

*A Rational-constructivist Explanation for the Evolution and
Decline of the Norm against Mercenarism*

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The literature on international norms is rich and plentiful.¹ However, while several authors have examined the theme of norm evolution and the issue of why international norms evolve, the issue of why the direction of norm change could reverse on an issue has been largely unexplored.² This paper seeks to redress this failing by

¹ Norms are taken to mean standards of legitimate or illegitimate behavior rather than mere behavioral regularities. Norms are about behavior, not merely ideas, and involve a sense of "ought," defining how actors *should* behave and what kinds of activities or policy options are legitimate or illegitimate. This paper specifically focuses on norms of military practice, which can be defined as standards of legitimate or illegitimate military behaviors such as norms regulating the legitimacy of specific tactics or strategies or the use of specific weapons of war. Martha Finnemore, "Constructing Norms of Humanitarian Intervention," in *The Culture of National Security*, ed. Peter J. Katzenstein (New York: Columbia University Press, 1996), 158; Ann Florini, "The Evolution of International Norms," *International Studies Quarterly* 40, no. 3 (September 1996): 364; Audie Klotz, "Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions against South Africa," *International Organization* 49, no. 3 (Summer 1995): 461-462; Vaughn P. Shannon, "Norms are What States Make of Them: The Political Psychology of Norm Violation," *International Studies Quarterly* 44, no. 2 (June 2000): 297.

² Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organization* 58, no. 2 (Spring 2004): 239-241; Martha Finnemore, *Paradoxes in Humanitarian Intervention*, Symposium on Norms and Ethics of Humanitarian Intervention at the Center for Global Peace and Conflict Studies, University of California at Irvine; (Available from http://www.cgpac.uci.edu/research/working_papers/martha_finnemore_humanitarian_intervention.pdf), p. 2; Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca, NY: Cornell University Press, 2004), 1; Martha Finnemore and Kathryn Sikkink, "International Norm

tracing the evolution of the norm delegitimizing the use of mercenary soldiers to implement the defence policies of states (hereafter referred to as the norm against mercenarism) from its inception in the sixteenth century to its broad acceptance by state leaders in the nineteenth and early twentieth centuries. Further to this, it traces the late twentieth century movement toward accepting a new norm legitimizing the state use of mercenaries once again (hereafter known as the norm legitimizing mercenarism).³ The aim of this paper is to put forward a rational-constructivist framework to help explain the evolution of international norms and how this process can radically change course and begin to legitimize the very behavior that a norm had previous sought to delegitimize. As a result, this paper seeks to make a significant contribution to the study of both international norms and mercenarism.

This paper addresses four related questions: why do norms of military practice develop, spread, gain acceptance, and become internalized? Why are accepted norms sometimes abandoned in favour of contradictory norms? Why did many state leaders become convinced that citizen armies should be the accepted norm in modern military practice and adopt a norm delegitimizing the practice of using mercenaries to implement state defence policies? Why did some state leaders become convinced at the end of the twentieth century to adopt a new norm legitimizing the use of mercenaries to implement state defence policies once again?

In response to these questions, this paper hypothesizes that norms of military practice develop, spread, gain acceptance, and become internalized based largely on four key factors. First, norms of military practice benefit when a rationale outlining the utility of adopting the norm is developed and promoted. Second, these norms benefit when states champion the norm by successfully demonstrating the utility of adhering to

Dynamics and Political Change," *International Organization* 52, no. 4 (Autumn 1998): p. 891; Gary Goetz and Paul Diehl, "Toward a Theory of International Norms: Some Conceptual and Measurement Issues," *The Journal of Conflict Resolution* 36, no. 4 (December 1992): p. 638; Jeffrey Legro, "Which Norms Matter? Revisiting the 'Failure' of Internationalism," *International Organization* 51, no. 1 (Winter 1997): pp. 31-35; Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (New York, NY: Oxford University Press, 2000), p. 6.

³ Anna Leander, *Conditional Legitimacy, Reinterpreted Monopolies: Globalization and the Evolving State Monopoly on Legitimate Violence*, Copenhagen Peace Research Institute; (Available from <http://www.theglobalsite.ac.uk/press/205leander.htm>), p. 10; Janice Thomson, "State Practices, International Norms, and the Decline of Mercenarism," *International Studies Quarterly* 34, no. 1 (March 1990): pp. 24-27.

the norm's behavioral propositions. Third, these norms benefit when military circumstances render states receptive to the rationale outlining the utility of adopting the norm. Finally, these norms benefit when the rationale underpinning them is eventually transformed into a set of assumptions, largely unquestioned, about the utility of adhering to the norm and they become internalized. This essay theorizes that the process of norm decline functions largely along the same dynamics. Continuing this logic, the development, spread, acceptance, internalization and later rejection and replacement of the norm against mercenarism conformed to these dynamics.

This paper is composed of four main parts: first, it provides an overview of key concepts utilized in the paper. Second, it provides an overview of the theoretical assumptions guiding the rational-constructivist framework proposed in this paper. Third, it provides four key arguments structured around the four stage norm "life cycle" outlined by Martha Finnemore and Kathryn Sikkink that collectively make up the rational-constructivist explanation for norm evolution.⁴ Finally, it concludes with a summary of the findings of this study and a discussion of the implications of this work and future research that could derive from them.

Theoretical Framework

Rational-constructivism can be situated within the broader constructivist school of international relations. What these authors share is the notion that international relations and decisions taken by state leaders occur in a profoundly social context. States form a society constituted by a plethora of norms that, in the perspective of many constructivist scholars, both constrain and enable actors.⁵ In this way, constructivism assumes that any policy decision of consequence is taken within a dense normative web

⁴ Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 895.

⁵ Raymond Cohen, *Threat Perception in International Crisis* (Madison, WI: University of Wisconsin Press, 1979), p. 181; Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 891; Gregory Raymond, "Problems and Prospects in the Study of International Norms," *Mershon International Studies Review* 41, no. 2 (November 1997): p. 214; Randall Scheweller and David Priess, "A Tale of Two Realisms: Expanding the Institutions Debate," *Mershon International Studies Review* 41, no. 1 (May 1997): p. 3; Wheeler, *Saving Strangers*, p. 6.

and, consequently, that normative perceptions are what frame policy decisions since, absent normative claims, there would be no basis on which to decide.⁶

Rational-constructivism shares the traditional constructivist assumption that norms shape policy decisions. As a result, this framework assumes that the decision taken by certain state leaders to stop employing mercenaries was influenced by the acceptance of the norm against mercenarism by those same individuals. With this said, however, rational-constructivism assumes that analyzing how norms develop and spread should not be separated from the utilitarian perceptions of the actors involved in this process. As Martha Finnemore puts it, norms “are not divorced from power or interests.”⁷ Therefore, while this framework assumes that norms play a role in guiding future decisions once they have been accepted by state leaders, key questions for the framework concern why state leaders would adopt a norm in the first place and why would they sometimes choose to reject a norm.

The “rational” component of rational-constructivism should not be interpreted as strictly conforming to the tenets of traditional rational choice theory, which makes the highly implausible assumptions that actors possess unlimited information, time, and cognitive capacity on which to guide their decisions.⁸ Rather, “rational” in rational-constructivism merely refers to an assumption that actors involved in the process of norm evolution can and do think and reason about which norms might be useful to promote, adopt, and adhere to and which should be rejected.⁹ This thinking and reasoning may be faulty or biased or based on incomplete information, but it is assumed to occur and should not be ignored.¹⁰

This framework does not reject the core assumptions of constructivism; rather, it seeks to liberate constructivism from its self-imposed idealistic constraints. For too long, many traditional constructivists have been hampered by a steadfast rejection of any role for basic rationalism in favour of questionable non-rational motivations for norm

⁶ Finnemore, *Paradoxes in Humanitarian Intervention*, p. 2.

⁷ Finnemore, *The Purpose of Intervention*, p. 5.

⁸ Albert S. Lee, "Thick Rationality and the Missing 'Brute Fact': The Limits of Rationalist Incorporations of Norms and Ideas," *The Journal of Politics* 59, no. 4 (November 1997): pp. 1001-1039.

⁹ Florini, "The Evolution of International Norms," p. 377.

¹⁰ *Ibid.*

change.¹¹ This rejection is particularly hard to defend in the context of the norms of military practice where the implications of adopting a norm are so great that concerns over legitimacy or other similar explanations are problematic. Rational-constructivism is, therefore, an attempt to bridge this scholarly divide. Some scholars have already taken the first steps toward this goal, particularly Finnemore and Sikkink, who argue that “rationality cannot be separated from any politically significant episode of normative influence or normative change.”¹² Nonetheless, significantly more theoretical work is necessary to better flush out the relationship between norms and rationalism.

A Rational-constructivist Explanation for Norm Evolution and Decline: The Development of New Norms and the Importance of their Supporting Rationales

The notion that norms are constructions is commonly accepted in constructivist literature. Nonetheless, a particularly important, often neglected, element in determining whether any particular norm will be accepted by actors involved in the evolutionary process is the construction of the utility-based rationale for adopting and adhering to the norm. The first major theoretical proposition of rational-constructivism is that norms are or are not promoted and accepted based on the acceptance of this rationale. Similarly, a norm will be rejected and replaced with a contradictory norm on the basis of a more convincing rationale outlining the usefulness of adhering to the new norm. It is important to recognize that the rationales discussed here are not merely references to high level state interests like “survival”, but are the norm-specific logic explaining why adopting a norm is useful. These rationales provide a basis on which norms can be promoted to state leaders. The rationale tells state leaders, in effect, why they should accept and adhere to the norm and provides them a basis on which to decide.

Like norms themselves, the rationales for accepting norms do not simply materialize out of thin air. Rather, these rationales are developed and framed by norm entrepreneurs in relation to tangible problems in the world. They are premised on the assumption that, once adopted, norms do influence the behavior of actors possessing

¹¹ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” p. 898.

¹² *Ibid.*: p. 888.

the ability to actually effect real “on-the-ground” change. The importance of the rationale underpinning a norm is particularly apparent during the process of norm development. Finnemore and Sikkink explain that the distinguishing activity in this first stage of norm evolution is “persuasion by norm entrepreneurs.”¹³ Citing the work of Nadelman, Lumsdaine, and McElroy, Price demonstrates that norm entrepreneurship has become widely accepted in constructivist literature.¹⁴ Similarly, Florini concludes that “there is strong and growing evidence that norm entrepreneurs have been at work in the evolution of a wide range of norms.”¹⁵

Alexander Wendt captures traditional constructivist sentiment quite well in his critique of realism as a framework that sees politics as having “a material rather than a social basis.”¹⁶ Conversely, rational-constructivism posits that there need not be a stark tradeoff between the material and the social. Indeed, if one accepts the basic constructivist assumption that norms influence behavior, then the adoption of a norm by a state must be understood to have material consequences. The implications of adopting a norm are particularly significant in the context of norms of military practice because adopting and adhering to such a norm could grossly limit (or enhance) the military capacities of the adopting states. This concern over material outcomes is captured in the rationale underpinning the norm, which can, in fact, contain explicit references to the tangible effects expected from either adopting the norm or maintaining the normative status quo. In short, if a “there” actually exists out there, which traditional constructivists seem to accept and assume that norms effect, then it should not be a particularly difficult theoretical leap to recognize that the opposite is true: concerns over the material world and the consequences of a norm, if adopted, influence the development of the norm itself and serve as a basis on which entrepreneurs promote it to states. Surprisingly, however, this “logic of consequences” has been largely ignored in constructivist literature in favour of a “logic of appropriateness.”¹⁷

¹³ Ibid.: p. 895.

¹⁴ Cited in Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines,” *International Organization* 52, no. 3 (Summer 1998): p. 616.

¹⁵ Florini, “The Evolution of International Norms,” p. 375.

¹⁶ Alexander Wendt, *Social Theory of International Politics* (Cambridge, UK: Cambridge University Press, 1999), pp. 13-14.

¹⁷ Jennifer Sterling-Folker, “Competing Paradigms or Birds of a Feather? Constructivism and Neoliberal Institutionalism Compared,” *International Studies Quarterly* 44, no. 1 (March 2000): 99.

Jennifer Sterling-Folker reasons that this theoretical focus was chosen to avoid a “demand driven trap” that has supposedly plagued neo-functionalism, neo-liberal institutionalism, and realism.¹⁸ Yet, by ignoring the logic of consequences, traditional constructivist literature discounts fundamental constructivist assumptions about the power of norms in international relations.

Norms are themselves merely standards of legitimate or illegitimate behavior and, therefore, provide no basis on which to judge their acceptability on their own. Norm entrepreneurs are vitally important for they bring problems to the attention of state leaders and present a rationale to explain why adopting a norm legitimizing or delegitimizing certain behaviors could help solve the perceived problem, therefore increasing or decreasing the likelihood that this behavior will occur.¹⁹ A norm lacking this rationale has less chance of success because state leaders have less reason to accept it and change their behavior in order to conform to it. It is important, however, not to assume away the possibility of individual agency and interpretation of utility in the promotion of norms, since norm entrepreneurs craft the utility-based rationale for a norm in particular ways based on their own perception of an issue or problem. The norm against mercenarism proves a useful case study to illustrate why this is so.

The case of the norm against mercenarism is especially illustrative because Niccolo Machiavelli, this norm’s chief entrepreneur, provides a particularly straightforward rationale for its adoption. Felix Gilbert of Princeton University, an expert on the writings of Machiavelli, argues forcefully that “Machiavelli was... concerned with a general norm valid for the military organizations of all states and times.”²⁰ Machiavelli’s fundamental argument was that the norm of state military practice should be the use of citizen armies made up of the inhabitants of the state for which the armies are fighting. This, in turn, was based explicitly on Machiavelli’s perceptions of mercenaries’ relative utility for implementing the defence policies of states and the problems caused by employing mercenaries. Indeed, he argued plainly

¹⁸ Ibid.

¹⁹ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” p. 914.

²⁰ Felix Gilbert, “Machiavelli: The Renaissance of the Art of War,” in *Makers of Modern Strategy: From Machiavelli to the Nuclear Age*, ed. Peter Paret (Princeton, NJ: Princeton University Press, 1986), p. 30.

that “the present ruin of Italy is the result of nothing else than the reliance upon mercenaries.”²¹

Machiavelli identified three key deficiencies in mercenaries that he felt should be the basis for adopting a norm delegitimizing their further use. First, he pointed to the apparent ineffectiveness of mercenary forces in the face of citizen militia. In particular, he referenced his experience on a mission with Cesare Borgia to Sinigaglia in 1502, wherein he observed Borgia’s citizen-based militia slaughter several groups of mercenaries.²² Second, Machiavelli argued that mercenaries were cowards. Describing mercenaries as “bold among friends, among enemies cowardly,” he pointed to a number of historical examples to show that mercenaries were mere poseurs on the battlefield and concerned only with getting paid but not accomplishing the objectives of their paymasters.²³ In his *Florentine Histories*, for example, Machiavelli describes the battle of Zagonaro, fought between opposing mercenary groups in 1423, as one in which “none was killed except Lodovico degli Obizzi and he, together with two of his men, was thrown from his horse and suffocated in the mud.”²⁴ Machiavelli’s point is as clear today as it was at the time it was written: mercenaries are cowards and they will seek to preserve their own life to the detriment of their clients’ goals.

Finally, Machiavelli’s most famous and powerful critique of mercenaries’ utility was that mercenaries were unreliable. Indeed, the strategist argued quite plainly that private military forces are “unfaithful,” and that “they will always aspire to their own greatness, either by oppressing you who are their boss or by oppressing others outside of your intention.”²⁵ In support of this, he pointed to the Milanese experience in their war with the Venetians in 1448. Milan’s hired force in that conflict crushed the forces of Venice but then united with their defeated foe and attacked Milan together.²⁶ Based on

²¹ Niccolo Machiavelli, *The Prince*, trans. Harvey C. Mansfield (Chicago, IL: University of Chicago Press, 1985), pp. 48-53.

²² Gilbert, "Machiavelli," p. 18.

²³ Machiavelli, *The Prince*, pp. 48-53.

²⁴ Niccolo Machiavelli, *Florentine Histories*, trans. Laura F. Banfield and Harvey C. Mansfield (Princeton, NJ: Princeton University Press, 1990), p. 184.

²⁵ Machiavelli, *The Prince*, pp. 48-49.

²⁶ *Ibid.*, p. 50.

this, Machiavelli argued that any responsible prince “cannot trust” mercenary troops if he wishes to maintain his hold on power.²⁷

Machiavelli clearly worked to delegitimize the use of mercenary forces in favour of citizen armies and based his support for norm change on an explicit rationale outlining the disutility of using mercenaries. The point here is that the process of developing a norm is really about making a case by presenting arguments for why a norm should be adopted and adhered to as part of legitimate state practice. As Finnemore and Sikkink correctly point out, “new norms never enter a normative vacuum but instead emerge in a highly contested normative space where they must compete with other norms and perceptions of interest.”²⁸ Thus, the role of norm entrepreneurs in the process of norm creation and promotion is not one of a judge, examining empirical evidence in an impartial manner. Rather, it is more akin to the role of an attorney in a court of law where the entrepreneur puts forth a position and supports it with carefully crafted arguments to overcome alternative perspectives.

This argument is consistent with the notion that norms are, ultimately, the constructions of rational individuals or groups. As Finnemore and Sikkink put it, “empirical research on transnational norm entrepreneurs makes it abundantly clear that these actors are extremely rational and, indeed, very sophisticated in their means-ends calculations about how to achieve their goals.”²⁹ However, while these authors emphasize highly advanced rational-choice calculations, this is neither a necessary nor a particularly plausible assumption to make regarding the process of norm development and promotion. What is important is to recognize the basic point that norm entrepreneurs promote their particular norms in an effort to get what they want: a change in state behavior that they think will help address a perceived problem.³⁰

The role of norm entrepreneurs in the process of trying to convince state leaders to reject an existing norm and adopt a contradictory one in its place is broadly similar. Indeed, this process is one wherein norm entrepreneurs attempt to demonstrate that the basic logic for continuing to adhere to the current norm is flawed, to demonstrate that

²⁷ Ibid., p. 49.

²⁸ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” p. 897.

²⁹ Ibid., p. 910.

³⁰ Price, “Reversing the Gun Sights,” p. 622.

adhering to the norm is creating problems, and to present a rationale for why adopting a new norm would help resolve some of the problems not being addressed or even those being caused by the prevailing norm.

A whole host of new norm entrepreneurs arose after the end of the Cold War to argue their case that the existing norm against mercenarism was flawed and that a new norm legitimizing mercenarism should be adopted in its place. American scholar Doug Brooks is likely the most active entrepreneur developing and promoting the new norm. Indeed, Brooks formalized his role as a norm entrepreneur by founding the International Peace Operations Association, a lobby organization working on behalf of mercenary firms and other private security companies “committed to working with policy-makers in government and opinion leaders internationally to improve the climate for peace, and to raise the profile and acceptance of association members in the world foreign policy community.”³¹ True to his role, since the mid-1990s, he has spoken to governments around the world and has appeared before the US House of Representatives attacking the current rationale underpinning the norm against mercenarism and promoting a rationale for adopting a new norm legitimizing mercenarism.³²

For example, Brooks has repeatedly attacked the notion that modern mercenaries are dangerous and a threat to the security of states using them.³³ In addition, he has provided explicit utility-based arguments for why the international community should chose to use mercenaries once again. These arguments include the belief that Western states’ refusal to contribute soldiers to help stabilize conflicts in many parts of the world, but particularly Africa, is fostering death and instability in these regions.³⁴ Moreover, Brooks has argued that mercenaries can help share the security burden

³¹ International Peace Operations Association, “IPOA’s Mission is to End Wars,” (International Peace Operations Association, 2000), p. 1.

³² Doug Brooks, “Doug Brooks’ Congressional Testimony,” (Washington, DC: US House of Representatives, Committee on International Relations, Subcommittee on Africa, October 8, 2004).

³³ Doug Brooks, *Private Military Service Providers: Africa’s Welcome Pariahs*, Centre de Recherches Entreprises et Societes; (Available from <http://www.sandline.com/hotlinks/CRESchapter.pdf>), pp. 1-10.

³⁴ Brooks, “Doug Brooks’ Congressional Testimony,” pp. 1-7.

currently being held by military forces in Western states that were drastically reduced following the end of the Cold War.³⁵

Tim Spicer, the former president of a mercenary firm, Sandline International, has also lobbied hard to undermine the norm against mercenarism and promote a legitimizing norm in its place. Indeed, Spicer's firm not only maintained a publicly available online database of pro-mercenary materials, he also published a comment piece in the London-based "Sunday Times" in May of 1999, in which he outlined an explicit utility-based rationale for accepting modern mercenary firms as legitimate:

I sometimes wonder if the people who have talked so disparagingly of 'mercenaries' from the comfort of their armchairs in recent weeks have any idea of what a dangerous world it is out there. Since the end of the cold war smoldering ethnic conflicts have broken out all over the globe. In the old days, one or other of the superpowers would have snuffed them out. Now, the forces of the traditional 'policemen' are depleted. Most have neither the resources nor the political will to involve themselves in faraway conflicts, particularly if it is not nationally significant...Sandline and other (mercenary firms) are part of a wholly new military phenomenon. Could things have been different in Burundi or Rwanda if an effective military force had been deployed quickly? The answer is yes. Thousands of lives could have been saved but nobody went.³⁶

These examples make clear that, just as Machiavelli promoted a norm to delegitimize the use of mercenaries because of their perceived disutility, contemporary norm entrepreneurs like Brooks and Spicer are actively promoting a utility-based rationale for accepting a new norm to legitimize mercenaries once again. All of these entrepreneurs make specific reference to tangible problems and draw clear links to the potential benefits of adopting a new norm of military practice to help address these problems. The important dynamic observable in these examples is not the norm itself but rather the basis on which it is being promoted to states. Indeed, this skill of crafting

³⁵ Doug Brooks, "Hope for the 'Hopeless Continent': Mercenaries," *Traders: Journal for the Southern African Region*, no. 3 (July–October 2000): pp. 1-10.

³⁶ Jakkie Cilliers and Richard Cornwell, "Mercenaries and the Privatisation of Security in Africa," *African Security Review* 8, no. 2 (1999): p. 6.

a coherent rationale in support of a norm may be what separates effective norm entrepreneurs from their ineffective counterparts.

The Role of Lead States as Champions for New Norms and their Supporting Rationales

The role of utility-based rationales in driving the evolution of a norm forward is readily apparent at the tipping or threshold points when norm entrepreneurs have persuaded a critical mass of states to become norm leaders and adopt new norms.³⁷ As Finnemore and Price explain, state leaders are receptive to being taught about what is useful.³⁸ Therefore, the second theoretical proposition of rational-constructivism concerns the special role played by the first few states to adopt a new norm. The successful spread of a norm to the broader international community, which will be discussed in detail in the next section, is greatly assisted if the first few states that adopt the norm do something to support the validity of the theoretical rationale underpinning it. In other words, the lead states can help spread a norm to other states by acting as champions for that norm and by demonstrating that adopting the norm was, in fact, useful. As Florini put it, "because it is difficult to know how successful a particular strategy actually is compared to other possible behaviors, people look for clues as to which behavior they should adopt."³⁹ In order to accomplish this, champion states should be positively affected by the outcome of adopting and adhering to the norm. Indeed, if adhering to the norm does not produce noticeable positive effects for the champion state, then this removes a powerful reason for other states in the international community to adopt the new norm themselves.

Rational-constructivism posits that demonstrably useful norms will be adopted by other states. Thus, rather than assessing all conceivable alternatives, the wider international community assesses the information about alternative norms of behavior that are readily available and adopt those that have proven most successful for others. Some traditional constructivist scholars have voiced concerns over the difficulty that

³⁷ Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 901.

³⁸ Price, "Reversing the Gun Sights," p. 621.

³⁹ Florini, "The Evolution of International Norms," p. 375.

observer states might have in determining the effect of a single norm on the fortunes of a state. For example, Boyd and Richardson note that “because the world is complicated and poorly understood and the effects of many decisions are experienced over the course of a lifetime, estimates about the effects of alternative behaviors will be imperfect.”⁴⁰ Nonetheless, while their logic may apply very well to minor or subtle behavioral norms, norms that set standards of military practice are likely to have noticeable effects that should be observable no later than the next major conflict involving a champion state.

During his lifetime, Machiavelli’s norm against mercenarism and the utility-based rationale underpinning it largely fell on the deaf ears of uninterested statesmen. Although he created a citizens’ militia in an unsuccessful attempt to demonstrate the validity of his arguments, using private soldiers to implement state defence policy continued to be the norm for several centuries.⁴¹ Nevertheless, Machiavelli’s norm and its accompanying rationale remained a popular topic in strategic literature and were promoted by a number of other norm entrepreneurs, convinced by his rationale. As one twentieth century scholar put it, “military thought since the sixteenth century has proceeded on the foundations that Machiavelli laid.”⁴²

Lipsius, a great admirer of Machiavelli, incorporated both the norm against mercenarism and Machiavelli’s utility-based rationale into his writings.⁴³ He repeated Machiavelli’s notion that the ideal soldier was motivated by service to his community and that, therefore, soldiers had to be citizens of the community for which they fought.⁴⁴ In addition, like Machiavelli, Lipsius argued in favour of adopting a norm of citizen-soldiers because he felt that citizens would prove to be more disciplined and effective fighters than mercenary troops.⁴⁵

⁴⁰ Robert Boyd and Peter J. Richardson, *Culture and the Evolutionary Process* (Chicago, IL: University of Chicago Press, 1995), p. 12.

⁴¹ Peter W. Singer, *Corporate Warriors: The Rise of the Privatized Military Industry* (Ithaca, NY: Cornell University Press, 2003), pp. 33, 35.

⁴² Gilbert, "Machiavelli," pp. 29-30.

⁴³ David C. Rapoport, "The Contemporary Significance of a Traditional Subject in Political Theory," *Political Studies* 13, no. 2 (June 1964): pp. 178-183.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

Maurice of Nassau, being both a scholar and a practitioner of military practice, served as the vessel whereby the norm against mercenarism transitioned away from the writings of norm entrepreneurs and entered into practice in an influential military state: the Netherlands in the sixteenth century. As a pupil of Lipsius, Maurice tested and supported his teacher's rationale positing the superiority of citizen-militias with battlefield results. He demonstrated that "compared to the mercenaries of the preceding period," citizen soldiers were "reasonably efficient instruments of state policy, responding in a predictable pattern of obedience to the orders of the defined political-military command."⁴⁶ Maurice confirmed **this during the successful Dutch Revolt against Spanish domination at the end of the sixteenth century and, particularly, through the Dutch victory at the battle of Nieupoort in 1600.** What he showed through these events was that an army of citizens could be made into an effective and courageous fighting force in the face of the mercenary troops employed by Spain and that these citizens would continue to fight over a period of many years out of a sense of loyalty to their homeland, confirming both Machiavelli's and Lipsius' rationale for adopting the norm.⁴⁷

After the battle of Nieupoort, the Dutch citizen-based army was regarded as the finest in Europe and, as Gunther Rothenberg observed, **"the Low countries became the 'Military Schools' where most of the Youth of Europe did learn their Military Exercises."**⁴⁸ He argues plainly that the "Dutch model" of military practice, with its emphasis on citizen-soldiers, set the standard for European armies.⁴⁹ Rothenberg went on to argue that **"it was only then that modern armies, founded on the principle... of discipline and social**

⁴⁶ Gunther E. Rothenberg, "Maurice of Nassau, Gustavus Adolphus, Raimondo Montecuccoli, and the 'Military Revolution' of the Seventeenth Century," in *Makers of Modern Strategy: From Machiavelli to the Nuclear Age*, ed. Peter Paret (Princeton, NJ: Princeton University Press, 1986), pp. 35-36.

⁴⁷ World History at the KMLA, *The Showdown: The Dutch Revolt, 1572-1609*, World History at the KMLA; (Available from <http://www.zum.de/whkmla/region/lowcountries/dutchrevolt.html>), pp. 1-6.

⁴⁸ Rothenberg, "Maurice of Nassau, Gustavus Adolphus, Raimondo Montecuccoli, and the 'Military Revolution' of the Seventeenth Century," p. 36.

⁴⁹ Ibid.

obligation, took the shape they have retained to the present day.”⁵⁰ The effect of Maurice’s actions on other European states is quite clear. If other European states had not noticed and acknowledged how successful the Netherlands had been at defeating Spain’s mercenary armies with its citizen-based force, it is unlikely that other states would have sent their officers to learn more about standards of military practice from a state that had only recently won its independence.

Maurice’s role as a norm champion is particularly illustrative: if he had not made the bold decision to adopt and implement the new norm and subsequently prove what had previously been a purely theoretical rationale, it is unclear how the norm against mercenarism could have transitioned from the writings of strategic thinkers into actual state practice. Events could plausibly have been different if Maurice had failed, however. Certainly, if a champion state fails to demonstrate the utility of adopting a new norm, then the norm is less likely to be copied by other states. This argument is based directly on the constructivist assumption that, once adopted, norms do influence the actions and fortunes of states and, therefore, have tangible effects. As a result, if other states observe a norm champion fail and can attribute that failure to the new norm, then other states are less likely to copy the champion and adopt the norm for themselves.

This argument also holds in the process of norm decline and even when the norm champions are not filling the role of norm champions intentionally. As Florini put it, the demonstration effect of champion states is equally powerful “even if the emulated actor is not attempting to communicate its behavior.”⁵¹ For example, the governments of Angola and Sierra Leone became the unwitting champions of the new norm

⁵⁰ Ibid., pp. 36-37.

⁵¹ Florini, "The Evolution of International Norms," p. 375.

legitimizing mercenarism when their governments chose to hire a South Africa-based mercenary firm known as Executive Outcomes to help stave off rebel attacks in the mid-1990s.⁵² These operations, both of which were considered highly successful by outside observers, served to directly undermine the rationale behind the existing norm against mercenarism and provide support for the rationale behind the new and contradictory norm. Specifically, these actions demonstrated that mercenary troops were highly courageous because they engaged a much larger enemy force, that they were highly effective fighters because they defeated their more numerous opponents while taking minimal casualties, and that they were very loyal to their employers for they continued fighting even after taking casualties.⁵³ In addition, these actions demonstrated that mercenaries could be a source of stability and order rather than disorder as Machiavelli and other adherents to the norm against mercenarism had argued. Finally, these actions confirmed that mercenaries were particularly useful in providing stability in conflicts that powerful Western governments refused to address.

These lessons were not lost on the broader international community for it was these actions that states such as Great Britain and the United States pointed to when reevaluating their stance on the legitimacy of using mercenary troops. A British parliamentary committee tasked with examining the potential legitimate use of mercenaries by the British government noted that Executive Outcomes played a “critical part” in Angola in

⁵² J. R. Baroody, *The Role of Corporate Defence Services in International Security Strategy*, National Defence University; (Available from <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA432149&Location=U2&doc=GetTRDoc.pdf>), 6; Singer, *Corporate Warriors*, p. 112.

⁵³ James R. Davis, *Fortune's Warriors: Private Armies and the New World Order* (Vancouver, BC: Douglas & McIntyre Ltd., 2000), p. 142; Herbert Howe, *Ambiguous Order: Military Forces in African States* (Boulder, CO: Lynne Rienner Publishers, 2001), p. 199; Kevin O'Brien, "Private Military Companies and African Security: 1990-98," in *Mercenaries: An African Security Dilemma*, ed. Abdel-Fatau Musah and J. 'Kayode Fayemi (Sterling, VA: Pluto Press, 2000), p. 52; David Shearer, *Private Armies and Military Intervention* (New York, NY: Oxford University Press, 1998), p. 48; Singer, *Corporate Warriors*, p. 108.

helping to secure that country.⁵⁴ **Similar observations were voiced by** Ambassador Johnnie Carson, Principle Deputy Assistant Secretary of State for African Affairs for the US State Department, who argued that “In desperation, the (Government of Sierra Leone) hired the mercenary firm Executive Outcomes. Within a few weeks, EO pushed the RUF back into its base camps and restored security to most of Sierra Leone.”⁵⁵ Had Sierra Leone’s and Angola’s employment of Executive Outcomes failed, it is probable that the rationale behind the norm against mercenarism would have remained intact. However, because these operations were successful, they greatly undermined the rationale underpinning the norm against employing mercenary troops.

The special role of champion states highlights the reality that this stage in the process of norm evolution is one of trial and error. Although some scholars, particularly Robert Axelrod, consider trial and error to be non-rational, rational-constructivism posits that this process is compatible with assumptions of bounded rationality wherein actors have limited information and cognitive capacity.⁵⁶ Trial and error is fundamentally a process whereby actors attempt an action that they think might be useful in achieving a goal. If that action fails, then the actor will learn from the experience and attempt something different until they settle on an action that does work. Champion states unwittingly undertake a trial and error process on behalf of the wider international community when they adopt and adhere to a new norm. The wider international community can learn from the successes and failures of champion states at no cost to themselves. This provides a basis for copying successful norms and rejecting failed ones. **With this said, however, even when a norm champion successfully demonstrates the utility of a new norm, the wider adoption of that norm by the international community of states cannot be explained solely on these actions. As the following section demonstrates, circumstances beyond the control of norm champions also condition a norm’s continued evolution.**

⁵⁴ Richard Norton-Taylor, "MPs call for controls on military firms," *The Guardian*, August 2, 2002.

⁵⁵ Johnnie Carson, *Testimony by Ambassador Johnnie Carson Principal Deputy Assistant Secretary for African Affairs Hearing on Sierra Leone Before the House Subcommittee on Africa*, Sierra Leone Web; (Available from <http://www.sierra-leone.org/Other-Conflict/US-061198.html>), p. 3.

⁵⁶ Robert Axelrod, "An Evolutionary Approach to Norms," *American Political Science Review* 80, no. 4 (December 1986): p. 1097.

Norm Cascade and the Influence of Military Circumstances on the Acceptance of Norms and their Supporting Rationales

The third theoretical proposition of rational-constructivism is that prevailing military circumstances condition the acceptance of the rationale underpinning a norm of military practice by state leaders. As constructivist scholar Ann Florini put it, “a norm acquires legitimacy within the rule community when it is itself a reasonable behavioral response to the environmental conditions facing the members of the community.”⁵⁷ Therefore, while the learning and emulation dynamic discussed earlier certainly applies, the lens of circumstances conditions the receptiveness of states to the lessons taught by others.⁵⁸

The example set by Maurice and the Netherlands when they adopted the norm against mercenarism was recognized and studied by other European scholar-practitioners.⁵⁹ Yet, other major European powers were slow to fully accept the rationale for adopting the norm and put it into practice. For the purposes of this paper, the experiences of Prussia and Great Britain will be examined. These states are recognized as two of the most important and influential in military affairs in early modern Europe.⁶⁰ As a result, they serve as a good measure of when the norm against mercenarism became generally accepted state practice.

Janice Thomson, one of the leading authorities on the evolution of the norm against mercenarism, compiled figures of the composition of major European militaries in the eighteenth and nineteenth centuries. In 1743, for example, 66 percent of Prussia’s military was made up of foreign mercenaries.⁶¹ This indicates clearly that the norm against mercenarism had not taken hold in that state at that time. Similarly, 54 percent

⁵⁷ Florini, "The Evolution of International Norms," p. 376.

⁵⁸ Raymond, "Problems and Prospects in the Study of International Norms," p. 209.

⁵⁹ Rothenberg, "Maurice of Nassau, Gustavus Adolphus, Raimondo Montecuccoli, and the 'Military Revolution' of the Seventeenth Century," p. 36.

⁶⁰ Deborah Avant, "From Mercenaries to Citizen Armies," *International Organization* 54 (Winter 2000): p. 59.

⁶¹ Janice E. Thomson, *Mercenaries, Pirates, and Sovereigns* (Princeton, NJ: Princeton University Press, 1994), p. 29.

of the British military was made up of mercenaries in 1701.⁶² These numbers fell significantly throughout the 1700s, resulting in far less than 50 percent of Prussian forces being comprised of mercenaries by the early 1800s and only 32 percent of British forces being made up of mercenaries in 1778.⁶³

Although the writings of Machiavelli and other like-minded norm entrepreneurs presented a convincing case for Maurice of Nassau, his perspective was itself likely conditioned by the circumstances of Dutch military history. It is telling that the norm against mercenarism first gained acceptance amongst the leadership of a conquered state rather than a conquering power. The Netherlands of the sixteenth century, like other European military powers of the era, had relied heavily on mercenary troops for its defence in the past but, unlike some other European powers, these troops were not effective enough to prevent Spain's conquest of the Netherlands.⁶⁴ As a result of Dutch military experience,, therefore, Maurice, was logically more receptive to radical new thinking about norms of military practice. Thus, circumstances may have conditioned the acceptance of the norm and the tenets of its rationale.

Prussia and Great Britain, in contrast, continued to use mercenaries in large numbers long after the Netherlands had stopped because, to put it simply, mercenaries continued to prove useful to them. For most of its history after the Norman conquest, the British forces were made up primarily of mercenary troops because private soldiers were perceived to be more useful than citizen/subject-soldiers. Indeed, Michael Prestwich provides a number of convincing examples in his *Armies and Warfare in the Middle Ages: The English Experience* documenting how mercenary troops were "far more skilled" than troops raised through levy and that mercenary forces tended to crush militias whenever they clashed.⁶⁵ Similarly, French historian Jacques Bousard demonstrated that the practice of using mercenaries grew during the feudal age precisely because the vassal system allowed the noble "warrior class" of Europe to hide behind strict 40 day limitations on their annual military service.⁶⁶ Mercenary troops,

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Rothenberg, "Maurice of Nassau, Gustavus Adolphus, Raimondo Montecuccoli, and the 'Military Revolution' of the Seventeenth Century," p. 36.

⁶⁵ Michael Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven, CT: Yale University Press, 1996), pp. 148-149.

⁶⁶ Cited in Ibid., p. 149.

conversely, were quite willing to fight anywhere and at any time. Beyond this, Prestwich argues that mercenary forces tended to be more loyal to the political leaders of England than armies composed of their own subjects.⁶⁷ Mercenaries had rightfully earned their position as the backbone of the British armed forces and this perception of their utility proved resistant to modification despite the contrary logic being accepted by scholars and other state leaders.

Prussia, similarly, had built itself up as the preeminent German state amongst a host of competing principalities using largely mercenary troops.⁶⁸ In the early eighteenth century, mercenaries were the basis for Prussian power in Europe. Consequently, the notion that a citizen army could perform even better, as Maurice had shown it could for the Netherlands, was, to put it plainly, a tough sell. Taking these examples into account, tangible success in the status quo serves as a powerful counter-argument to rationales underpinning a norm calling for a new standard of military practice.

What changed this perception was a rapid transformation in the circumstances of British and Prussian military experience. The British adopted the norm against mercenarism only after their crushing defeat in the American Revolution. Mercenaries primarily drawn from the region of Hesse-Castle in Germany, which led to their common name "Hessians," served as the vanguard elements of British forces attempting to keep the American colonies under British rule.⁶⁹ These troops performed extremely well for much of the Revolutionary War but the main elements were slaughtered by citizen soldiers from the colonies after the Hessians were surprised on Christmas Day 1776 in a state of drunken paralysis. Discipline amongst the mercenaries had broken down so extensively that officers neglected to send out advanced patrols or post adequate sentries to monitor the horizon.⁷⁰ As a result, when the American forces

⁶⁷ Ibid., pp. 150-151.

⁶⁸ Hajo Holborn, "The Prusso-German School: Moltke and the Rise of the General Staff," in *Makers of Modern Strategy: From Machiavelli to the Nuclear Age*, ed. Peter Paret (Princeton, NJ: Princeton University Press, 1986), p. 282.

⁶⁹ William R. Forstchen, "The Hessians in America," in *Mercs: True Stories of Mercenaries in Action*, ed. Bill Fawcett (New York, NY: Avon Books, 1999), p. 46.

⁷⁰ Ibid., p. 50.

attacked, they caught the Hessians completely unaware and slaughtered almost the entire force while suffering only two casualties.⁷¹

This demonstrable lapse in discipline and fighting prowess painted a far more vivid picture of the military effectiveness of mercenaries for the British government than Machiavelli's prose or Maurice's experience were capable of doing alone. Following the shock of losing the American colonies, British military reforms were swift, motivated by one primary sentiment. Not only had Britain suffered its worst defeat in centuries, but it could trace that defeat directly to the use of mercenary soldiers. As a result, Britain was finally able to accept the rationale for adopting the norm against mercenarism and, upon adopting the norm, drastically reduced the proportion of mercenaries in its armed forces.⁷²

Prussia's adoption of the norm can also be traced to changing military circumstances that made the state receptive to the norm's rationale. Prussia interpreted French victories over mercenaries hired by Prussia at Auserstadt and Jena during the Napoleonic Wars "as a testament to the value of citizen soldiers."⁷³ Even more important was the crushing victory achieved over the French by a force of Prussian citizen-soldiers in 1813.⁷⁴ Following these events, a commission proposed rejecting the state's heavy reliance on mercenaries and promoted a practice to "raise and inspire the spirit of the army, to bring the army and the nation into a more intimate union, and to guide its characteristic and exalted destiny."⁷⁵ In other words, the commission called for a citizen army.

France, conversely, never adopted the norm against mercenarism precisely because the circumstances of its own military experience never made it receptive to the rationale that mercenaries were not useful troops. By 1798, France had vastly increased its reliance on foreign troops, despite the "vaunted virtues" of citizen-soldiers.⁷⁶ In fact, while Prussia and Great Britain were reducing the proportion of mercenary troops in

⁷¹ Ibid., p. 55.

⁷² Thomson, *Mercenaries, Pirates, and Sovereigns*, p. 29.

⁷³ Avant, "From Mercenaries to Citizen Armies," p. 59.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ James Larry Taulbee, "In Defense of the Mercenary Option: Modern Conflict, Liberal Premises, and Weak States," (Convention of the International Studies Association, July 2001), p. 17; James Larry Taulbee, "Reflections on the Mercenary Option," *Small Wars and Insurgencies* 9, no. 2 (Fall 1998): pp. 145-163.

their armed forces, France increased the proportion of mercenary soldiers in its army from 22 to 33 percent by the early nineteenth century.⁷⁷ As Deborah Avant put it, French military leaders thought that mercenaries “fought better than natives,” and “performed well in the Napoleonic Wars.”⁷⁸ As a result, while Prussia and Great Britain looked to radical ideas to help reform their armies in the wake of crushing defeats, France never saw the need to do so. Moreover, France moved in the opposite direction and completely rejected the norm upon creating its “legion of foreigners” in 1830, a force of foreign mercenaries serving on a short-term contractual basis that is still in use today.⁷⁹

Circumstances also appear to condition which states will be receptive to abandoning an existing norm in favour of a new and contradictory one. It is telling that the governments of Sierra Leone, Angola, and Papua New Guinea chose to hire a foreign mercenary force only after their calls for help were rejected by the international community.⁸⁰ As Papua New Guinean Prime Minister Sir Julius Chan explained, “we... have requested the Australians support us in providing the necessary specialist training and equipment... They have consistently declined and therefore I had no choice but to go to the private sector.”⁸¹ It is also telling that the United States and Great Britain became receptive to the idea of using mercenary troops to help carry out their defence policies for the first time in over a century at precisely the time when these states decided to engage in two large-scale conflicts without the active support of their traditional allies. Indeed, when confronted with circumstances wherein the demand for combat troops in Iraq and Afghanistan far outstripped the available supply of professional citizen-soldiers, the American and British governments finally became receptive to the notion that employing mercenaries was a higher useful policy option that deserved legitimacy and, consequently, thousands of private soldiers were hired to take part in these conflicts.⁸²

⁷⁷ Thomson, *Mercenaries, Pirates, and Sovereigns*, p. 29.

⁷⁸ Avant, “From Mercenaries to Citizen Armies,” p. 46.

⁷⁹ Anthony Rogers, *Someone Else’s War: Mercenaries from 1960 to the Present* (London, UK: Harper Collins, 1998), p. 261.

⁸⁰ Singer, *Corporate Warriors*, p. 121.

⁸¹ Cited in Simon Sheppard, “Foot Soldiers of the New World Order: The Rise of the Corporate Military,” *New Left Review*, no. 228 (March/April 1998): p. 129.

⁸² Ian Bruce, “SAS fears losing men to American ‘mercenary’ force,” *The Herald*, 19March 2004.

Executive Outcomes' successful actions in Sierra Leone and Angola certainly set the stage for rejecting the norm against mercenarism but a concrete need for private soldiers is what finally made the practice acceptable to the two most influential states in contemporary military practice. A policy document from the US Department of Defence makes this clear. It cites "downsizing the military following the Gulf War," and "increased operation tempo," as the reasons for using private soldiers on a large scale for the first time in a century.⁸³ Reflecting on the current status of the norm legitimizing mercenarism, Anna Leander rightly summarizes that "the commodification of security... is more widely accepted than at any other time during the past century."⁸⁴

Norm Internalization and the Transformation of Rationales into Assumptions

Norm internalization is the final stage in the evolution of a norm. Although it can be extremely difficult to discern whether a norm has been truly internalized, an international norm can be considered to have reached this stage when it has become widespread and broadly accepted in the international community. To put it another way, norms that have reached this stage have a certain "taken-for-granted" status.⁸⁵ Thus, the fourth theoretical proposition of rational-constructivism is that the internalization of a norm is conditioned on the internalization of the rationale on which the norm is based. If an actor finds itself routinely asking "why do I believe this?" or "why do I support this?" then the norm itself is not internalized. Conversely, once an actor stops actively questioning why it believes something, then that belief is truly internalized. A norm, therefore, becomes internalized when the rationales underpinning it are transformed into a set of largely unquestioned assumptions. During the rest of the evolution process, the rationales are the cornerstone of debates and decisions about whether to accept and promote a norm and it is only when debate ceases over the reasons why a norm should be adhered to that the norm is internalized.

⁸³ US Department of Defence, "Contractor Support in the Theatre of Operations," (US Department of Defence March 2001).

⁸⁴ Anna Leander, "The Commodification of Violence: Private Military Companies and African States," in *The Making of the Africa-Nation: Pan-Africanism and the African Renaissance*, ed. Mammo Muchie (London, UK: Adonis-Abbey, 2003).

⁸⁵ Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 904.

Contemporary scholars rightly argue that the norm against mercenarism was completely internalized by the twentieth century.⁸⁶ John Keegan, the renowned military historian, reflects this reality, asserting that states that resort to the use of mercenaries have “sold their birthright.”⁸⁷ Demonstrating his own acceptance of the norm against mercenarism, Keegan points back to Machiavelli’s time and repeats the Italian scholars’ utility-based rationale that “mercenaries... are useless and dangerous, and if anyone supports his state by the arms of mercenaries, he will never stand firm or secure.”⁸⁸ Keegan’s thoughts are a reflection of the “taken for granted” status of the norm against mercenarism that constructivists argue “makes conformance with the norm almost automatic” for he does not even employ twentieth century examples to justify his belief.⁸⁹ What would be the point? Mercenaries are useless and dangerous and people have known that for centuries, haven’t they?

If eminent historians can blindly adhere to a norm like that against mercenarism, it is easy to understand how state leaders could as well. Twentieth century state practice reflects this. Despite the persistent use by the British government of a small number of Gurkha soldiers drawn from its former colony of Nepal, no European or North American country save for France openly utilized mercenary troops in the conduct of their defence policies.⁹⁰ As Thomson describes, “the normal twentieth-century army is composed solely of citizen-soldiers and officers under the exclusive authority of the home state.”⁹¹ Thomson goes on to summarize the prevailing perspective during the final years of the Cold War era: “these practices of the twentieth century reflect a powerful norm against... mercenarism,” and that the few covert uses of mercenaries by some states in the latter half of the twentieth century “appear to us as anomalies precisely because they are only marginally legitimate.”⁹² James Taulbee emphasized the internalization of the rationale underpinning this norm, arguing that “the criticisms of Machiavelli and his fellow travelers have assumed the status of gospel,” and that

⁸⁶ Leander, *Conditional Legitimacy, Reinterpreted Monopolies*, 10; Taulbee, "In Defense of the Mercenary Option," p. 9.

⁸⁷ John Keegan, *The Mask of Command* (New York, NY: Viking, 1987), p. 313.

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ Thomson, "State Practices, International Norms, and the Decline of Mercenarism," p. 27.

⁹¹ *Ibid.*

⁹² *Ibid.*, p. 29.

“conventional wisdom in the age of nation-states holds that protection from those outside necessitates reliance upon one’s own members.”⁹³

It is only when these assumptions become difficult to accept by a new generation of norm entrepreneurs that the norm can itself be challenged. As explained, the process of norm decline is, therefore, initiated when norm entrepreneurs start asking the questions that states stopped asking about why they should have accepted a norm in the first place. Brooks and Spicer certainly did this when they questioned the assumptions underpinning the norm against mercenarism and presented a counter-rationale in support of a new and contradictory norm. As a result, these entrepreneurs helped de-internalize the norm against mercenarism, helped convince a number of states that a norm legitimizing mercenarism once again should be adopted in its place, and helped to make “conventional wisdom” about a longstanding and internalized norm of military practice the subject of active debate in the halls of power and academia around the world.⁹⁴

Conclusion

The support found for the hypotheses put forth in this paper has implications for broader constructivist scholarship and the understanding of norms by other major frameworks employed to study international relations. The notion that norms evolve on a rational basis may necessitate rethinking traditional theories of norm evolution and may make norms more acceptable to realist and other frameworks that purport to have rational foundations. These implications also provide the basis for a research agenda into the wider viability of rational-constructivism. Certainly, while this paper provided an informative first cut introduction to the tenets of rational-constructivism, the theoretical elements require further testing. Taking this into account, a necessary avenue for future research is to expand the universe of cases considered in an effort to

⁹³ Taulbee, "In Defense of the Mercenary Option," 18; James Larry Taulbee, "Mercenaries, Private Armies and Security Companies in Contemporary Policy," *International Politics* 37, no. 4 (December 2000): p. 435.

⁹⁴ Chris Grové, *A Possible Role of Executive Outcomes (A Private Military Company, Now Disbanded), During the Rwanda Genocide of 1993/1994*, International Peace Operations Association; (Available from <http://www.hoosier84.com/00-06eorwanda.pdf>); David Isenberg, "Soldiers of Fortune Ltd.: A Profile of Today's Private Sector Corporate Mercenary Firms," (Washington, DC: Center for Defence Information, November 1997).

better understand the generalizability of this framework in explaining other norms of military practice. Through this process, the framework will almost certainly undergo further refinement as it evolves to best reflect the dynamics of norm evolution in the military sphere.

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