

## ON MERCENARIES IN WORLD POLITICS

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### Abstract:

*The purpose of the present paper is to emphasize the way mercenaries integrated in the world politics. It offers an overview of the historical context, highlighting short details about the early appearance of mercenary troops who, although not yet bearing that name, acted in the same way. What is more, it pursues the evolution of mercenaries from their very beginning to the contemporary era, making a short stop to the Middle Ages, and then to the pre-modern period. Furthermore, it describes the metamorphosis of mercenaries in the contemporary period, giving birth to the new 'dogs of war' under different names. However, these transformations came with behavioural changes as well. They changed their attitude and their chaotic actions on the battlefield, fulfilling, sometimes, a different role, but for the same purpose, which labelled them as 'new mercenaries' from the outset.*

**Keywords:** *mercenaries, world politics, condottieri, war, army, professional soldiers, Private Military Corporations.*

### THE ORIGIN OF MERCENARIES

Ever since ancient times, the presence of mercenaries was discussed in different corners of the planet. Often, it was mentioned that they practice "the second oldest occupation in the world"<sup>1</sup>, being part of the history of wars since its inception. Even without explicitly naming them *mercenaries*, they were acting

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<sup>1</sup> Sarah Percy, "Mercenaries", *Military History*, 2013, <http://www.oxfordbibliographies.com/view/document/obo-9780199791279/obo-9780199791279-0105.xml>. [accessed on November 20, 2023].

the same manner as those who are catalogued in this way today, but their description changed with the passage of time. Generally speaking, the mercenaries were those specially trained soldiers who took part in hostilities during wars in return for material benefits.<sup>2</sup>

Their origin dates back to the period before our era. Ever since, the leaders of the great empires hired people to join their own army to make it stronger in wars. The earliest evidence of the presence of mercenaries dates back to 1469 before Christ (from now on, BC), during the First Megiddo Battle.<sup>3</sup> This battle ended with the victory of the Egyptians in front of the rebel groups and with the conquest of Megiddo, which lies north of Palestine, result that led to the establishment of the Egyptian empire in southwest Asia. The rebel group was, in fact, an alliance of 330 Syrian and Palestinian princes, under the command of King Kadesh, of the *Mitanni* group.<sup>4</sup> For sure, in order to win such a battle, the Egyptian army must have been enormous, even proportionate to the Egyptian population at that time. The mercenaries' participation in this conflict was deduced by historians from the fact that such an army could not have been constituted only by Egyptian volunteers, but that the pharaoh would have had to "hire a part of his army from non-Egyptian sources."<sup>5</sup>

Among the mercenaries who had fought for the Egyptians, the group that could have been identified was the *Sherden* group (or Sea Peoples, Peoples of the Sea), who came from all over Anatolia. They were recognized by archaeologists by the equipment they used, which was different from that of the Egyptian soldiers of that time. *Sherden* mercenaries, besides armour, helmets and shields, differentiated themselves from the common soldiers by their swords, which were made especially for them. These were straight, sharp, cast iron, unlike those of the Egyptian soldiers, which were copper and curved. The metal for their swords was hard to find in Egypt at that time, which made their import imminent.<sup>6</sup>

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<sup>2</sup> Ulrich Petersohn, "The Impact of Mercenaries and Private Military and Security Companies on Civil War Severity between 1946 and 2002", *International Interactions*, 2014, p. 191, DOI: 10.1080/03050629.2014.880699, [accessed on December 9, 2023].

<sup>3</sup> Alan Axelrod, *Mercenaries: A Guide to Private Armies and Private Military Companies*, Los Angeles: Sage, 2014, pp. 9-10.

<sup>4</sup> *Ibidem*.

<sup>5</sup> *Ibidem*.

<sup>6</sup> *Ibidem*, pp. 12-14.

The weapon used by the *Sherden* fighters can indicate that they were not specifically used for defence, but rather, their purpose was the attack. They were considered much more capable and more efficient than the Egyptian soldiers, which placed them in the category of the military elite of the time.

Later, there was some evidence that one of the most famous names in history who used the help of these paid fighters to win different wars was King Alexander the Great, who was among the world's first military strategists and leaders. In the 4<sup>th</sup> century BC, in the great war between Greece and the Persian Empire, other evidence of mercenaries' existence appeared. Alexander the Great had at his disposal a large number of Greek soldiers, specially trained, having well-developed combat skills, who fought in this war alongside the Macedonian king's army. But in the same war, other mercenaries, of Greek nationality as well, could be found on the other side of the barricade. Under the command of the Persian army leader, they fought against Alexander the Great in return for rewards.<sup>7</sup> Often, Greek mercenary troops were hired by the opposing parties in the conflict, so for them there was nothing out of the ordinary to fight against their co-nationals.

In the third and second centuries BC, the presence of mercenaries was felt in the Punic Wars (called *Punic* according to the name given by the Romans to the Carthaginians, namely the *Punics*) carried between Rome and Carthage. Although all three wars were won by the Romans, the first two were extremely balanced. In the first war, Xanthippus, the leader of the Carthaginians "did not only lead the army of Greek mercenaries but also trained other Carthaginian forces."<sup>8</sup> Due to this good military training, even if the war ended with the victory of the Roman Empire, it exhausted both parts. In the Second War, Hannibal raised an army of 50,000 mercenaries from northern Africa and Spain, with whom he crossed the Alps, to northern Italy.<sup>9</sup> In spite of the difficulties encountered on the way, because of the weather in the Alps, or due to the fighters from the tribes they passed by, his army, rather than falling, increased its number, succeeding in attracting these hostile fighters to his army, in return for benefits. Despite this, Hannibal's powerful army was defeated by the Romans.

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<sup>7</sup> John France (ed.), *Mercenaries and Paid Men: The Mercenary Identity in the Middle Ages*, Leiden and Boston: Brill, 2008, p. 1.

<sup>8</sup> Alan Axelrod, *op. cit.*, pp. 22-23.

<sup>9</sup> *Ibidem*, pp. 26-28.

Both the Romans and the Spartans carefully selected their soldiers. They prioritized the principle that an army should be made of “only the strongest and the most disciplined”<sup>10</sup> people. In general, the ancient armies were stricter in recruitment. Therefore, the most important thing was that the soldiers had special training, which would give them an advantage in the army's struggle, which led to a predilection for mercenaries, developed by the military leaders of that time.

Beginning with the fifth century after Christ (AC from now on), in the Roman Empire arises the question *how can the mercenaries differentiate themselves from the other fighters in the armed forces?* The Romans set two terms to identify mercenaries: *conducticius* and *miles mercenarius*<sup>11</sup>, and the meaning depended on the context in which it was used. Both terms mean payment for employment, but these terms have not been used much. It is certain that the men recruited in the Roman army (or any foreign armies to the country of origin of the fighters), who were paid salaries or other benefits, could be described as mercenaries.

From the 9th-10th centuries the character of Hungarian nomadic mercenaries began to be highlighted.<sup>12</sup> They have acquired from their ancestors' different skills that helped them in practicing this profession. Even if no specific terms were used to denote the job the first Hungarians practiced, they were mercenaries in the true sense of the word. They used to fight in exchange for a material gaunt, especially in exchange for precious metals such as gold or silver. Even if they were to take hostages, they did not use them as slaves, because it would have made it difficult for them to live and achieve their goals, but they did not kill them either, only to enjoy taking a human life, but they used to think rationally from an economic point of view. In return, the Hungarians preferred to ask for rewards, usually money.<sup>13</sup>

The fact that they fought as mercenaries flashed perfectly on their way of organizing the military. The financial reward was given to them as a gratitude for the quality military service. Even though their payments were often made

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<sup>10</sup> Kelly DeVries, “Medieval Mercenaries Methodology, Definitions, and Problems”, in John France (ed.), *op. cit.*, p.44.

<sup>11</sup> Bernard S. Bachrach, “Merovingian Mercenaries and Paid Soldiers in Imperial Perspective”, in John France (ed.), *op. cit.*, p. 174.

<sup>12</sup> Charles R. Bowlus, “The Early Hungarians as Mercenaries: 860–955”, in John France (ed.), *op. cit.*, pp. 194-195.

<sup>13</sup> *Ibidem.*

of gifts or benefits, it was clear that they were a military force hired and paid.<sup>14</sup> Like other mercenaries of that time, the Hungarians used to practice robberies to secure their livelihood.

Hiring mercenaries has proven to be more economically efficient than sacrificing their own soldiers during fights. At that time, there were not many independent armed forces<sup>15</sup>, and this situation forced the leaders to turn to the common people. By requiring craftsmen or shepherds to participate in armed conflicts for the empire they were part of had no advantage, and more, it led to various losses. On the one hand, their production was lost throughout the battlefield. Loss of production could be long-term and often cost more than the wages paid to mercenaries for fighting. On the other hand, the army was not as strong as the quantity selection of the soldiers did not exclude inexperienced men in the use of weapons or in respecting war tactics and strategies. In addition, mercenaries trained on their own, being professional warriors, and they were never felt any pressure by the weight of the name they were fighting for, but only the reward that would follow.

The importance of having as many soldiers as possible in an army is indisputable, but any military force, in order to claim war gain, needed a qualitative nucleus, made up of military elites, more specifically – the mercenaries, who were trained for to act mercilessly against the opponents.

Since the 12<sup>th</sup> century, most of the soldiers were paid. They served their superiors in the obligation. Many of them were simple ordinary people, and could not be described as mercenaries, lacking the necessary military training. Beginning with this period, the pay for the armies of the great empires was introduced, which were experiencing a substantial increase, leaving behind what mercenaries valued for them just a few centuries ago.<sup>16</sup>

All in all, since their very first appearance, mercenaries have fulfilled the same role, regardless of the historical period we refer to. First, they were recruited by various foreign armies who wanted to protect their own soldiers in difficult struggles or lacking specialized military force, then they were placed on battlefields in exchange for money or personal benefits to contribute to the armies' success.

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<sup>14</sup> *Ibidem*.

<sup>15</sup> Keith Suter, "Mercenaries in Warfare", *Contemporary Review*, Vol. 287, Nr. 1674, 2005, p. 29.

<sup>16</sup> John France, *op. cit.*, pp. 7-11.

**MEDIEVAL MERCENARIES: CONDOTTIERI**

In the Middle Ages, as in previous times, mercenaries' presence was felt in wars and not only. In this age, mercenaries were defined by notions such as "paid" or "foreigner", but not all soldiers of different origin who were paid could have been called *mercenaries*.

One of the most famous mercenary groups of the Middle Ages was the *Varangian Guard* of the Byzantine army. This was composed of former Scandinavian, or exiled Vikings. This guard fought for the Byzantine Empire in Anatolia, in the Holy Land, Bulgaria, Sicily, etc.<sup>17</sup> Also, the Byzantine emperors used a common practice among the Romans: to employ mercenaries in imperial guards. These were usually very well received in the Byzantine Empire.<sup>18</sup>

In the 13th and 15th centuries Italy, there was a change in the way of recruiting and organizing the armies. The prolonged fights of that period determined the alteration of the Italian armies, especially those in Milan, Florence and Venice. In this context, there was a growing need to employ Free Companies<sup>19</sup>, made up of foreign professional fighters, to complete the armies found in a visible force loss and numerical decrease. The Italian state hired mercenaries through contracts, known as the Italian *condotte*. These contracts dated back to the 13<sup>th</sup> century and involved a formal written agreement between the employer and the employee on the terms of the service provided. This included information on payment and duration of services, number of fighters, type of fighters' equipment.<sup>20</sup> The payment was often made monthly, and the duration of the employment was at that time of six months, with the possibility of renewing the contract. These contracts also stipulated some additional terms, such as doubling the wage payments for "significant victories".<sup>21</sup> The contracts were different in length and content, depending on

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<sup>17</sup> Irina-Maria Manea, „Faimoasa gardă de vikingi din Constantinopol”, *Historia.ro*, [f.a.], <https://historia.ro/sectiune/portret/faimoasa-garda-de-vikingi-din-constantinopol-580962.html>. [accessed on December 8, 2023].

<sup>18</sup> *Ibidem*.

<sup>19</sup> David Nicolle, *Italian Medieval Armies: 1300- 1500*, Oxford: Osprey Publishing, 1983, p. 14.

<sup>20</sup> *Ibidem*, p. 15.

<sup>21</sup> Clifford J. Rogers (ed.), *The Oxford Encyclopedia of Medieval Warfare and Military Technology*, Vol. 1, New York: Oxford University Press, 2010, p. 416.

the groups with which they were concluded, and their content evolved over time.

*Condotta in aspetto* (or the apparent contract) allowed the mercenaries' captain to work a long-term job with an employer, "with the right to fight elsewhere during the armistice, provided that he returned when called."<sup>22</sup> *Condotta ad provisionem* did not provide an exact number of the brigade, but allowed the captain to determine it according to his own perceptions. The second type of *condotta* was used in the second half of the 15<sup>th</sup> century.<sup>23</sup>

By signing these contracts, the mercenaries who took part in wars to help the Italians were given the name of *condottieri*, very famous at that time. The Encyclopaedia Britannica defined them as "leaders of a group of mercenaries hired to fight in many wars among the Italian states from the mid-14<sup>th</sup> century to the 16<sup>th</sup> century. The name derives from *condotta*, or *contract*, through which *condottieri* have put themselves in the service of a city or a lord."<sup>24</sup> The first Italian mercenary armies were formed, in particular, by foreign fighters. At the beginning of the 14<sup>th</sup> century, they were made up of Catalans and French, who fought in the southern wars. In the middle of the same century, the armies were mainly formed by Germans and Hungarians. By the end of the century, the Italians began to mobilize more and more mercenary armies, and *condottieri* began to conquer territories for themselves.<sup>25</sup>

Under the command of the captains of the *condottieri* troops, there were also ordinary soldiers who fought, who formed a cavalry almost entirely armoured and were recognized for their disordered and greedy characters. In the absence of other purposes than personal gains, they could have also been classified as mercenaries. *Condottieri* armies often changed the parts they fought for, and their battles often led to bloodshed. Some cities in Italy, such as Milan or Venice, offered long-term employment contracts for mercenaries, starting to recruit them during the peace periods.<sup>26</sup>

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<sup>22</sup> *Ibidem*.

<sup>23</sup> *Ibidem*.

<sup>24</sup> Mansur G. Abdullah *et al.*, "Italian History", *Encyclopaedia Britannica Online*, [f.a.], <http://www.britannica.com/topic/condottiere> [accessed on December 8, 2023].

<sup>25</sup> *Ibidem*.

<sup>26</sup> David Nicolle, *op. cit.*

Within the *condottieri* troops, there were not only foreigners fighting. Certainly, the number of fighters across borders exceeded that of the Italians, but it was gradually changing. Foreigners were becoming less numerous, while Italian soldiers began to specialize in the art of war. The first Italians enlisted in mercenary armies were rural nobles whose contribution was overlooked by researchers.<sup>27</sup>

These mercenaries have become indispensable on the battlefield. More and more Italian army leaders filled their units with specially trained soldiers who did not show any kind of mercy on the battlefields. For those who hired them, it was not important that they were not disciplined at all, or that the combat mode of the *condottieri* was extremely disordered, but they rather emphasized the fearless character of the fighters and the results they produced in the battles. For employers it counted that fights ended in their favour, regardless of the means used by mercenaries or their behaviour during the wars.

The lack of remorse and relaxation with which mercenaries treated the atrocities themselves produced in wartime were the results of exhausting training, both physical and mental, which helped them become experts in dealing with the most dangerous weapons and freed them from any kind of rebuking the consciousness that could arise from the actions they undertook.

It was known that mercenaries, *condottieri* in this case, were considered "soldiers-for-hire"<sup>28</sup>, which meant they only fought for rewards, which were often offered in cash. The form of payment and the amount of the salary was stipulated in the *condotta*. Some *condottieri*, in the 15<sup>th</sup> century, aspired to another kind of reward. They have applied for and have been granted citizenship from the states that have hired them. Once they became citizens of those states, they were being respected by society, which then allowed them to apply for administrative functions of the state.<sup>29</sup>

For some fighters, the aspiration to leadership positions was natural, following the efforts they made for the Italian states. Despite the fact that many of them were illiterate, because they were born in poverty and became mercenaries of extremely young age to survive, they managed to become

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<sup>27</sup> Clifford J. Rogers, *op. cit.*, p. 417.

<sup>28</sup> Mark Fulloon, "Private Military Companies: The New Condottieri", *Social Alternatives*, Vol. 32, Nr. 1, 2013, p. 50.

<sup>29</sup> David Murphy, *Condottiere 1300-1500: Infamous Medieval Mercenaries*, Oxford: Osprey Publishing, 2007, p. 54.



leaders. This was the case with the Sforza family. Their dynasty began with Muzio Attendolo, later known as Sforza. It came from a relatively poor and illiterate family. Due to its qualities as a fighter and imposing power both in front of its opponents and in front of its own army, it has come to the leadership of the most powerful and successful *condottieri* troops in Italy. The profession of the family was continued by his son, Francesco Sforza. Through his mercenary skills and forced marriage to the daughter of one of the most influential Italians of the time, he became the Duke of Milan in 1450.<sup>30</sup> So even though the Sforza family members came from a rather hostile environment, Francesco became the leader one of Italy's most powerful city-states.

*Condottieri* were not simple mercenaries, and their dismissal was difficult. Relationships between them, their leaders and employers were extremely complex. They constantly evolved in terms of equipment, tactics, or way of waging, therefore, the rulers preferred to have them in their armies. Political leaders and ordinary people from different Italian city-state have found a more effective method of hiring *condottieri* troops to fight in their wars because, this way, they could engage in trade.

In other terms, even if *condottieri* were appreciated and accepted by societies inside Italy because they were an important piece in the Italian armies, there were also important personalities who criticized the presence of foreign mercenaries enrolled in the Italian city-state armies of the Peninsula. The most prominent name that opposes the general trend of believing that "soldiers to rent" represented the piece of resistance of the army was the great philosopher, diplomat and Italian politician Niccolò Machiavelli. In his famous work, "The Prince", he has spoken of the fact that mercenaries were dangerous and not trustworthy, noting that they "were not afraid of God, nor keep their word to men."<sup>31</sup> He stated that if a mercenary was talented, he would always try to increase his power "either by defeating you who are his master, or by knocking others off without your will."<sup>32</sup> If the mercenary turned out to be incompetent, it would ruin the prince through unnecessary expenses.

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<sup>30</sup> *Ibidem*, p. 55.

<sup>31</sup> Niccolò Machiavelli, *The Prince*, Bucharest: Mondero, 1999, p. 47.

<sup>32</sup> *Ibidem*.

Continuing with the idea that independence and self-sufficiency really means security, Machiavelli asserted that dependence on foreign troops could lead to the decline of the prince's power.<sup>33</sup> His ideas in this direction were drawn in the context of an Italian state who put its fate in the hands of foreign mercenaries, these being widely used in the peninsula, and the results were often disastrous.

Moreover, the Italian philosopher accused foreign mercenaries of the lack of soldier spirit to defend their own lands and homes. In his opinion, these fighters were lazy, seeking just the easiest way to get money, whether or not it brought benefits to the state that hired them. By continually changing the barricades, mercenaries demonstrated that they were not trustworthy, because if they were in the service of a state only for money, they could work at any time for the opponents of the prince who had initially hired them. Their greed and infidelity was perceived by Machiavelli, who said that "as enemies rob you in time of war, these armies rob you in peacetime."<sup>34</sup>

In his writings, Machiavelli harshly criticized the foreign mercenaries in the peninsula. His criticisms were based on the exaggerated use by the Italian leaders of the army of these military elites, which have gradually replaced the national armies. From his point of view, "all the misfortunes of [...] Italy have no other cause than the fact that it has long supported only mercenary armies."<sup>35</sup>

Mercenaries were very popular in the Middle Ages, especially during the Renaissance. The most famous were *condottieri*, sophisticated professional soldiers, who spent their entire life serving different employers. Criticizing them was commonplace, but it was not always well founded, because most of them were very successful and loyal to their employers.

## THE ROLE OF MERCENARIES IN PRE-MODERN WARS

From the mid-17<sup>th</sup> century to the early 20<sup>th</sup> century, inter-state wars in Europe were relatively short, with a few exceptions. During this premodern period, both parties wanted to resolve their dispute through a struggle that would lead to peaceful negotiations. Napoleon and Moltke the Young have perfected a form of war based on the concentration of forces in time and space.

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<sup>33</sup> *Ibidem.*

<sup>34</sup> *Ibidem.*

<sup>35</sup> *Ibidem.*

“The war was both declared and concluded in accordance with certain rules.”<sup>36</sup> It began with a declaration of war and ended with a peace agreement. Unlike these, the new wars are not characterized by concentration but by the dispersion of forces in time and space.

As in previous centuries, mercenary military elites played key roles in various wars of the pre-modern era. Their involvement in the wars was based on the wars trade, especially by advancing technology that has helped them to build better weapons and trade or traffic them across borders; and the internationalization of violence. Hiring mercenaries was becoming more natural for conflict states.

Civilian administrations have sought to enter into a contractual relationship with “small units of professional soldiers.”<sup>37</sup> The aim of this collaboration was to get higher benefits for the members of the public administration as once these arrangements came into operation, they had greater control over the armed forces of the state by appointing their own officers. In this way, the state authority extended beyond military issues, which made mercenary armies become permanent armed forces of the contracting states. The practice of stopping working with professional soldiers at each end of the campaign and then re-naming them for a new campaign has proven to be extremely costly. The most convenient way to manage, from a financial point of view, was to turn the paid armed forces into permanent army.

It was tried to replace mercenary armies with armies made up of national soldiers. The introduction of uniforms has had a positive effect on them, helping to impose a unitary identity. This was a powerful impetus, making it possible for the soldiers to be massively subordinated. But in order to become a powerful army, it was necessary for the soldiers to meet certain requirements,

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<sup>36</sup> Herfried Münkler, *The New Wars*, Cambridge: Polity Press, 2005, p. 11. For details on the transformation of war or the “new wars”, see also Mary Kaldor, *New and Old Wars. Organized Violence in a Global Era*, Stanford: Stanford University Press, 1999; Laura M. Herța, “Aspecte ale sociologiei și analizei relațiilor internaționale. Dihotomia războaie noi – războaie vechi” in Liviu Țîrău, Ștefan Melancu (eds.), *Interferențe euro-atlantice*, Cluj-Napoca: EFES, 2013, pp. 444-456; Laura M. Herța, “Hybrid Warfare – A Form of Asymmetric Conflict”, in *International Conference Knowledge-Based Organization*, Vol. XXIII, No. 1, 2017, “Nicolae Bălcescu” Land Forces Academy Publishing House, Sibiu, pp. 135-143.

<sup>37</sup> Christopher Kinsey, *Corporate Soldiers and International Security. The rise of private military companies*, Abingdon: Routledge, 2006, p. 35.

imposing something more than military capabilities. In this context, it was noted that in order to achieve military objectives, specific training was needed, concluding that mercenaries were perfectly adapted to any military situation.

In order to be able to develop their skills and build new abilities, mercenaries needed special and specialized training, both physically and mentally. Physical training focused on resistance and pain management, and psychic skills on the ability to make accurate decisions as quickly as possible under stress conditions. Typically, the training was “miserable, uncomfortable and exhausting.”<sup>38</sup>

In addition to regular and guerrilla exercises, which were considered primitive, there were also shock training exercises. These were intense and brutal, managing to mark their executioners for life. There were even middle-aged children participating in these trainings that taught them “to cut heads easily and enthusiastically”<sup>39</sup>, turning them into warriors, like child soldiers. Here they first entered the process of indoctrination, psychological training and familiarity with the environment in which they would practice.

Normally, shock trainings, because of the intensity, should be done over a short period of time, about a few weeks, not a few months, because too much weight is lost if it lasts for a long time.

The shock phase is just the beginning. Acquiring and refining the skills of a mercenary must develop into a life-long regime. For professionals, the learning process never stops. They build their training system based on this initial learning phase.<sup>40</sup>

Also during the pre-modern period, the wars were industrialized. New types of increasingly dangerous weapons were created, such as the hydrogen bomb.<sup>41</sup> Army sizes have increased, but their deployment as well as the “supplies” needed for a campaign were still limited. Despite limitations of any kind, states began to focus more on national soldiers reaching some millions, so the use of mercenaries in the wars became irrelevant.<sup>42</sup> Industrialization has increased the scale of the war to an unprecedented level, which has led to the elimination of mercenary forces in state security until the end of the Cold War.

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<sup>38</sup> Paul Balor, *Manual of the Mercenary Soldier: A Guide to Mercenary War, Money, and Adventure*, Boulder: Paladin Press, 1988, pp. 30-32.

<sup>39</sup> *Ibidem*.

<sup>40</sup> *Ibidem*.

<sup>41</sup> Christopher Kinsey, *op. cit.*, p. 41.

<sup>42</sup> *Ibidem*, p. 42.

States, even if they abolished the forces of military elites on their domestic territory, still used the services provided by mercenaries across borders to promote their own interests. The state authorities had the role of strictly controlling these groups.

In these circumstances, national governments recruited soldiers from their own citizens, expecting them to fight for patriotic reasons, rather than financial ones. "They expected the parents to produce free soldiers, and their sons (and, occasionally, daughters) were recruited through the new system of national patriotism."<sup>43</sup>

After the *Peace of Westphalia*, which puts an end to the *Thirty Years' War*, there was a considerable ascension of the nation-states. This increase was mainly caused by the increase in the sense of national identity, through which citizens began to create a much closer connection with their state. Along with the nation-states, the citizens' lack of confidence about the need to use foreign mercenary armies was being built, and there was gradually established the permanent army formed of their own citizens. Through the development of national sentiment, the citizens of the 17<sup>th</sup>-19<sup>th</sup> centuries' countries were increasingly willing to give their lives for their co-nationals. The need to create permanent armies has arisen from the evolution of societies, the mentality of leaders, but above all, the way in which international relations have unfolded. During this period, the frequency of armed conflicts was much lower, and mercenary troops hardly find their place into a fight, wars being rarely encountered.<sup>44</sup>

Moreover, the population growth of the states meant that they had enough citizens to create considerable armies and enough resources to supply them. Once the armies have become bigger and military tactics have changed, it has become increasingly important how these troops can be motivated. If the mercenary armies of the 18<sup>th</sup> century were kept united by strict discipline, where only iron rules could create a cohesion of the group from which employers could not have expectations of morality, courage or loyalty, the permanent armies were motivated not only by the desire to earn income, but also by patriotism, a feature of the national soldiers that made the group more united.<sup>45</sup>

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<sup>43</sup> Keith Suter, *op. cit.*, p. 30.

<sup>44</sup> Christopher Kinsey, *op. cit.*, pp. 50-57.

<sup>45</sup> Sarah Percy, *Mercenaries. The History of a Norm in International Relations*, New York: Oxford University Press, 2007, pp. 96-97.

However, over time, it was noticed that extremely large armies outweighed the capabilities of states, becoming less efficient as more and more problems in supply, training techniques and the leadership of such great battalions. However, this period remained dedicated to permanent armed forces, and the best solutions from outside the states continued to be rejected.<sup>46</sup>

So at the beginning of the pre-modern period, mercenaries still had an important role in the battlefields, but the development of states and mentalities that arose with the awareness of military needs in combat campaigns, caused considerable fluctuations in the use of services provided by paid soldiers. It was understood that the role of mercenaries has been discredited, but yet they have not disappeared entirely from the battlefields, because there has remained a sham for them as well. If a state has a lacked of national strength, they could hire mercenary troops.

### **MERCENARIES' METAMORPHOSIS TO PRIVATE MILITARY CORPORATIONS**

Focusing on the 20<sup>th</sup> century, when the security was almost entirely privatized, we can see the differences between those newly created corporations and the old mercenaries. One could observe the evolution the mercenaries had over time and their changed role in the contemporary era. As tackled in a previous article<sup>47</sup>, the contemporary period brings with it a change of mentality and a new way of approaching a war. Moreover, the critical issue is that in the new wars, the force is not directed against the enemy's armed force, but to the civilian population.<sup>48</sup>

The commercialization of the military force spreads during this period, due the *statization* of the wars. One of the essential elements of the new wars is the loss of the state monopoly over the military force.<sup>49</sup>

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<sup>46</sup> *Ibidem*, p. 110.

<sup>47</sup> Ramona Ioana Goga, "Privatization of Security in the 20th century – From Mercenaries to Private Military Corporations", *Studia UBB Europaea*, volume 1/2018, pp. 251-264.

<sup>48</sup> Laura M. Herța, Claudiu-Bogdan Aldea, "How can Regional and International Organizations Enhance Peace Processes? Lessons Learned from Sierra Leone", in Delia Pop-Flanța, Laura M. Herța (eds.), *Conflict Resolution and Crisis Communication. Transforming Conflicts and Building Peace*, Cluj-Napoca: Presa Universitară Clujeană, 7-8 April 2022, p. 48.

<sup>49</sup> *Ibidem*, p. 16

Albeit the central administrations of the states made significant efforts to gradually replace the mercenaries with permanent national armies, they could not ban the presence of professional soldiers in contemporary wars. With the overthrow of the Communist regime ending the Cold War, a new form of military organization, based on a private corporate approach, emerges in the foreground. Private Military Corporations (from now on PMC) have begun to take on military training roles, usually in states that have recently gained independence.<sup>50</sup>

After the Cold War, the demand for *soldiers of fortune* has reborn due to their proven skills, especially in Africa. In the internal conflicts of the states, their presence was seen as natural on the battlefields. However, unlike in the past centuries, when mercenaries frightened every human soul they encountered, they appear to be in a different light in the contemporary period. If before they were involved in any conflicts in exchange for advantages and benefits, being merciless in any situation, in the contemporary wars, they appear to intervene in some battles only to help them end faster or, as in the case of African civil wars, they can help the population escape the tyranny of dictators or powerful groups that take hold of states and create horror.

In this period, governments are still dependent on their military forces to protect their vital borders and interests. But with the end of the Cold War, they began to turn to support this new security actor. Today, the international system is experiencing a huge increase in the number of PMCs operating on the international scene.<sup>51</sup> The PMCs could be defined as legally established international firms that provide services involving the possibility of exercising force in a systematic manner, by military or paramilitary means, as well as the consolidation, transfer, facilitation, discouragement or defamation of this potential, or the necessary knowledge to implement them for their customers.<sup>52</sup>

Checking the international context, PMCs have far largely escaped legal regulation, in part by avoiding the international definition of a 'mercenary'. Yet there are an increasing number of law-suits brought against PMCs by civilians who have been injured or by the families of those killed by PMCs in different

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<sup>50</sup> Donald Stoker, *Military Advising and Assistance. From mercenaries to privatization, 1815–2007*, Abingdon: Routledge, 2008, p. 6.

<sup>51</sup> Christopher Kinsey, *op. cit.*, p. 1.

<sup>52</sup> Carlos Ortiz, *Private Armed Forces and Global Security. A Guide to the Issues*, Santa Barbara: Praeger, 2010, p. 48.

states. Even some of the families of private contractors themselves proved to intent lawsuits against the private military companies for the practices they have employed. Their presence in armed conflicts proved to be extremely confusing and harsh, operating the same way as mercenaries. The development of international laws attempting in order to regulate the PMC industry could highlight a serious question over the legitimacy of PMCs and make governments question whether they should use this specialised force.<sup>53</sup>

As stated in a previous paper<sup>54</sup>, the appearance of private military corporations seemed to announce the existence of a new world of mercenaries. Yet, if several decades ago the mercenaries were poorly organized and extremely visible, the new PMCs were rigorously kept, without claiming the mercenary's old-fashioned charm. Despite the efforts of private military corporations to present themselves as legitimate subjects with business concerns other than mercenaries, they did not avoid this label.<sup>55</sup> The negative connotations associated with mercenaries are also pointed out by the infamous quote from Shakespeare: "Cry 'Havoc!', and let slip the dogs of war." [*Julius Caesar*, (Act 3, Scene 1) 1601]. Sometimes, people use this quote when referring to the use of PMCs, which are in their essence mercenaries, in order to demonstrate the negative associations surrounding the use of mercenaries.<sup>56</sup>

Once the PMCs entered the platform of international relations, the military force market was gaining considerable proportions. This market is like *a two-edged sword*. On the one hand, pessimists argue that private security *threatens* to undermine state control over violence and democratic processes, seeing it as a sort of group of corporate mercenaries. On the other hand, optimists say private options offer *solutions* to hard-to-resolve security issues that can work in accordance with national interests or the values shared by the international community.<sup>57</sup>

If we take a closer look to these private military corporations and the general international attitude towards private power, they suggest that private power is increasingly accepted and efforts to control it have failed one by one.

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<sup>53</sup> John Baylis, Steve Smith, Patricia Owens (eds.), "Private Military Contractors", in *The Globalization of World Politics*, 3rd ed., 2014, p. 11.

<sup>54</sup> Goga, *op. cit.*, pp. 251-264.

<sup>55</sup> Sarah Percy, *Mercenaries. The History...*, p. 206.

<sup>56</sup> John Baylis *et al.*, *op. cit.*, p. 10.

<sup>57</sup> Deborah D. Avant, *The Market for Force. The Consequences of Privatizing Security*, New York: Cambridge University Press, 2005, pp. 4-5.



These are highlighted by the low influence of the United Nations *Convention against the Recruitment, Use, Funding and Training of Mercenaries* in the 1990s. In 1989, after nine years of work to complete it, it was ratified only by African states with a particular problem with mercenaries. The Convention entered into force only in 2001, which demonstrates the lack of interest of States in this regard.<sup>58</sup>

Created shortly after this Convention, the PMCs managed to impose themselves in the international environment. Legitimate commentators analyse the “phenomenon” of the PMC, stating that its success is not based solely on the Convention (and, implicitly, Article 47) erroneous, but on the fact that it cannot be applied to private military corporations due to the identified gaps in content.<sup>59</sup>

Certainly, both mercenaries and the PMCs have the potential to cool relations between the state and its citizens, and can ease the attainment of a state's interest in using force, becoming tyrannical, or in supporting a civil war. But the state that decides to privatize the use of force is more morally responsible for disrupting democratic control over the use of force than the private actor it employs.<sup>60</sup>

Despite the criticism, private military companies provide military and security services to states, international organizations, non-governmental international organizations, global corporations and wealthy people. States that have contracted private military services range from extremely powerful and capable as the United States, to failed states like Sierra Leone. Meanwhile, major global corporations have hired PMC to provide site security and planning, and international non-governmental organizations working in fragile conflict areas or territories have done the same.<sup>61</sup>

Nowadays, the PMC undertook a series of activities, which had been the responsibility of the state military until now. Such activities can be divided into: operational military support, military advice, logistical support, security services and crime prevention services.<sup>62</sup> Undoubtedly, private soldiers specialize in these skills, demonstrating first-class military skills. Many former

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<sup>58</sup> Sarah Percy, *Mercenaries. The History...*, p. 208

<sup>59</sup> *Ibidem*.

<sup>60</sup> *Ibidem*, p. 237.

<sup>61</sup> Deborah D. Avant, *op. cit.*, pp. 7-8.

<sup>62</sup> Christopher Kinsey, *op. cit.*, pp. 2-3.

soldiers, now employed by the PMC, have served in the world's most important armies, especially the American, British and French armies considered to be the most "refined" in the world.<sup>63</sup>

So far, there have been changes in industry that have sought to distinguish between PMC and mercenaries, recognizing the first's right to exist and incriminating the latter. Then mercenaries began to look similar to different criminal individuals, in the sense that they were in fact projected into the illegal force of a contract killer, while today, a security counsellor working for PMC only takes over a legally constituted work from the client.<sup>64</sup>

The emergence of private military corporations on the international scene has been marked by controversy from the beginning. They have never been sufficiently used and accepted to be a challenge to international law against the use of mercenaries. All types of combat services provided by the PMC were far too controversial to be widely accepted. While some have suggested that this market is the release of another type of mercenary, others argue that this is simply the expansion of privatization in the sphere of national security.

As emphasized elsewhere<sup>65</sup>, in the 20<sup>th</sup> century, analysts who researched on mercenaries, focused on analysing their behaviour since the 1960s and the emergence of private military corporations and the privatization of security in the last decade of this century.<sup>66</sup> As PMC claims to be differentiated from mercenaries, there appeared other entities, namely the Private Security Companies (henceforth PSC), which tend to present themselves as separate entities of the PMC. Together with private military corporations, PSCs are currently widely used in government circles. Despite the differentiation of the two entities, some specialists in the field contend that the term *Private Security Companies* is nothing more than a more elegant name for private military corporations. However, the term PSC is often out of context and applied to conventional security companies.<sup>67</sup>

What is more, based on the realist approach of the issue, some researchers clearly differentiate between "mercenaries" as being individual soldiers for hire; "private military companies" as companies that provide

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<sup>63</sup> *Ibidem*, pp. 55-56.

<sup>64</sup> Christopher Kinsey, *op. cit.*, p. 65.

<sup>65</sup> Ramona Ioana Goga, *op. cit.*, pp. 251-264.

<sup>66</sup> Sarah Percy, *Mercenaries*, p. 2.

<sup>67</sup> Carlos Ortiz, *op. cit.*, p. 45.

military support and “private security companies” as companies that provide security to individuals and to property.<sup>68</sup>

If we think about the emergence of PMC and PSC, it does not necessarily suggest that the international environment is more responsive to the use of private power. Rather, the reaction to these newly established societies and the evolution of the industry from the one that promotes active battles to the one that avoids them, demonstrates that the anti-mercenary rule still leaves its mark on the strategies of that period. Moreover, in order to pave the way for wider acceptance, the PSC emphasizes that they are not engaged in any active struggle, but especially insist that they are neither PMC nor they are made up of mercenaries.<sup>69</sup>

The services offered by the PSC can be divided into four main categories: logistical support, operational or tactical support, military counselling and training, and security. Logistic support entails tasks such as food preparation and delivery, cleaning and, at the same time, maintenance tasks at military bases. Tactical or operational support can best be explained as providing services that are normally considered to be exclusively for national armed forces. These services may include military interrogation, or even the operation and support of weapons systems. Ensuring military counselling and training is a significant part of the PSC's work. Members of private security companies train the armed forces, police forces and auxiliary forces.<sup>70</sup>

The degree of development of this industry is highlighted by the use of the PSC by non-governmental organizations (from now on NGOs) and by the United Nations. They use private security companies to provide security to their staff, to the humanitarian aid, and in the refugee camps. In these roles, PSC's work is predominantly defensive and counter-opposed to fighting. However, even the UN and other NGOs see this type of security as controversial and are reluctant to discuss officially that they are using the services provided by private security. Many NGOs express feelings of horror and indignation as to the need to work with the PSC and are sensitive to the negative publicity that may result from open discussions on the use of commercial security providers.<sup>71</sup>

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<sup>68</sup> John Baylis *et al.*, *op. cit.*, p. 1.

<sup>69</sup> Sarah Percy, *Mercenaries. The History...*, pp. 206-207.

<sup>70</sup> *Ibidem*, pp. 225-226.

<sup>71</sup> *Ibidem*, p. 229.

As it has previously been discussed, there is significant debate surrounding the labelling of PMCs/PSCs and mercenaries. Mercenaries, as we have already mentioned above, generally connote negative images. Historical and academic references created for them an image of greedy, amoral, and barbaric fighters. National armies, on the other hand, have been depicted as patriotic, noble warriors fighting on behalf of a moral purpose bigger and more significant than themselves.<sup>72</sup>

The post-Cold War era has seen a remarkable evolution in the role of mercenaries, with a notable comeback in armed conflicts worldwide. As we know, the globalization phenomenon—which has led to a surge in interconnection and the dismantling of conventional geopolitical barriers—is what defines this era. It has affected the course of warfare and undoubtedly contributed to the ubiquity of mercenaries in modern conflicts.<sup>73</sup> Globalization has played its role in eroding traditional notions of state sovereignty, thus creating opportunities for paid foreign fighter elites to operate in areas of conflict. Nonetheless, it has led to a certain decline in the effectiveness of traditional state borders, allowing mercenaries to exploit weak or failed states.

The emergence of logistics infrastructure has played a major role in bridging the geographical gaps between areas of conflict and the global market for private military services. This improved connectivity has been crucial in enabling the efficient movement of private military personnel and mercenaries across the world. The rapid progress of transport infrastructure, including air travel and maritime routes, has substantially reduced the time required to deploy private military elites to far-reaching conflict zones. At the same time, advancements in communication technologies have revolutionized coordination, intelligence sharing, and strategic decision-making in real-time, effectively shrinking distances even more. These unprecedented changes in transportation and communication have fundamentally transformed the way private military services operate, allowing them to act with unprecedented speed and efficiency across diverse theatres of conflict.<sup>74</sup>

The rise of globalized armed conflicts has posed significant obstacles to enforcing laws against the use of mercenaries. While international legal

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<sup>72</sup> John Baylis *et al.*, *op. cit.*, p. 16.

<sup>73</sup> Sean McFate, *Mercenaries and War: Understanding Private Armies Today*, Washington, D.C.: National Defence University Press, 2019, p. 20.

<sup>74</sup> Thomas P. M. Barnett, *The Pentagon's New Map: War and Peace in the Twenty-First Century*, New York: G.P. Putnam's Sons, 2004, pp. 132-140.

systems, such as the UN Convention against the Recruitment, Use, Funding, and Training of Mercenaries, were implemented to address this issue, they have struggled to adapt to the constantly evolving nature of warfare and the involvement of private military actors. Despite the initial aim of this Convention to fight the growing threat of mercenaries, it has faced limitations in effectively controlling their use due to the complex and ever-changing landscape of modern warfare and the complex role played by these private military entities. Also, the Convention's difficulties to address issues such as the blurred lines between mercenaries and private security forces reflects the ongoing tension between regulatory frameworks and the evolving nature of conflict in the globalized era.<sup>75</sup>

All in all, although in the contemporary wars mercenaries still pursue their own interest and personal well-being, they are no longer the same puppets indoctrinated to kill, mock or torture innocent people but, they are showing that they are capable of doing activities that have positive effects, being even collateral ones. Nevertheless, the military elites are still capable of demonstrating their "craftsmanship" on battlefields, coming with a different attitude in contemporary wars. It is difficult, if not impossible, to consider mercenary troops able to carry out peacekeeping actions, but the change of their role in the current conflicts is quite visible. Globalization has faded the traditional boundaries of conflicts, providing opportunities for mercenaries to take on unconventional roles. Rather than just being involved in direct combat, they now also provide training, advice, and logistical support. Their adaptation to these multifaceted roles shows the versatility and adaptability of modern mercenaries.

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<sup>75</sup> Lindsey Cameron, Vincent Chetail, *Privatizing War: Private Military and Security Companies Under Public International Law*, New York: Cambridge University Press, 2013, pp. 66-70.

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