion is that it is important to improve the state of the legal framework surrounding PMCs in the Netherlands to make Dutch PMCs more accountable for their actions.

Introduction

From 2003 to 2007, contractors were awarded around 85 billion US\$ for missions they completed for the US in Iraq alone (Tonkin, 2011, p. 6). By 2007, the number of contractors working for the US in Iraq outnumbered the number of US troops by more than 190.000 (Tonkin, 2011, p. 6). In 2010 contractors made up for around 54% of the Ministry of Defense workforce in Iraq (Tonkin, 2011, p. 6). These massive increases in PMC activity are sometimes explained as a logical consequence following the demilitarization of Russia and the United States at the end of the Cold War (Maogoto & Sheehy, 2009, p. 100), but there might also be more reasons for this; such as the idea that private military companies (PMCs) are more effective in achieving security goals than traditional national forces (TNF).

PMCs are private firms providing a wide array of security services including combat, logistics and consultancy services (Leander, 2005a, p. 804). Private firms only need to offer one or more of these three main types of services to be included in this definition (Leander, 2005a, p.

804). This creates a spectrum on which PMCs can be active, from more militarized to more civilian oriented. The individuals who PMCs use for these operations are defined as contractors, and the actors who hire PMCs are defined as clients. The counterparts of PMCs are TNF. TNF are defined as the army of a state. The United States Armed Forces are a typical example of TNF forces. Paramilitary forces, such as the police, are also part of the TNF of that state. The individuals who TNF most commonly use for foreign ground operations are defined as soldiers. Security goals include feats of tactical importance such as, capturing strategically important locations, defending key areas and eliminating enemy units while being efficient with their resources. These goals also include humanitarian aspects; military forces often try to minimize collateral damage. Both soldiers and contractors try to achieve security goals.

This thesis compares the effectiveness of PMCs in achieving security goals to that effectiveness of TNF. Currently, there is a lack of data on the differences between PMCs and TNF. The academic debate on PMCs is mostly focused on the normative question whether PMCs should be legal or illegal businesses. Because of this normative focus, there is a lack of data on the differences between PMCs and TNF. It is probable that PMCs as a new phenomenon have some kind of advantage over TNF as they are taking over tasks that are traditionally the area of TNF. A likely advantage PMCs have over TNF is the idea that they simply are more effective in achieving the security goals than TNF. Failure in achieving security goals is one of the worst failures an actor tasked with achieving these goals can make. It is possible that PMCs legitimize themselves by achieving security goals better than TNF; this makes it interesting to explore how effective PMCs are in achieving security goals. This research thus compares the effectiveness in achieving security goals of PMCs to TNF, as being more effective than TNF in achieving security goals might legitimize the behavior of PMCs as a wielder of military force.

The normative debate on PMCs

Anti-PMC side

Scholars in the anti-PMC side argue that PMCs should be illegal businesses as they have an inexcusable negative influence on the human rights conditions in the places where they operate. Scholars from this side mostly draw examples from Africa to show the devastating effects PMCs can have on weak states (Musah, 2002, p. 911; Maogoto & Sheehy, 2002, p. 197). Musah gives examples of companies like Dyncorp and Military Professional Resources Inc. perpetrating human rights abuse in conflict zones such as Angola, Columbia and the former Yugoslavia from the 1980s until the 1990s (2002, p. 930). The PMCs in question are focused only on making as much profit as

possible, worsening the human rights situations in the states in which they operated (Musah, 2002, p. 931). Musah however fails to provide evidence for the crimes that PMCs would have committed in his article. The rhetoric from scholars in this side echoes sentiments often found in the media about PMCs, as Kruck found in his media analysis, media generally portray PMCs as "incompetent cowboys", "uncontrolled abusers" and "dirty mercenaries" (Kruck, 2013, p. 340). PMCs are keenly aware of this negative frame that is often used to portray them and try to mitigate the damage from this negative frame by presenting themselves as the new humanitarians (Joachim & Schneiker, 2012, p. 367).

Apart from these moral accusations against PMCs, the anti-PMC side also draws attention to the problems with the accountability of PMCs (Muthien & Taylor, 2002, p. 197). Muthien and Taylor agree with Musah that PMCs are a threat to the stability of the states in which they operate, but go further than Musah in explaining why PMCs are a threat to the stability of a state. PMCs have a less rigid legal framework surrounding them than states; this makes PMCs less accountable to courts for their actions than states. Muthien and Taylor state that companies can accept alternative types of payment, such as payment in uncut diamonds or real estate, much easier than states (2002, p. 197). To solidify this claim, Muthien and Taylor give the example of a contractor named Niemoller who was rewarded with uncut diamonds for his services by National Union for the Total Independence of Angola party (UNITA) in the 1990s (2002, p. 191). These short-term gains from these operations are inconsequential for states, but significant for companies such as PMCs as PMCs have generally smaller budgets than states. Smaller sums of money are worth relatively more to PMCs than states. PMCs can also operate under the guise of humanitarian agencies in order to conduct business and extract resources from third world countries (Joachim & Schneiker, 2012, p. 387), states would receive a lot more backlash for these kinds of operations.

Legalist side

The biggest issue scholars in the anti-PMC group face in the debate, is the lack of an alternative to PMCs. The legalist side argues against the abolition of PMCs, this is the main line of contention between the two groups of scholars. PMCs make up a multi-billion-dollar industry (Tonkin, 2011, p. 6) and are thus heavily entrenched in the current international system. PMCs are also highly fluid, being able to relocate, merge with other companies or work under other names when this is necessary (Tonkin, 2011, p. 52). This fluidity makes it even harder to ban PMCs. They can simply relocate to another state to avoid this type of legislation. Another problem with that outright banning of PMCs is that PMCs are varied in their operations. Some PMCs offer services involving front line combat, while others offer services focused on security and others primarily engage in transportation services. Even cooks who are hired by TNF qualify as PMC contractors in

some definitions of the word. This is because they support the war effort by providing, for example, meals for the soldiers. It would be hard to draw a line to define which activities are illegal. One possibility can be the requirement that contractors are never allowed to carry firearms. Authors like Musah just mention the problems with PMCs; they mention how PMCs are sometimes unaccountable for crimes they commit. However, these authors offer no solution or alternative to the existence of PMCs.

There are two broad groups of scholars in the legalist side of the debate on PMCs. These groups are similar in the way they want to solve the problems surrounding PMCs; they just disagree on how far on track the current legal system is in making PMCs accountable for their actions. How the legal framework should and can be changed is a matter of debate in the legalist side. Mayer suggests the creation of a new international institution, called the International Peace Maintenance Organization (IPMO) which would have an array of certified, well-trained and regulated PMCs at its disposal that for a price could supply actors with contractors (2010, p. 398). How this new institution would choose PMCs over other PMCs for new contracts and who would be allowed to hire said PMCS is not clear. Liu however, does not see the need for a new institution and argues in favor of including PMC activity within the state framework (2009, p. 167). This would mean that states and companies are directly responsible for the PMCs that they hire. This system is strengthened by the widespread acceptance of both state authority and human rights law (Liu, 2009, p. 168; Tonkin, 2011, p. 260). A problem with this legal framework is the fact that PMCs would have to give up a measure of autonomy to states. States will want to have more control over the actions of PMCs, as they are responsible for their actions. This is something PMCs might not be interested in participating in, making this perhaps a harder system to set up.

Tonkin argues for a more complex system to allocate responsibility and claims that a legal framework can be put in place by making either the hiring state, the home state or the host state responsible for preventing, investigating or punishing PMC misconduct (2011, p. 261). A possible issue with this modus operandi is the necessity of a pre-existing obligation of a state to address the PMC misconduct in question (Tonkin, 2011, p. 261). If, for example, one of three states, the hiring state, the home state or the host state, would be responsible for investigating the actions of a PMC, it would be necessary to clarify which state would be responsible for this investigation before a PMC operates in an area since states might not be able to carry out an investigation on PMC activity if they are not notified of the possible necessity of an investigation beforehand.

The lack of a unified view is the most considerable issue in the legalist camp. Most scholars also do not delve into the philosophical or legal details on how such a system should operate. The legalist side does go further in developing a solution to the problems with PMCs than the anti-PMC side, but provides no clear trajectory of how the problems with PMCs can be solved. The issue with PMCs however, is relatively new, so it is possible that a more unified position will evolve from the legalist camp over time.

Descriptive articles on PMCs

The current debate on PMCs is mostly normative, but there have been some descriptive articles on PMCs and some parts of normative articles on PMCs can be used to describe how PMCs operate. This amount of normative discussion exists mainly because the phenomenon of PMCs is relatively new. Even though some scholars Maogoto and Sheehy compare PMCs to older mercenary practices (2002, p. 187), other authors such as Tonkin argue that the current state of globalization makes the playing field for PMCs new and unique (2011, p. 14).

Bures finds an example of why the current state of globalization is unique for PMCs by analyzing the perils and benefits of outsourcing United Nations (UN) peacekeeping duties to PMCs (2006, p. 532). Bures states that PMCs are somewhat successful in peacekeeping functions in their missions for Western governments and companies but states that there are serious doubts whether PMCs are cost-effective, legitimate and accountable enough to achieve peace in serious conflicts (2006, p. 543). He thus calls the current debate on PMCs unresolved (Bures, 2006, p. 543). It is interesting to look at PMCs in their functions for specific organizations such as the UN as Bures does in his analysis, but it is likely that to resolve the question whether PMCs are as capable or more capable in achieving security goals than TNF it is necessary to devise a framework to understand the behavior of PMCs as a whole.

Akcinaroglu and Radziszewski devised such a framework. This framework explains PMC behavior by looking at PMCs as profit-oriented entities that act according to the contracts offered to them in conflicts (Akcinaroglu & Radziszewski, 2013, p. 795). Akcinaroglu and Radziszewski argue that when multiple PMCs are active in a zone, they are more effective in working towards a peaceful solution as they try to build up their reputation through their actions to make sure they will receive more contracts in the future (2013, p. 815). When only one PMC is active in an area, they will try to prolongate the conflict to get more contracts out of this conflict. In this situation all the contracts go to this one active PMC, so the short-term benefits for the PMC would outweigh the long-term costs of a possible problem with their reputation (Akcinaroglu & Radziszewski, 2013, p. 816).

Leander proposes a different framework than Akcinaroglu and Radziszewski to explain the actions of PMCs. Instead of looking at PMCs as just profit-oriented entities, she takes another step and describes PMCs as new suppliers in the market of force that perpetuate the demand of force by supplying force themselves (2005b, p. 606-610). Leander states that as conflicts rage in areas, PMCs flock to the area to join either side of the conflict (2005b, p. 610). Both sides are incentivized to hire more and more services from PMCs to answer the new threats their adversary via other

PMCs can bring to the conflict (Leander, 2005b, p. 610). Leander thus agrees with Akcinaroglu and Radziszewski in the fact that PMCs are profit-oriented entities that seek to increase their own profits by offering their services in areas where it is likely that they will be hired. Leander however differs from Akcinaroglu and Radziszewski by stating that having more PMCs in a conflict drags out a conflict because the PMCs in that area supply the combatants with new ways to wage war (2005b, p. 618). This incentivizes them to hire more services from PMCs to keep outpacing their adversary on a military level (Leander, 2005b, p. 618).

This is in stark contrast to Joachim and Schneiker who argue that PMCs try to frame themselves as humanitarian aid providers to improve their image (2012, p. 386). Instead of describing PMCs as solely profit-oriented entities Joachim and Schneiker take a different approach and frame PMCs as companies that are mostly interested in improving their own image to assure their long-term survival as a method of doing business (2012, p. 387). Joachim and Schneiker explain how PMCs employ a two-pronged strategy in which they present themselves as humanitarian aid providers that on the one hand tries to improve their reputation with policy makers and on the other hand establishes their legitimacy by cooperating with other humanitarian actors (2012, p. 386). Further research will have to show how effective this approach of PMCs is (Joachim & Schneiker, 2012, p. 388). Joachim and Schneiker do show however, that PMCs value their own reputation highly, and this makes it likely that their reputation is important in acquiring new contracts (2012, p. 388). Joachim and Schneiker argue that PMCs are attacking a frame that exists of PMCs in which they are portrayed as simple mercenaries, men who would do anything for profit (2012, p. 388). They seek to frame themselves as legitimate wielders of force that are just as legitimate to hold this power as states (Joachim & Schneiker, 2012, p. 388).

Mandel accepts this new frame of PMCs and argues that PMCs are just as legitimate to wield legitimate force as states as nobody can convincingly demonstrate why governments would be intrinsically better or worse at exerting military force than private actors (2001, p. 147). This lack of reasons why only states should be able to exert military force leads to a widespread confusion about who has the right to hire private security forces, what rights these forces have within societies and whose safety these security forces enhance (Mandel, 2001, p. 147). Mandel questions the right of transnational criminal organizations and terrorist groups to hire private security forces, but mentions how difficult it is to draw a line which group should be allowed to hire private security forces and which group should not, as one group can be seen as a terrorist group by some and a group of freedom fighters by others (2001, p. 147). Mandel ultimately states that to resolve this confusion a concerted move is required to reclarify the social contract between rulers and the ruled about mutual security responsibilities (2001, p. 148). This article by Mandel reveals a crisis in the old system of legitimate violence monopolized by states. Mandel argues that this crisis will have to be resolved before the actions of PMCs can be viewed as legitimate (2001, p. 148).

Mandel alludes to the different roles PMCs and TNF play in the current global system but fails to mention that PMCs and TNF might have different roles to play on the international stage due to the fact that PMCs might be more efficient in achieving security goals in certain situations when compared to TNF, and vice versa. These differences between TNF and PMCs have not yet been thoroughly researched; this thesis looks at the intrinsic aspects of PMCs and TNF to fill this gap of knowledge. Joachim and Schneiker reveal with their research that PMCs still struggle with the framing of their role in the mainstream media. More knowledge about their effectiveness in achieving security goals might give PMCs a more legitimate claim to the work they do. To be legitimate as an actor who uses force you have to do so effectively, so now this thesis will explain how an actor who uses force can be effective in achieving security goals.

Theoretical framework

To measure the effectiveness of PMCs, it is important to first define what it means to be effective in achieving security goals as a military force. A baseline to measure this effectiveness is the military effectiveness of TNF. Tellis et al have made an overview of the factors influencing the military effectiveness of an actor (2000, p. 158). TNF are a good baseline for this measurement as they are the only actors who have the monopoly on the legitimate use of force. Tellis et al define military effectiveness as military capability (2000, p. 134). The more military capable actors are, the more able they are to impose their will on their adversaries (Tellis et al , 2000, p. 134). This theoretical framework will now go over these four aspects of measuring military effectiveness. First it will discuss the availability of strategic resources, secondly, the capability to convert resources into strategic resources, thirdly, the balance of contending forces and lastly, the wish to avoid collateral damage. After discussing these four aspects of measuring, it will assess and discuss the difficulties in measurement.

Strategic resources

The strategic resources of an actor are the financial, human, physical and technological resources that are available to achieve security goals (Tellis et al, 2000, p. 136). There are two defined strategic resources of an actor who are used in this research, these being: (1) the defense budget (2) and manpower (Tellis et al, 2000, p. 136-143). (1) The defense budget is the amount of funds that are available for military forces (Tellis et al, 2000, p. 136; Biddle, 1996, p. 141). For non-state actors, the funds available for security are comparable to this measure. Precise assessments

on how these funds are spent are often hard to make, so the military budget is often used as a broad yardstick to measure military power (Tellis et al, 2000, p. 138; Biddle, 1996, p. 141). Contractors and soldiers are also often paid in different ways. Contractors are often paid per day that they work in the field while soldiers are often paid a set salary per month which is mostly independent of whether they completed any missions that month. This perhaps leads to different salaries and possibly lower costs for an actor who employs PMCs instead of TNF in times of relative peace even though contractors often have higher per-hour salaries than soldiers when they do work. This will be further discussed in the results and analysis section. (2) The manpower of an actor is the size and quality of the available manpower. The quantity of a military force often has a quality of its own in military conflicts as certain areas can only be held with an adequate amount of armed forces (Tellis et al, 2000, p. 138). Not all citizens are a potential part of the manpower of an actor. Sick, tired or elderly citizens are often unable to serve any meaningful military service. Only personnel who can actively assist in achieving security goals are included in this definition. Learning how PMCs interact with the strategic resources of their clients gives information about how PMCs affect the military effectiveness of their clients.

Conversion capability

The availability of strategic resources is important, but only tells part of the story. An effective military, when in conflict, takes resources that are otherwise not used in achieving security goals and converts them into strategic resources (Tellis et al, 2000, p. 143). The two defined capabilities that influence an actor's capability to convert resources to strategic resources that are used in this research are: (1) its capability to create strategies to cope with threats and (2) the quality of military doctrine and how well it is trained in new forces (Tellis et al, 2000, p. 143-144). Tellis et al argue that employing a good (1) military strategy is the key factor in converting resources into useful strategic resources (2000, p. 143). Murray et al show that military strategy is a broad and hard to define construct that has been the subject of many academic debates (1994, p. 1). The most well-known definition of military strategy is that of Liddell Hart: "The art of distributing and applying military means to fulfill the ends of policy" (In Murray et al, 1994, p. 1). TNF have always seen the importance of effective military strategies, PMCs can either perform these military strategies themselves or augment the military strategies of their clients to improve their capability to achieve security goals. To be able to perform these military strategies, it is important for new forces to be (2) trained well in the military doctrine and the military doctrine has to be sound to allow new manpower and technology to be integrated into a force (Tellis et al, 2000, p. 149). A doctrine refers to the body of principles that specifies how a military actor uses its resources to achieve security goals (Tellis et al, 2000, p. 149). Contractors can improve the combat

effectiveness of an actor by training soldiers directly or by training soldiers while on missions. Both soldiers and contractors can also contribute to the combat effectiveness of an actor by training civilians to act accordingly in dangerous situations. Knowing how contractors influence the conversion capability of their clients tells us more about their function not just in conflicts but also in the preparations of conflicts. Being better prepared also makes it possible to more easily adapt to an adversary, which will be discussed in the next paragraph.

Balance of contending forces

In conflicts, military units never operate in a vacuum. It is important to understand that certain units might underperform in certain situations, while other units might overperform in the same situation, solely because of other circumstances in a conflict (Tellis et al, 2000, p. 158) To give an example, adding aerial support in the form of helicopters to infantry units might seem like a strictly better choice than providing more ground based support in the form of trucks. Helicopters are faster than trucks and they are not obstructed by terrain. In reality, helicopters might not be as usable as trucks when an adversary has extensive anti-air defense systems. The acknowledgment that one generally very useful military unit might not be the most useful military unit in every situation will greatly improve the combat effectiveness of an actor.

PMCs might be an invaluable asset in pushing the balance of the two contending forces into favor of the force employing PMCs. This is true for both traditional forces and guerrilla forces as some military units often still have advantages over other military units in guerrilla wars (Murray et al, 1994, p. 535). PMCs could strengthen a force in the places where it lacks specific expertise the most, and thus increase its military effectiveness more than the sum of its parts would suggest as clients can hire specific contractors who are tailored to the needs of their current conflict.

Avoiding collateral damage

In conflicts, avoiding collateral damage is a preference for most states, often either to conform to international norms and/or from moral grounds. Shaw argues that this often reduces the military effectiveness of states as there is often a trade-off between the best way to conduct a military operation and the wish to minimize collateral damage (1997, p. 46). The nature of the conflict influences how much the goal of avoiding collateral damage is emphasized (Shaw, 1997, p. vii). A resource rich coalition of states combating an inferior adversary can more easily discriminate in its targets to allocate the least possible collateral damage as they can use

overwhelming force in areas in which it is necessary. Using its resources in the most cost-effective way is not a primary goal for resource rich coalitions in this type of conflicts (Shaw, 1997, p. vii). It is however impossible to have a war without collateral damage (Shaw, 1997, p. 85), and thus it is important to understand how the goal to avoid collateral damage influences the combat capabilities of military actors. Gathering data on how PMCs deal with collateral damage and how they try to mitigate collateral damage will give more information on how this aspect of warfare influences the actions on PMCs.

Difficulties in measurement and considerations of soft power

Modern conflicts are even more chaotic in nature than older conflicts as the lines between civilians and soldiers have blurred due to the increasing prevalence of guerrilla tactics in military conflicts. It is however important for actors to measure the performance of their military forces in these chaotic conflicts as measurements gives power to commanders; it gives commanders data which they can use to substantiate arguments for more funds (Sotire, 2007, p. 1). Sotire shows how measurements can persuade stakeholders and decision makers to offer more funds to commanders when they give tangible data on military action (2007, p. 1). They can also be used to encourage or punish subordinates; data from past military actions are often used by commanders to either reward military forces or, in extreme cases, court-martial soldiers (Sotire, 2007, p. 1). The military, however, also experiences measuring effects from these Measurements of Performance and Effectiveness (MOP&Es). Operational units engaged in guerrilla warfare are sometimes even led to dysfunctional behavior by conventional metrics (Sotire, 2007, p. 1). This influences the combat effectiveness of these units. One example of MOP&Es influencing troops is recognized during missions of American soldiers in the Al Anbar province of Iraq in 2006 (Sotire, 2007, p. 9). A common measure of performance for ground forces is the number of weapon caches they seized or destroyed as this was an easily quantifiable statistic (Sotire, 2007, p. 9). The attention to this measurement could be one of the reasons why the number of cache mission sweeps increased significantly in that period, in spite of the fact that it was not obvious that weapon cache sweeps were the most effective way of dealing with counterinsurgency (Sotire, 2007, p. 10). One can speculate whether units unnecessarily generated cache sweep missions for self-promotion in lieu of other missions where they could have been more combat effective (Sotire, 2007, p. 10). Such measurements affect the combat effectiveness of operational units and it is thus important to see how PMCs and TNF measure the effectiveness of their units. It is also important to recognize that it is difficult to measure the effectiveness of operational units.

One problem with older MOP&Es is that they focus only on the strategic resources in a conflict (Sotire, 2007, p. 19). Sotire argues that new MOP&Es should also take soft power and the

conversion capability of an adversary into account as these have become more and more integrated into modern warfare (2007, p. 19). Soft military power rests on the ability to shape the preferences of others through attraction rather than coercion (Heywood, 2011, p. 214). Winning the "hearts and minds" of the civilian population is important in today's asymmetric conflicts and it is thus also important to consider how both TNF and PMCs are influencing the soft power of an actor.

Research design

For this research three PMCs are interviewed. Seven PMCs were approached for an interview and of these seven one declined participation, one recently declared bankruptcy and thus also declined participation. One did not respond to contact and one was unavailable for an interview at the time. In the interviews the names of the participants are anonymized to prevent possible reputation damage from this research.

To research the combat effectiveness of both TNF and PMCs, it is important to employ a mix of different qualitative methods. Combat effectiveness is a multi-faceted and complex research subject, so a case study is the only method that can adequately capture the complexity of combat effectiveness. To ensure that the gathered data from the different qualitative sources is valid the data from interviews with PMC directors is triangulated with data gathered from the Dutch government, the Chamber of Commerce and journalists. Interviews are conducted until a moment of saturation is achieved (Bryman, 2012, p. 571). The moment of saturation refers to the moment when a researcher starts to mostly encounter data that he has already gathered before and signals that it is likely that most relevant data has already been gathered (Bryman, 2012, p. 571). This research is performed in an exploratory method as it is not quite clear which parameters are significant in determining the combat effectiveness of actors. The questions in the interviews are not necessarily asked in the order in which they appeared as the interviews are semi-structured in nature.

The first elements of the triangulated approach are interviews conducted with 3 PMC directors. There is extra attention given during interviews to parameters of combat effectiveness where there seemed to be a large difference of relative combat effectiveness between PMCs and TNF as these parameters give clues why decision makers would prefer PMCs above TNF. PMC directors that are interviewed are selected from the International Code of Conduct Association's (ICOCA) database. PMCs are also selected via the "Snowball method" after the first interviews were conducted. As this research is exploratory there are no certain characteristics required for PMCs to be included. The PMCs approached for an interview are primarily based in the Netherlands to facilitate a face to face interview. The Netherlands are a deviant case when regarding PMCs.

Lijphart describes deviant cases as cases that depart from the norm which makes it possible to observe the norm critically (In Gel'man & Golosov, 1998, p. 32). Relative to other cases, the Dutch government has done very little to provide a legal framework for Dutch PMCs. This makes the case less externally valid to other cases, especially to American cases as PMCs are more normalized in the US. It is however still interesting to see how PMCs operate in states where there are little to no laws that give them more rights or requirements than other companies in that state. The Netherlands are also in the progress of building a legal framework for PMCs, and are thus an interesting opportunity to perceive how such a legal framework can be set up in a state.

The second elements of this triangulated approach are interviews conducted with 2 journalists, data gathered from the Dutch government and data gathered from the Chamber of Commerce. The data gathered from the interviews is double checked with data from these sources to ensure their internal validity (Bryman, 2012, p. 712). Data on PMCs is retrieved from the Dutch Chamber of Commerce and from interviews with journalists. Data on both PMCs and TNF is gathered from military reports and contact with the Dutch military. The TNF mostly researched are the Dutch military forces as they are the main alternative for decision makers seeking to hire protection services versus Dutch PMCs. Data is therefore gathered from both primary and secondary sources, which mitigate issues when gathering data from solely primary or secondary data sources. When using secondary data, researchers are often lacking familiarity with the data even though it is often of high quality (Bryman, 2012, p. 315). Secondary data is also not focused solely on the research question that another researcher might have (Bryman, 2012, p. 316). Primary data is data with which the researcher is obviously familiar, but which is often of lower quality than the data from a recognized research institute (Bryman, 2012, p. 315). By using both types of data secondary data can be interpreted better by the researcher and thus be used more directly for the research question and this makes it likely that the primary data is of higher quality and less biased.

Bryman sees a lot of advantages of semi-structured interviews, as they offer rich data when compared to other data gathering techniques (2012, p. 209). Therefore, they are very useful in fields where there is little already existing testable data available. Bryman also argues that they are especially useful when recorded and when combined with other data (2012, p. 208). Triangulation can be used to substantiate the gathered data (Bryman, 2012, p. 392) as is done in this research. A triangulated approach offers more internal validity to a method as findings are double checked.

Bryman also states that a possible disadvantage of the semi-structured interview is the possibility that a lot of fractured data is generated, in which a bigger picture is hard to see (2012, p. 284). This issue is mitigated somewhat by triangulating the data with data from other databases. Another disadvantage of this study is that the researched PMCs are all based in the Netherlands; this might cause bias in this research. The US would be the preferable candidate to do research on when interested in PMCs, as the US is the leading military force in the world that also uses the most PMCs. One interviewee mentions that PMCs function very differently in the US than in

Europe which makes it even more interesting to research US PMCs. This research limits itself to Europe to gain more knowledge about European PMCs and thus might not be generalizable to American PMC's due to seemingly different culture in these PMCs.

Results and analysis

Strategic resources

In the interviews, multiple examples are found of PMCs contributing to a more effective use of the (1) defense budget of an actor. Multiple PMC directors mention how captains sailing through the Gulf of Aden want a unit of armed men aboard to guard merchant vessels from pirates. TNF, for example the Dutch military forces, only operate in minimum squads of 11 men each, due to the restrictions of the chain of command. PMCs, whose directors are interviewed, already operate in minimum squads of 3 men, making the deployment of guards financially and practically feasible for smaller vessels and cheaper for larger vessels. Similar advantages for PMCs exist in land based operations. Two directors also pose that they often hire ex-military personnel. This means that they have to train their new contractors less than TNF have to train new soldiers, which leads to PMCs being able to operate with smaller training costs than TNF would be able to.

Multiple interviewees also explain how contractors are more flexible in their deployments than soldiers due to the different ways in which they are paid. A client can often cancel the deployment of contractors in a short term, sometimes on a day's notice. This vulnerability in the nature of their contracts leads to contractors being very flexible in the usage of their budget from the perspective of their clients. One director who has also worked as a contractor mentions that these types of arrangements lead to the fact that he would respond to every request from a client with yes, even before the request was posed ("ik zei altijd ja, en dan vroeg ik wat de vraag was").

Contractors are a source of (2) manpower that actors would normally not have access to. An interviewee also mentions how the Dutch navy is making an effort to combat piracy in a combined effort with other European nations in the Atalanta mission (Kerngegevens Defensie: Feiten en Cijfers, 2015, p. 4). In total 6 different Dutch frigates patrol the Gulf of Aden, they rotated in their deployment so often no more than 2 Dutch ships are active in that area (Kerngegevens Defensie: Feiten en Cijfers, 2015, p. 4). The Gulf of Aden is a "massive ocean spanning 1.000.000 square miles ("de Golf is reusachtig, rond 1.000.000 vierkante mijlen aan oppervlakte"). This method is not very effective; guards on board of ships are a more effective anti-piracy measure than having frigates look for the small rubber boats that pirates use to conduct their raids. From the perspective

of the Dutch navy, employing 6 frigates albeit in a rotating fashion is a considerable fragment of the fleet as the Dutch navy only consists 6 frigates and 4 patrol ships as surface combat vessels (Kerngegevens Defensie: Feiten en Cijfers, 2015, p. 10). The contractors PMCs delivered as guards to ships are a supplement to the inefficient use personnel the Dutch navy is providing, increasing the manpower that defends merchant vessels. One interviewee also states that PMC contractors are also used to keep TNF forces well-rested. In Camp Holland in Uruzgan a contingent of around 250 Afghan guards were deployed by the Dutch military to protect the outer ring of the camp in the period of 2006 until 2010 (Van Leeuwe, 2008, p. 241). This made sure that TNF forces are well-rested when conducting their own more high risk missions, increasing the quality of its manpower.

Conversion capability

From the data gathered it is also clear that PMCs increase the conversion capability of actors by creating new strategies and training TNF. PMCs often (1) create strategies for their clients, especially when they are deployed in a consulting role. Several PMC directors explain how they helped creating strategies for their clients by creating emergency plans and managing dangerous situations. One interviewee gives the example of being deployed in an African state as a security director for a Western company. He uses his time to create emergency plans, such as making sure that transportation is available for personnel in the case of an emergency, and he partially takes over the responsibilities of the general director on the ground in a crisis situation. PMC activities on merchant ships are similar. Contractors take time to create strategies with ship crews to cope with threats on board ships in their down time and manage crisis situations when they arise.

The interviewees give mixed signals in how they support their clients with their (2) training and doctrine. They all pose that they train the people who they protect on the job. When they design emergency plans it is important for the people who should follow these plans to be trained in their execution for these plans to be effective. Some interviewees also state that they sometimes trained soldiers or police officers, but others state that soldiers never wanted to be directly trained by other military units as "every military unit considers themselves to be the best military unit in the world" ("elke militaire eenheid is de beste militaire eenheid ooit"). One director mentions how they offer medical trainings on living animals that are illegal in the Netherlands, but legal in the US. This would be a method of training that Dutch TNF cannot offer due to the limitations of the law. Journalist Minka Nijhuis states that she was present at a training of the PMC Dyncorp in Afghanistan where contractors were training Afghan security officers. She states that the training was of poor quality. The instructors did not seem to be interested in training the Afghan security officers and communicated poorly to their trainees, and even physically abused them in a few

instances during the training without proper cause. After the training she patrolled with the Afghans who participated in the training and that she noticed little of the effects of the training. It is important to mention that Dyncorp is an American PMC and that their actions might not be representative for European PMCs.

Balance of contending forces

One director mentions how "PMCs are always used to react to problems of other actors" ("We worden altijd gebruikt als reacties op problemen die bedrijven hebben"). An interviewee states that he sometimes manages the relatively common kidnappings of employees of European companies in Africa. This makes him experienced in managing kidnappings. Western companies often hire PMCs after they have had an employee kidnapped for the first time. They use the experience of PMCs to tip the balance of the conflict where they find themselves in to their advantage.

Another interviewee explains how a PMC can hire anyone they want to while TNF are limited to hiring national citizens as soldiers. PMCs use this to adapt to the situation at hand. One director gives the example of a PMC that hired Sierra Leone nationals to perform peacekeeping duties in the Sierra Leone civil war from 1991 to 2002. He mentions how Sierra Leone nationals have more legitimacy to perform peacekeeping tasks in Sierra Leone than any other foreign nationals would have. This ability to hire local citizens gives PMCs an intrinsic advantage over TNF as TNF less readily hire local citizens to do the task that is given to a military unit.

Avoiding collateral damage

In the interviews, no examples are given of PMCs performing tasks in which they would avoid collateral damage more than TNF forces. One director says that serious collateral damage such as the death of a civilian as a fault of one of his contractors would almost certainly lead to his company going bankrupt. During one interview one director does mention how on ocean operations it would be difficult to prove that his contractors would have broken any laws during a mission due to there probably being a lack of evidence and witnesses. The interviewee draws up the situation of how, when a contractor would make the mistake of shooting a civilian, the contractor could easily claim that the civilian actually was a pirate who threw his weapon overboard or was thrown overboard after he had shot. Law enforcement in isolated areas such as on ships is difficult and could thus give armed personnel less incentive to follow laws as they are unlikely to be

punished for any crimes. The same is however true for TNF equivalents, and is thus not necessary a disadvantage for just PMCs.

Difficulties in measuring and considerations of soft power

Triangulation via Chamber of Commerce data to check how PMCs use their budget proves difficult. The data available only summarizes briefly the funds held by the PMCs without any extra explanation. One director also explains how they often have their weapons abroad on a personal license due to Dutch regulations that companies are not allowed to have arms, which would lead to these weapons being omitted from the books.

The AIVD claim that they do not offer Dutch PMCs advice on whether their work abroad would bring them legal issues when they would return to the Netherlands, even though some directors state that they do offer this advice. Further attempts to check this fact leads to contradictory stories from both sides. The Dutch Ministry of Defense first declined to participate to this research and state that they do not cooperate with PMCs. After presenting evidence that the Dutch Ministry of Defense does cooperate with Dutch PMCs, the Ministry of Defense is unresponsive. During the research a lot of facts such as the facts that TNF operate with minimum squad sizes of 11 and PMCs already operate with minimum squad sizes of 3 are cross referenced and checked, and also the information from journalists could be used to check the data gathered from the interviews with directors.

During the interviews, only one instance of PMCs clearly supporting the soft power capabilities of their clients is found. This instance is the usage of Sierra Leone nationals for peacekeeping purposes in the Sierra Leone uprising of 1991 to 2002 and is already mentioned in the balance of contending forces section. There is thus little evidence found of PMCs actively affecting the soft power of their clients.

Discussion and conclusion

Based on the data gathered from this research, it is possible to conclude that PMCs are more effective in achieving security goals than TNF in certain situations due to the inherent advantages PMCs have over TNF. Due to the fact that PMCs sometimes facilitate a better use of strategic resources than TNF, improve the conversion capability of their clients and support their

clients in tipping the balance of contending forces into their favor better than TNF, it is sometimes preferable to deploy PMCs instead of TNF.

Another conclusion of this research is that the legal framework for PMCs is in a poor state in the Netherlands. The Dutch state does not officially recognize any Dutch PMCs and is reluctant to react to any questions regarding Dutch PMCs. All directors described this as an "untenable position" ("het is een onhoudbare positie"). Organizations like the International Code of Conduct Association (ICOCA) and the Security in Complex Environmental Group (SCEG) do not actively screen PMCs or provide legislations for PMCs in a meaningful way. One PMC director even mentions how these organizations "only exist on paper" ("ze bestaan slechts op papier"). One director of a larger company does state that they are more accountable than smaller companies as they have more to lose when one of their employees would break the law. A smaller company could change their name or could easily start over, while multinational companies can't just simply make these changes to lose media attention. The government is unresponsive to initiatives to create laws regarding PMCs operating from the Netherlands, even when compared to neighboring countries like Germany and the UK. This leads to the worrisome situation of the lack of oversight over PMCs in the Netherlands and uncertainty over what happens when PMC contractors commit crimes abroad, especially on sea. This example of the possible unaccountability of PMCs is one of the reasons why the anti-PMC side is arguing for a ban on all PMC activity.

This research has the disadvantage of only researching Dutch PMCs. The directors state that the legal framework for Dutch PMCs is exceptionally poor when compared to other countries. Because no non-Dutch PMCs are researched, this claim cannot be falsified using only this data. Also, not all the provided categories of combat effectiveness can be sufficiently tested with the gathered data. Especially measuring how PMCs and TNF differ in how they handle R & D institutions, the defense of an industrial base, the military infrastructure and the way they innovate in stressful situations proves difficult. Measuring these aspects of military effectiveness might provide different avenues for future research.

During conversations with PMC employees, some interviewees claim that their companies have contact with the Dutch secret service, the AIVD (Algemene Inlichtingen en Veiligheidsdienst) asking them whether their operations abroad would lead to them being persecuted when they return to the Netherlands. This arrangement could be a possible unofficial legal framework surrounding PMCs as the AIVD would have some oversight and control over PMC behavior. After enquiring the AIVD and other PMCs about this possible arrangement no decisive evidence of this contact is found. An unofficial legal framework surrounding PMCs might be a possible subject for future research.

It seems that there is still a lot of work to be done to fully understand the impact that PMCs have on the current international system. PMCs found their market in a globalized world and it is

likely that the market of force will grow since PMCs have certain advantages over TNF that cannot easily be mitigated. The debate in the legalist side however shows that it is not easy to design a legal framework around PMCs, and it is clear that in most state the legal framework surrounding PMCs is lacking. The most considerable remaining questions are thus how the legal framework surrounding PMCs will be set up and function.

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