

MENACING DIMENSIONS OF PRIVATE MILITARY AND SECURITY ENTITIES

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Abstract

Private military and security entities (PMSEs) are commercially organised non-governmental bodies engaged in the provision of services entailing armed fighting. The concept of employing these entities has been practised since antiquity. Their evolution is owed to the belief that they have the capability to augment the state's security structures and enhance its capacity to project power. Because of their recently developed capability to undertake diversified activities, including clandestine functions, the trend to use these entities across the globe has expanded in the last couple of decades. It is also believed that better efficiency and economy can be achieved by outsourcing non-core military activities to the private sector. Another recent development that has altered the character of some PMSEs is their transformation into corporate entities with well-defined hierarchical structures, sophisticated business practices and globalised operations which have given them the potential to affect international security and interstate relations. By virtue of that, they have become an effective instrument of foreign policy. However, being external to the established state structures of security governance these entities pose multifaceted challenges for traditional security systems with ramifications for national and international security. The concept facilitates the development of private power at the cost of state power and contradicts the realist assumption that the state as a unitary actor, which holds a central position in the global political order, must retain a monopoly on the means of violence. Therefore, they need to be properly regulated and integrated into the state structures lest their potential to undermine the existing security structures exceeds their positive contribution.

Keywords: Internal Armed Conflicts, Military and Security Services, International Security, National Security, Mercenaries, Neoliberalism, Realism, Outsourcing, Security Structure.

Introduction

The concept of employing private military and security entities¹ (PMSEs), traditionally labelled as mercenaries, for security-related roles and functions entailing armed fighting has been practised since antiquity.² The concept remains equally, if not more, popular today as evident from the trend to use these entities across the globe has expanded exponentially in the last couple of decades with PMSEs

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emerging as new “key” security actors.³ So dramatic has the growth of their business been that scholars like Christopher Wood call the present era as “golden age for the soldier of fortune”.⁴ It is so because it is believed that these entities have the capability to meaningfully augment the state’s security structures. However, it is also equally widely believed that PMSEs being external to the established state structures of security governance pose multifaceted challenges. Therefore, there is a need to analyse the concept of PMSEs in the backdrop of its historical evolution, identify the incongruities attached to it and probe into how PMSEs impact national and international security.

Accordingly, this paper argues that PMSEs have the requisite potential to supplement existing state security governance structures and capabilities and that if they are not properly regulated and integrated into the state structures their potential to undermine the existing security structures far exceeds their positive contribution. The paper primarily focuses on the security perspective of the issue and does not delve deeply into its legal aspects for which a separate study is needed.

Theoretical Construct for Analysis

The analysis is based on the theoretical frameworks provided by the theories of realism and governance which, despite some inherent commonalities, offer somewhat dissimilar and incongruous perspectives on the subject. Realism attributes the evolution of PMSEs to their potential to complement the state’s power and their capacity to project power through violent coercive means. The prevalence of PMSEs, particularly in the contemporary era, is also explained by Neoliberalism which lays emphasis on decreasing the cost of governance by reducing military forces and outsourcing military services in a manner that various agents are employed in their specialised domains.⁵ Going by this logic, Winston Nagan and Craig Hammer regard PMSEs as the product of “Neoliberalist economics”.⁶ The argument of Neoliberalists is rooted in their belief that “comparative advantage and competition maximise efficiency and effectiveness.”⁷ From that perspective, Neoliberalist logic is justifiably viewed as the primary catalyst for the upsurge in outsourcing of military services to PMSEs.

However, arguably, the prevalence of PMSEs gives rise to numerous inconsistencies. The biggest contradiction in this regard relates to the age-old philosophical assumption of realism that the state as a unitary actor holds a central position in global political order and constitutes the fundamental unit of analysis in security studies.⁸ Therefore, the security domain essentially lies in the realm of the state which should exercise a monopoly over the means and use of violence. Contrarily, PMSEs are structurally outside the ambit of state actors and as such

facilitate the development of “private power” at the cost of “state power” which affects international security.⁹ Thus, the emergence of PMSEs is antithetical to theoretical postulations of realism for the reason that the devolution of the collective security domain to non-state actors owing to inadequacy or incompatibility of state resources causes “fragmentation of political authority ... [and] security governance”.¹⁰

Additionally, despite the similarity of their activities with those of the state actors, PMSEs are distinguished by the fact that they primarily work for financial gains. For that reason, they are believed to be ready to accept any devious assignment, irrespective of its moral or legal aspects, which the state institutions of some democratic countries will generally be reluctant to undertake for political reasons.¹¹ By virtue of that they constitute an effective instrument of foreign policy.¹² Logically, it calls for proper integration of PMSEs into the state and international security structures and institutionalisation of correct legislative and regulatory mechanisms so that the exclusive role of the state in the collective security domain is not compromised.

Origins and Evolution of PMSEs

PMSEs have remained in demand by both state and non-state actors for centuries and existed in different incarnations. These are commercially organized non-governmental entities and individuals engaged in the provision of military and security services. While their business is generally called “private military industry” they are known by different names, such as “private military companies”, “private military and security companies”, “private security companies”, “contingency contractors”, “stability operations companies”, “mercenary companies”, “corporate mercenary firms”, “soldiers for hire”, “for-profit warriors”, etc.¹³ Lately, in a bid to earn the identity of sophisticated corporate entities, they have started to title themselves as “risk managers”, “consultants”, and vendors of “security solutions”.¹⁴

The basic idea of hiring private soldiers and armed contingents took birth from the need of ancient communities and individuals to protect their properties and territories. In primitive communities, which lacked established state governments, PMSEs constituted the sole tool of security at both individual and collective levels. They were relied upon even for going to war. The advent of the Westphalian model of statehood in 1648, in which the state as the exclusive guarantor of collective security enjoyed a monopoly over the means and use of violence, transformed the concept and envisaged no role for PMSEs in the collective security domain, particularly war.¹⁵ The Westphalian model progressively adopted the system of national armies – a process that took about a century and a half to complete. By the 20th century, the private military and security market mainly comprised entities and individuals known as

mercenaries who covertly worked either for corporate ventures operating in fragile states of Latin America, Africa and China or for rebel gangs.¹⁶ However, with the gradual weakening of the Westphalian concept of statehood owing to a host of factors, warfare transformed and again embraced the “sub-state features” of ancient wars.¹⁷ Another significant phenomenon accompanying this transition was a demonstrable increase in the incidence of civil wars and internal conflicts which rendered modern wars complex and difficult to manage with traditional structures.¹⁸ Consequently, the increased reliance of states on PMSEs for military- and security-related services led to the “privatization of war and conflict”.¹⁹

Post-World War II, PMSEs were initially used, though in small numbers, by the US in Vietnam War.²⁰ However, the idea was popularised by large corporate organisations and transnational companies engaged in the exploitation of mineral resources in Africa which, driven by their quest for maximum profits, resorted to outsourcing non-core functions. They employed PMSEs extensively for purposes ranging from typical security-related undertakings to clandestine activities designed to promote business interests.²¹

The concept gained popularity among the neoliberalist governments in the West which, for political reasons, wanted to resuscitate their ailing economies by downsizing regular military forces and outsourcing state functions to non-state actors.²² They opted for procuring, instead of producing, the coercive capacities and achieving economic efficiency by “shifting from making to buying”.²³ It was an expression of the belief that governments are “inefficient ... actors” and that efficiency is better achieved by outsourcing uneconomical activities to the private sector.²⁴ The ensuing trend of outsourcing military services which started to grow with greater rapidity after the end of the Cold War was facilitated by, *inter alia*, the availability of a large pool of military professionals who became jobless owing to the global wave of reduction in regular military forces and flooding of arms in the open market.²⁵ The members of private militias, armed gangs, and private military companies, who had been actively involved in internecine conflicts and who, by virtue of their experience, required minimal effort and time to be trained to form part of PMSEs further expanded the pool.²⁶ The global trend to outsource military services, accompanied by PMSEs’ dynamism and readiness to perform multifaceted functions, greatly boosted their market.

The unprecedented boost in demand prompted PMSEs to acquire non-traditional competencies for more diversified employment. Encouraged by their successful employment in stability operations in Europe, the US hired them for Iraq and Afghanistan for core military activities ranging from logistical support to protecting high-value targets, actual combat, and interrogation of prisoners.²⁷ Though

many experts express scepticism about their effectiveness in Iraq,²⁸ practically PMSEs constituted a major component of the US military effort. Around March 2011, the workforce of the US' PMSEs in Iraq outnumbered its uniformed personnel (64,253 private contractor employees against 45,660 regular troops) whereas in Afghanistan throughout the war their strength far exceeded that of the US regular military personnel except for 2010 and 2011.²⁹ According to the US Congressional Research Service Report of February 2021, the workforce of the US military contractors in Iraq and Afghanistan in recent years "accounted for 50% or more of the total DOD presence in-country."³⁰

Another significant recent development that has altered the character of some PMSEs is their transformation into corporate entities with well-defined hierarchical structures, sophisticated business practices and globalised operations duly "integrated into the wider global marketplace ... [and networked with] corporate holdings and financial markets".³¹ It goes without saying that the globalised reach of PMSEs' operations has given them the potential to affect international security and interstate relations.

Typology of Roles and Functions of PMSEs

It is somewhat unrealistic to provide a generalised description of the trends in the employment of PMSEs because the types of services supplied, or functions performed, by PMSEs have been evolving with the needs of their clients, which directly depends on who those clients are and what objectives they want to be served through PMSEs. Admittedly, the clients, who define the marketplace, hail from diverse backgrounds with every actor having distinctive areas to be served in uniquely different ways. The list of clients of PMSEs includes "governments, armed forces, UN, humanitarian and environmental groups, dictators, regimes of failing states, organised crime, drug cartels, [and] terrorist-linked groups."³² Many PMSEs are also known for having worked for rebel groups.³³ Owing to the diversified nature of roles and the difficulty of catering to the distinctive needs of varied clients through a 'one size fits all' approach, PMSEs have been constrained to develop wide-ranging skills.³⁴

Whereas PMSEs are being increasingly used by many states within their own territories to manage internal conflicts and consolidate state power, they are, equally extensively, employed by states for expeditionary purposes outside their territorial borders. The former category, obviously, includes fragile states which demonstrate weakness in exercising effective control of their territories,³⁵ and are unable to enforce their writ and ensure good governance, or, what Steven Metz terms as "third tier states of the global political system".³⁶ For example, in the internal armed conflicts of Angola and Sierra Leone, certain PMSEs played a decisive role in the 1990s.³⁷ The other African

states which used PMSEs to stabilise the inner front in recent decades either on their own or at the behest of foreign players include Congo, Liberia, Mozambique, and Rwanda. Later, European states like Croatia and Bosnia also joined this list. The latter category of states, of course, includes powerful states which consider themselves entitled to intervene in the affairs of smaller, particularly neighbouring, countries on the pretext of projecting stability.

Understandably, the skills required for conducting military intervention in a fragile state are far different from those needed for defending state borders. Therefore, the roles and functions of PMSEs have changed over time and become diverse. Zeljko Branovich has compiled a detailed typology of tasks that PMSEs generally perform these days. The list includes, but is not limited to, direct participation in operations entailing combat, consultancy encompassing training and advisory services, strategic planning, operational and technical support related to combat-related equipment and command and control systems, procurement and logistics support, research and development, intelligence, surveillance, reconnaissance, interrogation, risk management, security and protection of individuals and facilities, quasi-police tasks and border control, police training, demining, weapons disposal and destruction, construction of infrastructure, humanitarian aid, and interpretation or translation, etc.³⁸

As evident from the typology given above, all activities performed by PMSEs are not linked with violence. However, during the last two decades, PMSEs have gained a reputation more for “their capacity for violence” than for non-violent functions.³⁹ In the modern context, their most important role is to supplement their clients’ military capabilities by providing specialised services and, thus, freeing up uniformed personnel for core combat functions. Resultantly, many militaries have restructured their systems based on outsourcing of certain services to PMSEs. For example, the US military doctrine provides for this role vide the Logistics Civil Augmentation Program (LOGCAP) designed “to provide contingency support to augment the army force structure.”⁴⁰ An archetypal example of military outsourcing in Europe is the British military which employs PMSEs for sophisticated roles such as imparting training for nuclear submarines.⁴¹ PMSEs are also hired to complement the military forces of fragile states as was done by the US to enable the Government of Colombia to fight drug trafficking and the Fuerzas Armadas Revolucionarias de Colombia (FARC).⁴²

There is a consensus among scholars that, if properly managed, PMSEs accrue efficiency and economy by providing cost-effective solutions and niche capabilities which are the private sector’s strength, for example, communications and cyber security.⁴³ Accordingly, from a realist perspective, PMSEs act as force multipliers and,

as important agents of the state, constitute a source of strength for their clients. Therefore, the concept is viewed as an efficacious and attractive option for the augmentation of national military capabilities.

How Do PMSEs Constitute a Threat?

Undeniably, PMSEs have the potential to positively contribute to the state's power. However, as discussed earlier, the privatisation of violence by way of PMSEs has upset the Westphalian concept of sovereignty and disturbed the realist assumption that the state is supposed to possess a monopoly over the means and use of violence. Therefore from a realist standpoint, the state's reliance on non-state actors for security is an anomalous arrangement unless they are properly integrated into the state structures with stringent regulatory and oversight regimes.⁴⁴

Because of the wide range of specialised military skills acquired over the years and experience of activities entailing the use of violence, PMSEs have morphed into a potent threat, particularly for states which have fragile inner front and weak military capabilities and, hence, are vulnerable to foreign intervention. Because of their expertise in covert operations and ability to merge with the population, PMSEs can be profitably used as proxies for clandestine roles and, hence, are ideally suited for expeditionary operations of hegemonic powers. They can effectively disrupt social harmony, internal peace and stability as experienced in Angola, Burundi, Namibia, Senegal and Sudan.⁴⁵ They can stimulate coups and revolutions either at the behest of their clients or to promote their own vested interests.⁴⁶ According to a report submitted by the Special Rapporteur to the UN, the involvement of PMSEs in arms trade gives rise to arms proliferation which promotes "political violence" and undermines the state's capacity to re-establish a "monopoly on legitimate violence".⁴⁷ Therefore, the unfettered presence and employment of PMSEs in any country in violation of the internationally acknowledged principle of sovereignty constitutes a potential threat. It is for right reasons that "mercenarism" is recognised by the UN as "a threat to international peace and security, and a crime ... against humanity."⁴⁸

The outsourcing of military-related functions is also laden with other typical problems which further compound this threat. The empirical evidence shows that, as compared to regular military forces, PMSEs are more prone to exhibit panic-driven reckless behaviour in crises as experienced in Nisour Square in Baghdad on September 16, 2007.⁴⁹ The indiscriminate shooting and killing of 14 unarmed civilians in Nisour Square substantiate this assertion.⁵⁰ The media is galore with tales of "detainee abuse, sex trafficking, economic exploitation ... [and] rowdyism" at the hands of PMSEs which are pointers of the problem described above.⁵¹ Understandably, reckless behaviour on the part of non-state actors is likely to provoke resistance and give rise to

confrontation because it can be mistaken for a criminal act. Going by the dictates of the social contract between the state and its citizens, a person is generally ready to surrender his/her rights to state actors but not to non-state actors.

There is no denying the fact that wrongdoings can be committed by regular military forces as well. The stories of excesses committed by regular military personnel against detainees in detention centres of Guantanamo Bay (US), Abu Ghraib (Iraq) and Bagram (Afghanistan) are a case in point. A 2005 UN Report unearthed many cases of inappropriate conduct of peacekeeping forces in Bosnia, Cambodia, Congo, East Timor, Haiti, Liberia, and Sierra Leone.⁵² However, in comparative terms, suchlike incidents attributable to regular militaries are few and far between. Owing to their cultural and organisational strengths and institutionalised grooming, regular forces are less likely to indulge in misconduct.

PMSEs can also be a source of ‘personnel drain’ because they can attract professional state employees by offering hefty compensations and a lenient working environment and, hence, cast a negative influence on the morale and motivation of regular forces they closely interact with. Likewise, owing to their intimate knowledge of the culture and system of working of the regular militaries they are blamed for circumventing the established chain of command.

The biggest anomaly in the privatisation of war results from PMSEs’ fundamental motivation of working for material compensation which gives rise to multiple problems. First, they lack strong ideological and doctrinal regimes to groom their ‘soldiers’ to act on the basis of loyalty to the country and prepare them for supreme sacrifice.⁵³ Understandably, it is unrealistic, and somewhat risky, to assume that during crises PMSEs, when confronted by a dilemma, will give preference to loyalty to the country over consideration of money. There have been many cases of switching sides in a conflict in pursuit of vested interests.⁵⁴ Perhaps for these reasons, the idea of mercenaries did not find favour with Machiavelli who commented upon them negatively in the following words:⁵⁵

Mercenaries and auxiliaries are useless and dangerous; and if one holds his state based on these arms, he will stand neither firm nor safe; for they are disunited, ambitious and without discipline, unfaithful, valiant before friends, cowardly before enemies; they have neither the fear of God nor fidelity to men The fact is, they have no other attraction or reason for keeping the field than a trifle of stipend, which is not sufficient to make them willing to die for you....

Scholars have also often accused PMSEs of using negative ploys for the promotion of their businesses and maximisation of profits. Dave Whyte avers that they promote a “culture of dependence” among their clients, particularly state actors, and

extract lucrative contracts by offering incentives and bribes.⁵⁶ According to Anna Leander, PMSEs “establish themselves not only as providers of security but as security experts defining which services are needed.”⁵⁷ They have often been blamed for wilfully worsening clients’ internal security and fuelling civil strife to maximise their businesses.⁵⁸ A PMSE named Executive Outcomes employed in Sierra Leone is accused of crossing the “fine line between legitimate activity and unwarranted interference in ... politics” because it served their business interest.⁵⁹

Another problem relates to the legal and moral dimensions of the manner in which PMSEs are employed. Generally, either for genuine concern for international law and human rights or for the sake of political expediencies, states institute stringent legal restrictions on the use of force. Consequently, owing to their accountability to national oversight mechanisms regular military forces are generally not employed in contravention of legal frameworks and moral precincts. But, there is compelling evidence to believe that given an appropriate incentive, though not all, PMSEs are ready to undertake tasks marked by legal or moral barriers.

For these reasons, the employment of PMSEs particularly in active combat zones has been a subject of intense debate. According to some experts, PMSEs bear resemblance to the “Constabulary Soldier[s]” or “Postmodern Peace Soldier[s]”.⁶⁰ On the contrary, many security analysts believe that PMSEs employed in active combat zones should be considered mercenaries and that the military contractors who use violence in a war zone should be considered unlawful as outlined by the Geneva Conventions.⁶¹ Some scholars argue that, as advised by the UN Working Group on Mercenaries, certain state functions, such as “direct participation in hostilities, waging war and/or combat operations, taking prisoners, law-making, espionage, intelligence, knowledge transfer with military, security and policing application, activities related to weapons of mass destruction, police powers especially the power of arrest or detention including the interrogation of detainees” should not be outsourced to the private sector.⁶² Some scholars also contend that detention, interrogation, intelligence gathering, and peacekeeping should not be privatised. However, as argued by Ranganathan, which functions are typical state functions *per se* is a debatable issue on which there is no consensus.⁶³ It is so because, historically, state functions have been evolving and, as such, will continue to evolve.

The controversy primarily stems from the inherent organisational character of PMSEs which are neither a formal instrument of the state nor under direct positive control of the state institutions. Whereas they have started to play a defining role in national and international security, they remain “largely unregulated”; some “*ad hoc*” measures have been instituted to regulate the activities of PMSEs operating in the internal context, but those operating abroad are largely left to “self-regulation”.⁶⁴

Generally, the most preferred institution for enforcement of “self-regulation” of PMSEs employed in the internal context, as practised in the West, is the military industry associations which, besides facilitating and protecting business interests, can act as watchdogs. In any case, industry associations cannot substitute a government’s regulatory structures. Undeniably, many PMSEs have, over time, adopted hierarchical structures to monitor and control the behaviour of their personnel. But, unlike regular militaries which adopt strict command and control systems and rigorous disciplinary tools for the purpose, PMSEs lack such structures and mechanisms.

International law, too, views the PMSE industry with scepticism and provides a legal framework which can be used to regulate it. Some relevant laws include “the International Humanitarian Law, the International Human Rights Law, the Additional Protocols I and II from the Geneva Convention of 1949, and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries 1949.”⁶⁵ Another legal tool is available in the form of the “Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies during Armed Conflict”.⁶⁶ However, the effectiveness of the arrangement is far from satisfactory. Perhaps for political reasons, the phenomenon of mercenarism despite its negative undertones has not received “outright legal condemnation”.⁶⁷

Emerging Trends

Earlier predictions had it that the post-Cold War upsurge of the private military industry was a temporary phenomenon, destined to disappear because of its questionable legitimacy and lack of demand. Experts, like Peter Singer, averred that even if the phenomenon endured it was likely to be limited to a “minor market niche” and that the industry would only operate on a small scale. All such pessimistic predictions proved false and, instead, PMSEs’ business experienced an unprecedented boom.⁶⁸ Despite the worldwide economic recession, the yearly revenue of legitimately operating PMSEs across the globe has already exceeded \$ 100 Billion.⁶⁹ It is estimated that since the end of the Cold War, hundreds of PMSEs have operated in more than fifty countries making a significant impact on the outcomes of wars in Angola, Croatia, Ethiopia, and Sierra Leone.⁷⁰ Through the first 18 years of the post-Cold War era, the demand and supply for PMSEs grew sharply. According to a study compiled by Branovic, at the end of the Cold War, one PMSE was contracted by the US to support the Economic Community of West African States (ECOWAS) peacekeeping contingent in Liberia. The figure rose to 27 companies working in 10 fragile states at the behest of 5 contracting states in 1999 and 142 companies operating in 13 fragile states at the behest of 7 contracting states in 2007.⁷¹ With the full details of their operations remain shrouded in secrecy, many PMSEs continue to operate covertly in

Syria, Nigeria, Yemen, Ukraine and many other countries.⁷² The ongoing global trend towards privatisation and outsourcing suggests that the market of military services will persistently grow for the foreseeable future and that the private military industry will continue to play a significant role in national security governance affecting, in the process, international security.

The trend observed in Pakistan in this regard in the last three decades is not much different where, albeit local, the private security industry has expanded exponentially. According to a senior official of the Ministry of Interior, approximately 700 licenses were issued to PMSEs from 2005 to 2022.⁷³ So far, no foreign PMSEs are officially reported to be operating in the country. However, contrary to the categorical denial by the US and Pakistani officials, both national and international media widely reported about a decade ago that Blackwater-type entities, known for military-related covert activities, were illegally operating in Pakistan.⁷⁴ Therefore, the risks attached to PMSEs are a stark reality and the situation is a potential threat to the internal stability of Pakistan.

The Way Forward

The situation necessitates a reassessment of national policies and institutionalisation of measures to meet the challenges and counter the threat posed by PMSEs. From a realist perspective, PMSEs can only contribute to the state's power in a meaningful way if they are integrated into the state structures and made to operate under strict regulatory regimes. Likewise, from the perspective of security governance too, the devolution of state functions needs to be managed through the integration of PMSEs in the existing state structures. Scholars like Christopher Wood opine that a "strong state [with] extensive military apparatus and ... undisputed hegemony over its domestic power structures" is easily attainable.⁷⁵ However, it is worth pointing out that the culture of dependence thus created can seriously curtail a state's ability to effectively respond to external or internal armed threats if the support of PMSEs is either routinely unavailable or is wilfully denied.⁷⁶

Pakistan, having successfully managed a volatile inner front over the last two decades, has the structural wherewithal to cope with its challenges. What it needs is an appropriate regulatory framework for PMSEs working for external actors and those employed internally for domestic or external purposes which currently is either absent or far from satisfactory. The framework prescribed in various national laws primarily pertains to the procedures to be followed for the issuance of licenses and not to regulate their functioning. The role of military industry associations, as discussed above, in Pakistan is in any case non-existent.

While for detailed legal modalities, a separate study is proposed to be undertaken, for this paper a few conceptual recommendations should suffice. Firstly, it is important to regulate and integrate PMSEs into state structures to safeguard the state's monopoly of violence. Secondly, it is equally important to do so to protect the state's security system against any harm at the hands of PMSEs. Thirdly, for its wider implications for international peace, stability and security, the issue needs to be addressed by governments, militaries, humanitarian advocates, and beyond, particularly the states likely to serve as clients or host states. Logically, it requires the adoption of "mechanisms of domestic political accountability" through legislation with a view to addressing the concerns of all stakeholders including state actors, civil society, and the international community.⁷⁷ For the third category of stakeholders, national laws will have to be aligned with international law. The regulatory regime must essentially address the following aspects:

- Create legal and physical structures to regulate, monitor and control the PMSEs laying down licensing system with stringent rules of engagement and appropriate methods of targeting.
- Incorporate the military and security industry in the enforcement of norms and standards to assist the government in its regulatory function.
- Erect regional-level cooperative mechanism encompassing the following:
 - Constructing a central database related to PMSEs operating, or likely to operate, in the region.
 - Devising mechanism for sharing intelligence related to PMSEs.
 - Creating a common legal framework to proscribe dubious PMSEs within the sovereign territories of member states.
 - Adopting joint policy/strategy to deter the perpetrators including PMSEs and defeat their aims and objectives.
 - Establishing arrangements to render comprehensive assistance to, and reinforce capabilities of, victim member states which are threatened by PMSEs/foreign military intervention.
 - Exchanging expertise among member states.
 - Developing regulations for the status and treatment of private military personnel when captured as criminals or prisoners of war.

Conclusion

PMSEs are a reality that cannot be dismissed or dismantled easily. Their business has become, perhaps, a necessity for states for multiple reasons. Their capability to contribute positively to national power explains the realists' positive inclination towards their existence. Concurrently, however, their prevalence is also looked at with scepticism for their capacity to affect internal security underpinnings adversely. The neoliberals, contrarily, are positively inclined toward them for their capacity to accrue economical and effective solutions. Notwithstanding their advantages, their existence is laden with ominous consequences for national security. Hence, while their lawful business must be facilitated, for reasons discussed in this paper there is a need to integrate them into the state's security governance structure and to institute a regulatory framework for the purpose.

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