

The thesis investigates the role mercenaries in the current era, and the position of the State and the Italian public opinion regarding the phenomenon. I collected informations about the historical experiences and practices enacted by other countries, considering the effectiveness of different policies.

In the first chapter I will analyze the main features that characterized the role of mercenaries through history. I will speak of its use in ancient times, and the rapid decline of such use from the end of the eighteenth century. I will then focus on a period during which the industry of "domestic violence" has gained new force: the decolonization of South Africa, during the second half of twentieth century.

Once identified the mercenary -who was and what his duty was-I will try to answer a question: why the practice of relying on "dogs of war" started waning during nation-states era.

I will analyze the problem from a strategic point of view. National forces could have proved to be more efficient and loyal to a cause than those of mercenary troops, according to the historical evidences from periods ranging from Roman to Napoleon.

Then I will focus on the moral aspect of the issue. Maybe the use of mercenaries always represented a tactical advantage, but the his political weight became unsustainable. In this regard, I will try to detect a possible correlation between the birth of the national spirit, the regularization of the armies and the decreasing use of mercenaries.

In order to use the aversion against mercenary use as a common thread that explains why he was hated throughout the ages, and finally used only within States with poorly-rooted institutions, I will illustrate some historical cases such as the British one, during the war against the American army.

In the second chapter will discuss the international law which was made necessary by the negative experiences that the community of states has faced through the centuries. Then will identify the new appearance with which the militar expertise sellers presented themselves: The Private Military Companies and Private Security Companies.

The "new mercenaries" seem to have little to do with the cutthroats of the past, being framed in the structures of multinational businesses, offering a wide range of services, ranging from direct participation in hostilities to the training of police forces, or convoys escorting to transport in risky areas. Once sketched lights and shadows of PMC and PSC, once framed their various uses in space and time, I will analyze the international discipline against the mercenaries and its effectiveness, considering those firms' functions can vary from the most noble to the most pernicious, included in the same price list.

I will therefore try to identify the problem of overlapping new PMC and PSC to the mercenaries identified in the past legislation (Article. 47 of Protocol I of 1977 and the Geneva Convention of 1989): in fact, these agencies need to be adjusted in order to provide useful services to the defence, and not perpetrate heinous violence, which can undermine the political balance. To this end, I will also refer to the first positive signs, represented by the implementation of the Montreux Document and the Code of Conduct for private security services (ICoC)

In the third chapter my research questions will reconnect to the policies deployed by our country: the use of Naval Army soldiers for the Italian merchant ships protection in high-risk areas. Enrica Lexie's case, which ended with the arrest in India of two riflemen of the San Marco Battalion, had a high cost for our country, much heavier than the one represented by the possibility of losing a private contractor.

It is therefore preferable or not to completely reject the strategic contribution at low political cost represented by the use of a private agency? Finally, given the negative and the positive contribution that the use of private forces has given in the past, and those which continue to give in the present, considering the possibility of reducing the political costs of some operations requiring the securing of private parties (with the State adequate provision) the thesis will show the opinion of Admiral Giampaolo Di Paola, a former defense minister during Monti government, who will explain whether it is actually possible -or desirable- the adoption of such a practice.

With my research I tried to show how over the centuries has evolved an extremely complex and controversial phenomenon as that the deployment of private defense forces by local authorities, such as empires, fiefdoms, Church or modern states. My investigation has outlined the similarities

and differences between what is now the expression of the mercenaries and the one that was in the past, trying to assess what is actually possible to define in the reality of today's corporations contractor as "mercenary companies" . My goal was also to highlight how the choice to entrust their services was never taken lightly, and that many of mercenarism's deviant expressions were actually the result of an unclear and not diffused knowledge about the subject.

In conclusion, the entire practice is little known -and therefore not well regulated by an appropriate legal system-. International attempts to impose a constructive framework to PMC and PSC, the new skin of mercenaries, are the result of a gradual awareness that suggests good perspectives for the future. We cannot expect to stop an economic need: blind repression is ineffective where individuals, weak states, or states that simply do not have sufficient human or economic resources, support a market which constantly morphs.

Anglo-Saxon countries' practice, compared to our own, must lead us to reflect on what are the strengths of the two systems, in order to not respond with rigidity and lack of scientific curiosity to a phenomenon that has always proved to be adaptive. While PMC and PSC introduced, with their growing presence, a new element of complexity in war scenarios and military strategy, it is equally obvious that some future perspectives are excessively alarming, envisioning a world where war becomes a mere tool in the hands of privates, deprived of any legitimacy.

In order to avoid that possibility, present changes have to be resolved creating control organs: the constant strengthening of "faceless" powers in itself is neither good nor bad, unless that is not read only in the optics of the central state. The biggest danger of a lack of awareness of the phenomenon, is that it will end up eroding that exclusivity in the use of force, which is proper of the States and of International Security Organizations. If there is anything that history, sociology and economics taught us, it is that human phenomena, unlikely the ones of other natural bodies - From atoms to planets- is much more unpredictable.

Given the increasing fluidity and transnational phenomena that affect the society every day in every corner of the globe, the precise duty of governments is to not prepare the ground for their own "replacement" in the management of international security through erratic behaviour. The major risk is to fall into a terrible and incurable international instability, if states will not work with the same synergy that has made possible the construction of a more effective system of

cooperation in the past.