

# A Military Oath for Russian Private Military Security Contractors? Wagner, Putin and the Death of Prigozhin

*Allard Wagemaker & Karishma Chafekar\**

## Abstract

This chapter focuses on the concepts of loyalty and military professionalism of Russian Private Military Companies (PMSCs) related to military oaths of office. It aims to explore whether such an oath, recently exploited by the Russian leadership, will keep Putin safe from attempted mutinies like Wagner chief Yevgeny Prigozhin's coup attempt in late June 2023. The chapter explores and discusses military professionalism in relation to concepts of loyalty as well as the military oath as a speech act. Subsequently, the question of what loyalty is for PMSCs is explored. Against this theoretical backdrop, the role and functionality of (horizontal and vertical) loyalty of private military companies in Russia and Prigozhin's attempted military coup is analysed and discussed.

**Keywords:** Loyalty, Russian armed forces, Wagner, Prigozhin, PMSC, Private military companies, Russia, Oath, Coup attempt, Speech act

*I (surname, first name patronymic) solemnly swear allegiance to the Russian Federation, undertake to sacredly observe the Constitution of the Russian Federation, to strictly carry out the orders of commanders and superiors, conscientiously fulfil the duties assigned to me. I swear to be loyal to the Russian Federation, to courageously defend its independence and constitutional order.'*

## 1. Introduction

Mercenaries once enlisted in the Wagner Group have all been put on the spot by President Putin's decree on 25th August 2023: they 'shall be sworn in'<sup>2</sup> by taking this oath. Before Dmitry Utkin and Yevgeny Prigozhin chose Richard Wagner's name for their company, they may have wanted to stay up for the last part of Wagner's most

\* This contribution reflects our personal observations.

<sup>1</sup> Translation by DeepL: <http://actual.pravo.gov.ru/text.html#pnun=0001202308250004>

<sup>2</sup> Based on a translation by DeepL: <http://actual.pravo.gov.ru/text.html#pnun=0001202308250004>

famous work *Der Ring Des Nibelungen*. The ending of *Götterdämmerung* concerns the burning and destruction of Walhalla – a specific heaven for warriors who died in battle and home of chief God Wotan, guardian of oaths and laws. Its finale represents the end of everything caused by deception in oath taking. Gunther, King of the Gibichungs,<sup>3</sup> lured Siegfried into swearing a blood oath in brotherhood. In the meantime, however, Gunther filled Siegfried's drink with a potion to cause amnesia for his own personal gain, which consequently led to the destruction of Gods and humanity.

Mercenaries who had signed a contract with the Wagner Group were expected to be solely committed to their employers, not necessarily to Russia let alone Putin when they were hired to support the Russian armed forces. The charismatic Prigozhin was clearly in charge of the Wagner Group. He considered his men not just to be committed to the Group but, particularly, to him. Unlike Siegfried, Prigozhin declined to take an oath to the Russian armed forces – which essentially meant an oath to Putin – and ordered his men to advance to Moscow on 23rd June 2023, which became a test of their commitment and loyalties.

Prigozhin was dissatisfied with the Russian political and military leadership.<sup>4</sup> He described them as incompetent. His mercenaries were not supported with decent materiel and enough ammunition to handle the 'special military operation' in Ukraine.<sup>5</sup> After only one day on 24th June, however, he decided to withdraw and ordered his men to end the 'March for Justice'.<sup>6</sup> Prigozhin stated he wanted to stop Russian bloodshed, but he also realised that he could not mobilise a considerable force against Putin.<sup>7</sup> Exactly two months after this attempted military coup, Prigozhin and Utkin were killed in a plane crash. The Wagner Group de facto ceased to exist without its leaders; moreover, Putin made this certain as he ordered the organisation to be dismantled.

On 25th August 2023, the autocratic Russian leader Vladimir Putin signed a decree, which demanded that all mercenary groups swear an oath of loyalty to the Russian state.<sup>8</sup> The objective of the Russian oath of loyalty is to build 'the spiritual and moral foundations for the defense of the Russian Federation' while in this regard likewise

<sup>3</sup> A people named after King Gibich in the epic music dramas composed by Richard Wagner: *Der Ring des Nibelungen* (1857). The works are based loosely on characters from Germanic heroic legend, namely Norse legendary sagas and the *Nibelungenlied*.

<sup>4</sup> Foreign Affairs, "Prigozhin's rebellion, Putin's fate, and Russia's future: A conversation with Stephen Kotkin."

<sup>5</sup> YouTube, "Wagner boss Prigozhin slams Russian officials from a field of corpses."

<sup>6</sup> BBC, "Wagner chief vows to topple Russian military leaders."

<sup>7</sup> The Guardian, "Wagner rebel chief halts tank advance on Moscow 'to stop bloodshed.'"

<sup>8</sup> Decree of the President of the Russian Federation dated August 25, 2023 No. 639, 'On swearing in certain categories of persons.'

safeguarding his own position. The oath is also aimed at those who participate in ‘a special military operation,’<sup>9</sup> namely Ukraine.<sup>10</sup> However, forming those foundations is easier said than done: much more is needed than solely swearing the oath. Moreover, mercenary groups tend to have a different view on service and office than regular armies. This research implies that values like loyalty and professionalism should first be rooted in an organisation as well as in its personnel before oaths become effective. Oaths are not magic formulas that work with a little pixie dust. Moreover, it is rather questionable whether an oath for volunteer forces that are unfamiliar with certain norms and values and objectives can live up to expectations. In short, oaths need to be rooted and maintained in the organisation and in its members.

This chapter will focus on the concepts of loyalty and military professionalism of Russian PMSCs related to military oaths of office. Because of that focus, we will not analyse the Russian political system or question the legitimacy of private contractors. This contribution aims to answer the question ‘Will an oath of loyalty to the Russian state be effective for private military security contractors?’ In other words, this chapter wants to explore if such an oath will keep Putin safe from other attempted mutinies. In order to address the research question, this chapter will proceed in nine parts. We will first address how oaths are socio-normative speech acts;<sup>11</sup> subsequently, military professionalism shall be addressed with a focus on the concept of loyalty. Consequently, we will address what loyalty is for PMSCs prior to explaining what the military oath is as a speech act. Against this general theoretical backdrop, we will apply this analysis to private military companies in Russia and Prigozhin’s attempted military coup. This chapter will end with a discussion and a conclusion.

## 2. Oaths as speech acts

Speech acts mark a change in our social reality: by saying the words, something is done.<sup>12</sup> They have roughly three levels: the locutionary act, which is the actual use of the words by the speaker; the illocutionary act, which concerns the intention *in* the use of the words; finally, the perlocutionary act, which completes the speech act in a certain context by creating a certain effect on the hearer.

<sup>9</sup> The Moscow Times, “Putin signs decree forcing paramilitary fighters to swear oath.”

<sup>10</sup> Reuters, “Putin orders Wagner fighters to sign oath of allegiance.”

<sup>11</sup> Although there is a difference between oaths and promises (unlike promises oaths carry more gravity as a commitment is made), we consider them interchangeable in this chapter and will only mention oaths. See further: Sulmassy, ‘What is an oath and why should a physician swear one?’ 329-346.

<sup>12</sup> A simple example of a speech act are wedding vows. By saying the words ‘I do,’ the marriage is not true or false, registered or described; certain legal, fiscal and ethical obligations to one another come into being as well as a new reality for the couple and society. See further: Austin, *How to Do Things with Words*.

Oaths belong to the socio-normative approach of speech acts rather than the mentalist approach as they go beyond ‘expressing’ an intention.<sup>13</sup> In an oath, a commitment is made. In the socio-normative approach, it is argued that with intentions alone, our society would be unable to function. Commitments are crucial to connect personas (speakers and hearers) and propositional contents for activities in communities to function.<sup>14</sup> Making a commitment is, therefore, not about ‘expressing’ an intention, it is about ‘having’ the commitment to act. Commitments are about ‘coordinating actions through action coordination.’<sup>15</sup>

Oaths concerning the public interest are ‘oaths of office.’<sup>16</sup> By saying the words, an individual is ‘granted the moral authority of the state to make decision (sic) affecting the lives of other citizens who are not kin, friend, or protegee.’<sup>17</sup> Rutgers defines the oath of office as ‘a social-linguistic act that provides the highest warranty a person can give for promises regarding the acquisition of office, loyalty to the political regime, the use of public authority, and the proper execution of tasks, according to his/her moral convictions and beliefs, that is accepted as such by the social community, and that is accompanied by specific rituals, including specific gestures, and that is recorded.’<sup>18</sup> Oaths, therefore, go beyond contractual relations;<sup>19</sup> they are also concerned with vertical authority relationships.<sup>20</sup> Merely implementing an oath does not automatically imply the right behaviour let alone that its members as well the organisation are loyal to its leadership.<sup>21</sup> By taking the oath, the speaker publicly in front of society declares his loyalty and, therefore, puts his credibility at risk for his community. His future course of action is proof of his oath. Violation of the oath would likely lead to shame and damage of the trust relationship with society on various levels. The oath, or better the intention behind the oath, needs to be vertically and horizontally rooted in the organisation and in its members.

<sup>13</sup> This is usually the case with promises: Searle, *Speech Acts*, 62; Grice, “Meaning,” 383-384; Ambrose, “Promises,” 505.

<sup>14</sup> Geurts, “Communication as commitment sharing: Speech acts, implicatures, common ground,” 1-30; De Brabanter and Dendale, “Commitment: The term and the notions,” 2; Kissine, *From Utterances to Speech Acts*, 148-165.

<sup>15</sup> Geurts, “Communication as commitment sharing,” 3-6.

<sup>16</sup> Office is derived from Latin ‘officium,’ which means ‘service’ or ‘official duty.’

<sup>17</sup> Rutgers, “The oath of office as public value guardian,” 434-435.

<sup>18</sup> Rutgers, “Will the phoenix fly again?,” 249-276.

<sup>19</sup> Steen and Rutgers, “The double-edged sword,” 343-361.

<sup>20</sup> Rutgers, “Oath of office,” 435.

<sup>21</sup> The banker’s oath in the Netherlands, for example, has shown that the working culture must first be on par with what is desired from the profession before the effect of an oath pays off. See further: Loonen and Rutgers, “Swearing to be a good banker: Perceptions of the obligatory banker’s oath in the Netherlands,” 28-47.

### 3. Military professionalism

Putin wants private military contractors who work for commercial organisations to enter the professional Russian armed forces. Civilian control of the military lies at the core of military professionalism, which is monopolised by the state, rather than regulated as is the case with some civilian professions.<sup>22</sup> The concept of professionalism<sup>23</sup> comes down to four elements. First, professionals are defined by expert knowledge and skill obtained through academic education. Secondly, professionals operate in a social context and deliver a service to society. They are not so much focused on financial gain as they are on public service and good work. Thirdly, professionals are part of a professional body that distinguish themselves from other experts with intellectual skills as they carry a social responsibility. Finally, professions thrive on autonomy: they tend to self-organise and self-regulate.<sup>24</sup> Considering these elements, the military professionalism's product in society's productive field is its expertise, if needed, in the use of force with instruments of violence in case the existence of the state is or will be at risk. At the same time, the military is also able to threaten the polity due to the tremendous arsenal of brute force. In order to contain that, civilian control is at the core of military professionalism and, furthermore, requires a legal framework of which the military oath is a part.<sup>25</sup> Either way, the military requires trust from society to obtain a certain standard of autonomy to organise the military profession's field of work.<sup>26</sup>

### 4. Loyalty

Civilian control is enforced by a legal framework. Guarantees of civilian control are provided through oaths as speech acts, which are about loyalty and, thus, demand loyalty.<sup>27</sup> The Oxford English Dictionary defines loyalty as a 'faithful adherence to one's promise, oath, word of honour' and, furthermore, it can mean a 'faithful adherence to the sovereign or lawful government.' Loyalty of the armed forces

<sup>22</sup> Huntington, *The Soldier and the State*.

<sup>23</sup> Professionalism is derived from the Latin *professionem* which means 'public declaration.'

<sup>24</sup> Flexner, "Is social work a profession?," 152-165; Huntington, *The Soldier and the State*, 8-10; Freidson, *Professionalism, The Third Logic*, 180; Loth, *Private Law in Context: Enriching Legal Doctrine*, 233; Kwak, *The Legal Junction*, 17-19.

<sup>25</sup> Feaver, "The civil-military problematique: Huntington, Janowitz, and the question of civilian control," 149-178; Feaver, "Civil-military relations," 211-241; Janowitz, *The Professional Soldier*, 220.

<sup>26</sup> Snider, "Dissent and strategic leadership of the military professions," 256-277.

<sup>27</sup> Rutgers, *Oath of Office*, 433.

is about loyalty to the authority of the state, which means acceptance of civilian control and preventing a (violent) military junta.<sup>28</sup> Subsequently, civilian control is the core of military professionalism to guarantee civilian authority from ‘the guys with the guns.’<sup>29</sup>

Loyalty and military professionalism may conflict with the subordination to civilian control.<sup>30</sup> On the one hand, military professionals are subjected to the state, on the other hand, they may feel responsible for national security. In their profession, the military is a public body, which contains role-bound obligations and military values while it also has to deal with personal moral codes in professional ethical dilemmas. According to Luban, these role-bearing conflicts occur when character built by performing the role conflicts with other norms within that role.<sup>31</sup>

Interestingly, loyalty in the military has a paradoxical element. In order to activate loyalty in the vertical authority relationship, the armed forces invest heavily in horizontal loyalty: loyalty to the group. To actually make soldiers fight and kill lies in constructing a social reality within their group by separating them from their initial social environment and ingrain a new idea of the world through loyalty and obedience.<sup>32</sup> It is thus about being faithful to colleagues and the organisation rather than to groups outside theirs.<sup>33</sup> According to Connor, loyalty ‘depends upon reciprocity and the fulfilment of responsibilities to others.’<sup>34</sup> Reciprocity is built on the belief of mutual acknowledgement between people. Therefore, if loyalty to the state is demanded in the military oath, it cannot be a one-way street. Authority is about reciprocity.<sup>35</sup> Loyalty and authority are therefore mutually dependent: whereas the state ought to be able to rely on loyalty from the armed forces, the military should be able to rely on the state to responsibly deal with the authority entrusted to them.

<sup>28</sup> Engelkes, Sverke and Lindholm, “Predicting loyalty: Examining the role of social identity and leadership in an extreme operational environment – a Swedish case,” 1-21; Huntington, *The Soldier and the State*, 1957.

<sup>29</sup> Huntington, *The Soldier and the State*, 1957.

<sup>30</sup> For an interesting study on this, see: Mayer, *The Dark Side: The Inside Story of how the War on Terror Turned into a War on American Ideals*.

<sup>31</sup> Luban, *Lawyers and Justice: An Ethical Study*, 108.

<sup>32</sup> Connor, “Military loyalty: A functional vice?,” 282.

<sup>33</sup> Olsthoorn, *Military Ethics and Virtues*, 66-92.

<sup>34</sup> Connor, Andrews, Noack-Lundberg and Wadham, “Military loyalty as a moral emotion,” 533.

<sup>35</sup> Vining, *The Authoritative and the Authoritarian*; Lindahl and Van Klink, “Reciprocity and the normativity of legal orders,” 110.

## 5. PMSCs, mercenaries and loyalty

Machiavelli showed in *The Prince* and *Discorsi* the issues in loyalty of mercenaries – men that are just motivated by financial gain. In Machiavelli's days, they were the body of armies although they acted more like 'adventurers and ruffians who wanted to wealth and plunder, men who had nothing to lose had everything to gain through war.'<sup>36</sup> He has shown how changes in the composition of armies and military technique transformed the spirit of armies as well as the need for professionalism.<sup>37</sup> This notion was taken further in the seventeenth century by Maurice of Nassau, Gustavus Adolphus and Raimondo Montecuccoli.<sup>38</sup>

In this day and age, there is a difference between mercenaries and warriors although both could form armed groups. Whereas the mercenaries are primarily motivated by money, warriors are combatants derived from more traditional societies – for example Somalia, Chechnya, Afghanistan and Iraq. These kinds of warriors learn through their societal norms and legacies to fight in specific ways. They are typically loyal to their tribe, clan, or communal group, often with a formal or informal honour code which could be considered to have a similar function as a military oath.<sup>39</sup>

Today's mercenaries are called 'private contractors' who have never been 'obligated to take orders or to follow military codes of conduct, since a contractor is bound by a contract, and not an oath.'<sup>40</sup> In short, they are just loyal to themselves as were mercenaries in the Roman empire<sup>41</sup> and as Machiavelli has characterised them. Modern mercenary groups are often referred to as Private Military Security Contractors.<sup>42</sup> PMSCs are 'businesses that offer specialised services related to war and conflict, including combat operations, strategic planning, intelligence collection, operational and logistical support, training, procurement and maintenance.'<sup>43</sup> PMSCs are different from legitimate armies as they have a corporate

<sup>36</sup> Gilbert, "Machiavelli," 15.

<sup>37</sup> Gilbert, "Machiavelli," 21-27.

<sup>38</sup> Rothenberg, "Maurice of Nassau, Gustavus Adolphus and Raimondo Montecuccoli and the 'Military Revolution' of the seventeenth century," 32-63.

<sup>39</sup> For detail, see for example: Shultz and Dew, *Insurgents, Terrorists and Militias: The Warriors of Contemporary Combat*, 17-38.

<sup>40</sup> Schreier and Caparini, *Privatizing Security: Law, Practice and Governance of Private Military and Security Companies*.

<sup>41</sup> Gueye, "La Valeur du Serment Militaire dans les Guerres Civile à Rome: l'Exemple du Conflit de 49-45 av. J.-C.," 111-129.

<sup>42</sup> For more background information on PMSCs see: Cremers and Bouwmeester with their chapter "Russian Commercial Warriors on the Battlefield," in this book.

<sup>43</sup> DCAF Backgrounder, "Private Military Companies."

structure rather than a military chain of command and they are – as are their members – motivated primarily by financial gain rather than professional service for the public good.<sup>44</sup> Whether states could outsource to PMSCs should depend on ‘shared values, understandings and dispositions.’ A PMSC should, thus, fit within a state’s philosophy. Denmark, for example, appears to rather hold back on the use of PMSCs.<sup>45</sup> The US, on the contrary, has outsourced major parts of its logistics during the wars in Afghanistan and Iraq as well as at times ‘dirty jobs.’

## 6. The military oath as a speech act

In summary, the military oath is a public declaration of loyalty and subordination in a vertical authority relationship with the state. In the military oath of office as a speech act, the speaker transforms into a military professional, who acknowledges that the state (the civil authority) has the primate of the use of (brute) force. Because of that, the speaker also becomes subservient and thus loyal to the state. It is somewhat paradoxical that on the one hand the armed forces are created to protect the polity and awarded an immense arsenal of weapons to do that, but at the same time, they also have the means to become a threat to the same polity which has asked for their protection.<sup>46</sup> There is, therefore, also a more practical and pragmatic approach to authority and loyalty: if the state does not take care of its military, it might turn itself against the state. The legal framework is a tool with the function to prevent this from happening; however, it also has its limits against ‘the guys with the guns.’ In short, the military oath implies and demands reciprocal loyalty.

The purpose of the oath is essentially an individual subordination to the state with the goal to guarantee the primate of the use of force to the state.<sup>47</sup> By taking the oath, the individual makes a commitment to acknowledge civilian control in the primate of the use of force but also commitment to his profession, commitment

<sup>44</sup> Halliburton and *Blackwater* are prime examples of a PMSC. Halliburton had a vital mission as the logistical backbone of the American occupation of Iraq; *Blackwater* is known for taking care of (also) dirty, disputable jobs – for instance in Iraq’s Fahludja. For detail and the dilemmas that come with the use of PMSCs, see: Chatterjee, *Halliburton’s Army: How a Well-Connected Texas Oil Company Revolutionized the Way America Makes War*.

<sup>45</sup> Van Meegdenburg, “We don’t do that: A constructivist perspective on the use and non-use of private military contractors by Denmark,” 26.

<sup>46</sup> Feaver, “The civil-military problematique: Huntington, Janowitz, and the question of civilian control,” 149; Feaver, “Civil-military relations,” 214; R. Atkinson, *The Limits of Military Officers’ Duty to Obey Civilian Orders: A Neo-Classical Perspective*, 3.

<sup>47</sup> Janowitz, *The Professional Soldier*, 220; Feaver and Kohn, “Civil-military relations in the United States: What senior leaders need to know (and usually don’t),” 12.

to be loyal to the Constitution as well as to the state. The purpose of a contract for PMSC-contractors works somewhat in a similar fashion. However, PMSCs have a pragmatic yet ruthless reputation to non-loyal employees. States' involvement with PMSCs will, therefore, only work if they have the guarantee that the contracted PMSC will only (successfully) do what they are contracted for.

The military oath as such, therefore, activates a future course of behaviour on various levels: it converges loyalty and professionalism. At the same time, the state (or a PMSC for that matter) is not discharged from – or better, has to take – responsibility and accountability in the vertical authority and loyalty relationship with the speaker. In other words, the commitment made in the oath is not a one-way street: it is reciprocal. The same counts for loyalty: the state and its military (or the PMSC and its contractors) need to be loyal to each other. Only then are they able to trust each other, which is essential if they come in harm's way. In speech act terms, both speaker (military) and hearer (state and society) are condemned to each other and need to be able to rely and trust each other. The state should be able to assume that the armed forces are loyal to the polity. In return, the armed forces ought to be able to rely on the civil authority to responsibly deal with the authority entrusted to them. Only then are members of the armed forces able to knowingly and willingly put their lives at risk on missions for the state. As indicated before, for PMSCs, this works in a similar way; however, contractors are primarily motivated by financial or personal gain: the more dangerous the work, the higher the gain.

## 7. Private military security companies in Russia

PMSCs have been around in Russia for centuries.<sup>48</sup> Count Vronsky in Anna Karenina, for instance, joined a volunteer force to fight the Turks and the Ottoman Empire in Serbia. Today, however, PMSCs and other armed volunteer groups are formally forbidden in Russia.<sup>49</sup> They exist, though, because Putin allowed them to, and there are many.<sup>50</sup> Russian PMSCs, like The Wagner Group, have primarily operated in Crimea, Syria, Ukraine, and in Africa. They have only worked with financial and diplomatic support of the Russian Federation and on behalf of the Russian state.<sup>51</sup>

<sup>48</sup> Sukhankin, "The Russian State's use of irregular forces and private military groups: From Ivan the Terrible to the Soviet Period."

<sup>49</sup> The Wagner Group is illegal, see for instance: Le Monde, "Russia considers granting Wagner Group legal status."

<sup>50</sup> Marten, "Why the Wagner Group cannot be easily absorbed by the Russian Military – and what that means for the West."

<sup>51</sup> Ibid.

They are, therefore, not so much literally a PMSC, nor a mercenary group but could be better characterised as a ‘semi-state security actor.’<sup>52</sup>

Russia has a love-hate relationship with PMSCs in the way Machiavelli has described in *The Prince* – trust and loyalty are the main challenges. Nevertheless, they remained part of its policy also for Putin. As so often, PMSCs were not seen as a symptom of state failure nor as the state’s enemies but very useful as its proxies, carrying out (dirty) acts on the state’s behalf.<sup>53</sup> Under Putin, the PMSCs became an integral part of the power structure which could be considered ‘paramilitarised.’ According to Drapac and Pritchard, the state that in fact has become a paramilitarised regime can be challenged and undermined but not completely destroyed by PMSCs and other independent military, paramilitary or criminal organisations.<sup>54</sup> In other words, Putin’s paramilitarised regime had the ability to outsource military force but as a consequence also had to face political violence as loyalty and trust became issues.<sup>55</sup>

The Russian leadership increasingly had issues with The Wagner Group and, moreover, with its bombastic chief, Yevgeny Prigozhin.<sup>56</sup> In fact, he became the face of the threat of the PMSCs to the Kremlin.<sup>57</sup> Prigozhin may have had a point that the Wagner Group was insufficiently supported by the Russian state and its military apparatus. Many Russian soldiers sympathised with Prigozhin of which as a consequence, the loyalty of the regular Russian forces was increasingly undermined. He may have even aimed for a mutiny amongst the Russian armed forces against the military leadership of the Kremlin. Especially in the first half of 2023, Prigozhin exposed the power struggle as well as the inadequacy at especially the top of Russia’s military leadership. By early June 2023, it had become clear that the primacy of the use of force appeared not to be with the Kremlin anymore. However, Prigozhin’s March to Justice became The Wagner Group’s Waterloo.

<sup>52</sup> Ibid.

<sup>53</sup> Üngör, *Paramilitarism: Mass Violence in the Shadow of the State*; Ahram, “Why states choose Paramilitarism,” 65–70.

<sup>54</sup> Drapac and Pritchard, *Resistance and Collaboration in Hitler’s Empire*.

<sup>55</sup> For detail, see for instance: Stuart, “Wagner had a golden rule. When its founder Dmitry Utkin broke it, lawyers pounced.”

<sup>56</sup> See for instance: Sussex, “Putin under pressure: The military melodrama between the Wagner Group and Russia’s armed forces.”

<sup>57</sup> Foreign Affairs, “Prigozhin’s rebellion, Putin’s fate, and Russia’s future, A conversation with Stephen Kotkin.”

## 8. Prigozhin's 'March for Justice'

Prior to Prigozhin's 'March for Justice' to Moscow on 23rd and 24th June 2023, the Russian Defence Ministry issued an order for private military organisations to sign a contract to be loyal and subordinate to Russia's regular military.<sup>58</sup> This would have severely restricted Prigozhin's influence. On 23rd June, Prigozhin ordered his men to march to Moscow. A day later, however, Prigozhin withdrew his orders. After the apparent (military) coup attempt, Prigozhin initially 'fled' to Belarus but was later still 'allowed' again to be in Russia. In the meantime, Russian military commanders forced the Wagner members in Syria to sign new contracts with the Russian defence to stop the insurgency from spreading.<sup>59</sup> On 23rd August, Prigozhin as well as his number two, Dmitry Utkin, and eight others died in a plane crash in Russia.<sup>60</sup> Putin issued an executive order (decree)<sup>61</sup> two days later that the members of PMSCs, like the Wagner Group, had to swear an oath of allegiance to the Russian federation.<sup>62</sup> The oath, contained within the order, requires individuals to 'strictly follow the orders of commanders and superiors.'<sup>63</sup> Under Article 87 of the Constitution of the Russian Federation,<sup>64</sup> the President is the 'supreme commander-in-chief of the armed forces.' In short, after the failed coup attempt, Putin had to ensure loyalty of the total of his armed forces – including the insubordinate PMSCs – to Russia as well as to him.

<sup>58</sup> Faulconbridge, "Prigozhin says Wagner will not sign contracts with Russia Defence Minister."

<sup>59</sup> Al-Khalidi and Gebeily, "Syria brought Wagner fighters to heel as mutiny unfolded in Russia."

<sup>60</sup> Dmitry Utkin was allegedly the co-founder and (behind-the-scenes) military commander of the Wagner Group as a PMSC while Prigozhin was its owner and public face. See for instance: Roth and Sauer, "Wagner rebel chief halts tank advance on Moscow 'to stop bloodshed'"; Le Monde, "Russia considers granting Wagner Group legal status"; Bell, "In Prigozhin's shadow, the Wagner Group leader who stays out of the spotlight."

<sup>61</sup> The Moscow Times, "Putin signs decree forcing paramilitary fighters to swear oath."

<sup>62</sup> Lieven observes that, 'a key reason why Putin did not act much sooner to suppress Prigozhin and end his feud with the Russian high command was precisely that for more than a year, Russian domestic propaganda had built up an image of the Wagner fighters as Russian military heroes. Their slaughter would not have gone down well with ordinary Russians.' Lieven, "The failed Wagner coup shows Vladimir Putin's regime remains stubbornly strong."

<sup>63</sup> "Decree of the President of the Russian Federation dated August 25, 2023 No. 639, On swearing in Certain Categories of Persons."

<sup>64</sup> Constitution of the Russian Federation.

## 8. Discussion

Prigozhin's self-proclaimed 'March for Justice' was Russia's most significant domestic political event since Putin came to power. Everyone could see that the Kremlin was paralysed with indecision as well as how Putin's much-hyped 'power vertical' had disappeared. The March was the climax of Prigozhin's dissatisfaction with the Russian leadership and damaged Russia's military leaders.

After the 'March for Justice' and moreover the deaths of many of The Wagner Group's top leadership, Putin demanded that the PMSCs (including Wagner) and volunteer forces be brought under state control. He issued that a military oath of allegiance be administered in which loyalty to the Russian Federation is sworn and, therefore, to Putin himself.<sup>65</sup> There was a clear message: either take the oath and keep your arms or disarm yourself – obey or go to prison. Putin must have realised he had created a monster with Wagner and other PMSCs, and, moreover, with bombastic leaders like Prigozhin who had almost escaped from Putin's control and spooked the Russian elites. The death of Prigozhin and the obligation to swear an oath on the (absolute) loyalty to Russia are widely interpreted as Putin reasserting control over the Russian military and associated PMSCs.

In line with the research of Easton and Siverson, Putin's reaction could be expected: 'Leaders who survive a coup attempt take the opportunity to purge known and potential rivals also deterring future coup conspiracy.'<sup>66</sup> However, Putin's emphasis on loyalty in the aftermath of the failed coup attempt could also affect Russia's battlefield performance as the Wagner Group has proven effective on the battlefield and has delivered probably the most important Russian battlefield successes in Ukraine.<sup>67</sup> Putin is probably still struggling to have effective as well as loyal military forces. This, moreover, since it is still debatable whether there will be an effective reciprocal relationship between the Kremlin and the Russian armed forces. Despite the enormous force of the Russian armed forces, they have not been able to make a difference against a minor enemy – Ukraine. The war in Ukraine has become an increasingly frozen conflict since the end of 2022 until the time of writing (end of 2023).<sup>68</sup>

<sup>65</sup> Putin not just demanded an oath or pledge of loyalty from the armed forces and Russian PMSCs but also from the ruling elite (also in order to maintain his own security and his grip on power), see for instance: Troianovski, "After armed rebellion, Putin tries to reinforce his defenses"; Sharp, "Russian leaders pledge loyalty to Putin."

<sup>66</sup> Easton and Siverson, "Leader survival and purges after a failed coup d'états," 596-608.

<sup>67</sup> Ber, "From Popasna to Bakhmut. The Wagner Group in the Russia-Ukraine War," 1-6.

<sup>68</sup> Toosi, "Ukraine could join ranks of 'frozen' conflicts"; Carpenter, "Could the Ukraine War become the mother of all frozen conflicts?"

Speech act theory provides a linguistic insight into the workings of loyalty and military professionalism in the military oath of allegiance. The wordings of the decree and the Russian military oath forge the spiritual and moral foundations of the defence of Russia as well as being sworn to strictly follow the orders of commanders and senior leaders. This forged loyalty and discipline could work in the short term; whether it would work in the long run is questionable. This is, moreover, the case since a main reason for Prigozhin's coup attempt was his frustration with the professionalism of the Russian armed forces. The lack of support he received from the Kremlin during especially vital offensives were amongst the main reasons for his dissatisfaction and proved, according to Prigozhin, the incapacities of Russia's leadership at all (command) levels. Due to this lack of trust, he refused to sign a contract with the Russian Defence Ministry on Wagner's loyalty and subordination – and possibly also since it would undermine his influence. His so-called 'March for Justice' may have possibly referred to justice for him personally rather than justice in the broader sense of the word. However, it could also refer to the injustice of deploying Wagner soldiers without (basic) respect. Due to the lack of logistical support by the Russian regular forces, Wagner units felt like cannon fodder and treated as second-rate soldiers. The Wagner group had proven to be vital and responsible for most of the few battlefield successes in Russia's 'special military operation' in Ukraine. It could, therefore, be argued that the unwillingness to sign was a lack of trust that there would be reciprocity in loyalty in a way.

Whether an oath for PMSCs could lead to more state control over private military organisations is questionable; however, in the short term it could prevent illegal or independent rogue operations. Consequently, if done correctly, the momentum built up by it could be used to fuel a reciprocal relationship. State control could, this way, lead to loyalty to the state authority, which could enforce accountability to the Russian government. The oath could also stimulate (enforce) feelings of patriotism, which could urge uniformity, discipline and idealism within the group. This is essential for obedience to superior orders in the military line of command – including the ones coming from the president and the commander-in-chief i.e. from Putin.

The challenge is, though, that PMSC-members have a different idea of loyalty as they principally work for financial gain. This also questions their professionalism as they are first and foremost loyal to themselves rather than loyal to a greater good. To invest in loyalty with uniformed Russian soldiers in order to enforce the vertical authority relationship may prove to be quite challenging. The words in the oath alone will not accomplish that. Oath takers might express loyalty, but may likely not be committed to what the oath represents. Loyalty is connected to mutual trust which takes a long time to build. It requires a shift in philosophy for contractors as well as trust from the state authority. According to Johan Thorbecke, the Dutch

politician who played a principal role in establishing the first Constitution of the Netherlands (1848), ‘Trust arrives on foot, but leaves on horseback.’ It encapsulates the fragility of trust and therefore also loyalty.<sup>69</sup> Trust is the vital component in a relationship. It holds even greater significance in strategic alliances compared to transactional relationships.

## 9. Conclusion

This chapter commenced with the question: ‘Will an oath of loyalty to the Russian state be effective for private military security contractors?’ In this contribution, the military oath of office has been perceived as a speech act. The oath provides a personal guarantee that the primate of the use of force lies with the state, rather than the military. Derived from it is loyalty. In the military oath this is implied as reciprocal. Loyalty is a two-way street. By having the oath administered as the civil authority, a commitment to the oath taker is made in return. In short, the soldier or the military is not just loyal because they are ordered to be so. Reciprocity implies responsible, loyal behaviour on both sides.

PMSCs do not swear to abide by the Constitution. The contractors implement their expertise in instruments of violence for personal financial gain and do not necessarily serve the public good. They do not use ‘force’ as they are not legitimate armies but use ‘violence’ instead to meet the goals and targets as stated in their contracts. PMSCs have a corporate structure and their principal aim is profit. It makes them contractors for that reason. PMSCs and equivalents have always signed contracts in an equal horizontal relationship and are not subjected to a vertical hierarchy with the state.

An oath of office in general may work when norms and values are already on par with what the profession requires and desires from the professional community. However, this does not seem to be the case with military contractors. With Putin implementing fear, the Russian military oath of office demanded for contractors may, at best, have a mentalist view with an ‘intention’ to live up to what the oath represents. After all, they have different norms and values and have always aimed for financial gain. Whether demanding to take the oath in June 2023 would have made a difference is, therefore, highly questionable. Moreover, whether such an oath would have prevented Prigozhin’s ‘March for Justice’ is even more debatable as the occasion for the march was the lack of commitment from the Kremlin and the distrust in the professionalism of the Russian armed forces or better the Russian

<sup>69</sup> Ross, Malone and Kinnear, “Understanding the role of trust in network-based responses to disaster management and climate change adaptation in the Asia-Pacific region,” 165.

military leadership. In short, the relationship between the state and the military was not reciprocal as Prigozhin bombastically had voiced many times. The Wagner Group saga most likely has changed how Putin considers PMSCs, what can be done with them but also that they could be a burden if not a danger to his regime.

Prigozhin was able to bring to the surface the unhappiness and distrust that had accumulated in the Russian armed forces since the invasion of Ukraine. In the end, he was unable to mobilise the dissatisfaction in his possible coup attempt on 23rd-24th June 2023. Although the Kremlin was apparently able to reclaim a monopoly on the use of force after Prigozhin's 'March for Justice,' a complete make-over of the 'fragmented' Russian security forces seems to be needed. Putin needs to invest in a true reciprocal – trustworthy and loyal – relationship between the Kremlin and the Russian armed forces, including PMSCs and volunteer groups. The obligation to just swear an oath of loyalty to Russia and Putin is certainly not enough. Regaining trust will take time and a lot of effort. It is not simply taking an oath, but true and honest changes in the political-military relationship and military professionalism that will be essential and major. Loyalty in a vertical authority relationship from someone lower in the pyramid can only work when the dominant force at the top of the pyramid provides trust and loyalty in return. Those changes will colour Russia's political trajectory for the years to come. And as Richard Wagner's *Götterdämmerung* has shown, deception in oath taking has led to the downfall of a complete community, oath taker as well as oath administrator. Putin has been warned!

### *Allard Wagemaker*

*Allard Wagemaker is an active duty officer-scholar. He holds a PhD in Political Science from Leiden University. In his operational and academic career, he has specialised in conflicts at the lower end of the conflict spectrum as well as the relationship between the state, the society and the armed forces. The contribution in this chapter reflects his personal observations.*

### *Karishma Chafekar*

*Karishma Chafekar is a PhD-candidate at Leiden University and a lecturer at the Netherlands Defence Academy. With a background in English and International Relations, she has focused her research project on the role of the military oath in the relationship between the state and the armed forces.*

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