

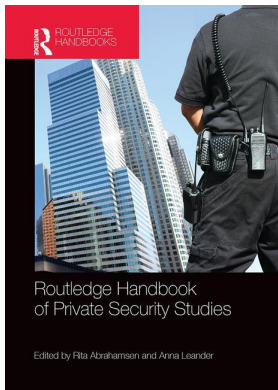
This article was downloaded by: 10.3.97.143

On: 29 Nov 2023

Access details: *subscription number*

Publisher: *Routledge*

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: 5 Howick Place, London SW1P 1WG, UK



Routledge Handbook of Private Security Studies

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Private Security's Role in Shaping US Foreign Policy

Publication details

<https://www.routledgehandbooks.com/doi/10.4324/9781315850986-18>

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Published online on: 20 Oct 2015

How to cite :- Renée de Nevers. 20 Oct 2015, *Private Security's Role in Shaping US Foreign Policy* from: Routledge Handbook of Private Security Studies Routledge

Accessed on: 29 Nov 2023

<https://www.routledgehandbooks.com/doi/10.4324/9781315850986-18>

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PRIVATE SECURITY'S ROLE IN SHAPING US FOREIGN POLICY

Renée de Nevers

Foreign policy is the pursuit of national interest in the international arena. This was long the domain of the state, involving state-to-state interactions undertaken by diplomats. Three changes over time complicate our understanding of foreign policy today. The first is the challenge of defining the national interest in a globalized world, when states confront challenges, ranging from climate change to terrorism, that require multilateral and multisector solutions. The second is the erosion of not only the state's role in pursuing its foreign policy, but also the role of diplomats, as other actors, both government agencies and non-state actors, have entered into the arena of government-to-government interaction that was formerly the diplomatic realm.

The third, particularly in the US case, is the blurring of lines between foreign policy and national security policy. This partly reflects the perceived vulnerabilities of a dominant global power, with an expansive view of its international commitments. It is also a response to the terrorist attacks of 11 September 2001 (hereafter '9/11') on New York and Washington DC that generated a climate of insecurity and pervasive threat. This was only heightened by the expanded role of the Defense Department (DOD) in functions formerly undertaken by the State Department, in ways that have put a military face on US foreign policy to a degree that distinguishes it from most other liberal democratic states.

The private security industry is a relatively new actor in the foreign policy arena, and one whose impact has been controversial. Private military and security companies (PMSCs) have both direct and indirect effects on foreign policy. Because specialized PMSCs can be hired for specific tasks, they may effectively implement policies, potentially at reasonable costs. This can facilitate states' foreign policy goals. PMSCs may also take on tasks that enable them to shape perceptions of the national interest and foreign policy, which has raised questions about whether national and corporate interests coincide. Indirectly, PMSCs can have an impact on foreign policy if their actions colour overseas perceptions of their home state, either favourably or negatively.

State actors need to be cognizant of the potential impact of reliance on PMSCs for their broader foreign policy goals. PMSCs are likely to be part of the international environment for the foreseeable future, and governments rely on them for a broad range of tasks. It is critical to understand both how PMSCs affect foreign policy making and how their use affects the international environment in which foreign policy is conducted.

In this chapter I examine the variety of ways that private security affects foreign policy. Private actors shape foreign policy by influencing the decision-making processes guiding foreign policy, and they carry out tasks to support government actors and to implement foreign policy. I then examine the implications of PMSC involvement in the foreign policy process. Domestically, reliance on PMSCs affects both the capacity of the state to make foreign policy decisions and what those decisions look like. Their actions have international effects as well, shaping state-to-state relations in numerous different ways. I explore each of these in turn.

Shaping foreign policy decisions

One of the most critical ways in which private actors influence foreign policy decision-making is through their role as intelligence providers. To date, this is a particularly US phenomenon. A significant portion of intelligence analysis – and increasingly, collection, is done by private contractors (Chapter 8, this volume). After the 9/11 attacks, the US intelligence community was reorganized and it expanded exponentially to address a broad range of perceived threats. Much of this expansion occurred in the private sector. In 2010, 1,931 private companies were working on intelligence-related programmes; of these, 533 had been created after the 9/11 attacks (Priest 2010). By one estimate, contractors made up thirty percent of the US intelligence workforce at that time.

Within the intelligence community, contractors carry out a range of tasks with direct influence on foreign policy. Domestically, these range from analysing terrorist networks to providing advice to government officials, and staffing critical facilities in the defence and intelligence agencies. Intelligence functions are undertaken by contractors internationally as well. Contractors have been used to recruit spies, conduct interrogations, spy on foreign governments, gather information on local factions in fragile states and war zones, and to kill enemy fighters. This means that private security actors shape the intelligence on which foreign policy decisions are based.

In addition to intelligence, PMSCs provide a variety of consulting and training services that offer expertise in foreign and security policy. Private companies have contributed to strategic policy decisions, conducting reviews of government policies such as Plan Colombia, the US effort to aid the Colombian government's efforts to combat drugs (Singer 2003: 207). PMSCs provide training for intelligence analysts as well as policy-makers. Contractors have conducted classroom training and run simulation exercises for the US State Department and other agencies. This training gives PMSCs an important role in defining both the problems the government perceives in the international arena, and how it chooses to respond (Leander 2006). This has generated concern that corporate interests will distort policy because the profit motive could give companies an interest in extending their business opportunities, rather than resolving conflicts. Crises can be good for business.

Logistics and protection

PMSCs engage in a broad range of tasks related to foreign policy making, in both support and active functions. Their activities fall within three categories: logistics, protection, and reconstruction functions. I address the first two here. PMSCs provide logistical support both for state actors and for international operations supported by states such as humanitarian operations and reconstruction activities (Chapter 7, this volume). The US military has outsourced virtually all of its support functions, ranging from the supply of food and fuel, and construction of overseas bases. European militaries are following suit. Indeed, in the US case, contractors and generals

have noted that the military would be hard-pressed to operate overseas without them. This includes peacekeeping operations that support foreign policy goals. This outsourcing follows the logic of liberalization and privatization that gained strength in the 1990s. The UN began formally developing recommendations regarding contracting with PMSCs to support UN operations in 2011, with the goal of establishing a comprehensive approach to UN reliance on contractors – and simply to acknowledge that this contracting takes place (Østensen 2011).

Protection functions involve activities that more directly enable diplomats and other actors to carry out their tasks. Protection services are perhaps the foreign policy function most closely associated with PMSCs today. Many UK-based PMSCs have quietly provided protection (and military training) services for governments friendly to the UK for years. In Iraq and Afghanistan, PMSCs were far more visible. PMSC employees guarded Afghan President Karzai and the head of the Coalition Provisional Authority (CPA) in Iraq in 2003, Paul Bremer. Because the need for security expanded beyond its ability to provide government security personnel, the State Department's Bureau of Diplomatic Security outsourced diplomatic protection by hiring three companies as part of its Worldwide Protective Personal Services contract to provide security for its personnel in high-risk zones, including the now-notorious company Blackwater USA. Security services also include protection of buildings and of convoys. The protection these companies provide has facilitated diplomatic activities at a time when heightened security concerns and requirements for diplomats have made it difficult for them to operate more freely. At the same time, reliance on contractors for these protection functions provoked concern that this created a 'fortress' mentality among diplomats that stymied action.

Reconstruction and security sector reform

PMSCs have also undertaken activities associated with reconstruction after conflicts and humanitarian disasters. As states have recognized that weak states and ungoverned spaces pose potential dangers, assisting in peacebuilding and reconstruction after conflict has become a critical foreign policy goal. Reconstruction can include rebuilding of the state's physical infrastructure as well as efforts to strengthen institutions by providing training and support for government employees and civil society groups, in areas ranging from rule of law to public administration and security sector reform (Avant and de Nevers 2011). Among the functions undertaken by PMSCs, for both states and the UN, are mine clearance, logistics, administration functions, and safety functions (Kinsey 2005).

PMSC activities in this area contribute to the foreign policy goals of states seeking to aid stability and reconstruction. They also illustrate gaps in government capacity to conduct these activities. In some cases, PMSCs have been hired for reconstruction efforts because civilian government employees could not or would not take on these tasks. Notably, in Afghanistan, Provincial Reconstruction Teams (PRTs) were established to enable civilian and military personnel to work jointly to provide reconstruction assistance in regions throughout the country, including development assistance. But the paucity of State Department or USAID employees able or willing to participate led to reliance on contractors to fill the civilian positions on these teams. This also illustrates the relative decline in presence and foreign policy influence of the State Department or USAID, due to the security environment and to resource disparities. USAID, whose employees initially engaged in long-term development activities, now operates primarily through contracts, many of them with PMSCs (Stanger 2009: 62–3).

PMSCs have also played a large role in security sector reform (SSR) efforts, which have been critical not only to peacebuilding after conflicts but also in promoting democratic

governance of the armed forces and police. After communism's collapse in the Soviet Union and Eastern Europe, reform of the military to ensure civilian control was considered a key step for states seeking to join NATO, as proof that democratic reforms were being consolidated. SSR extended to police and law enforcement agencies as well. PMSCs were involved in some of these activities in parts of Eastern Europe, and have taken on a significant role in military and police training more broadly.

A significant amount of US foreign aid takes the form of weapons sales or military training, and the training function has largely been outsourced to PMSCs. Training activities are intended to support foreign policy goals by enhancing engagement between states, training and nurturing ties with future leaders, and generating greater understanding and sympathy for the sending country. PMSCs have long provided training in the US, and some have provided military training abroad. In some cases, companies contract with other governments with US government consent, providing military training to allies such as Saudi Arabia. In other cases, PMSCs are hired directly by US agencies. Northrop Grumman was hired by the State Department to provide peacekeeping training in Africa in 2002, for example, the first instance of direct outsourcing of this kind of training function outside the US. By the late 2000s, the scope of training missions that were contracted out had expanded dramatically (see [Chapter 12](#), this volume), with contractors training the Iraqi and Afghan National armies and police. The State Department and DOD also rely on contractors to provide military training in Africa and in Latin America. This is not unique to the US. UK-based PMSCs have long provided military training for countries friendly to their government as well, as a way to nurture contacts with those governments. France also offers military advice and training by both government troops and more recently by a private consortium in which the government owns a stake. This training is designed to bolster French arms sales and to nurture strong ties with former colonies. PMSCs from a range of states now offer training programmes, and most of these explicitly support their home state's foreign policy goals.

Implications: hollowing or force multiplier?

Concern about PMSCs' potential negative impact on foreign policy was raised in some of the earliest studies of the private security industry. Yet the prospect that PMSCs could help generate solutions to long standing problems was also noted (Singer 2003; Avant 2005). On the positive side, outsourcing offers benefits in flexibility and cost savings. PMSCs enable states to hire contractors with specialized skills to address particular tasks or threats, and this allows the government to rely on sophisticated technology that requires specialized training. Alternately, reliance on PMSCs has been characterized as transferring government responsibilities to private hands, which can damage democratic institutions. The debate this has generated remains unresolved, and is linked with broader ideological views about privatization and outsourcing of government functions. I focus on several elements of this debate here: the impact of outsourcing on the state, transparency and accountability, and militarization and reputational effects.

Reliance on PMSCs in foreign policy could lead to a hollowing-out of the state. If the government becomes too dependent on contractors, it could lose the capacity to act without them, or to act in the ways that it wishes. This can affect foreign policy decision-making and practice. As tasks are outsourced, the government may lose the capacity to independently evaluate contracts and decisions on issues such as licensing of security exports. Indeed, the explosion of contracting in the 2000s overwhelmed the capacity of US government agencies to adequately oversee contracts. Overstretched government oversight and evaluation enables

PMSCs to influence decisions regarding their own actions on behalf of the state, giving commercial interests greater opportunity to affect public policy. This is what may have occurred when MPRI convinced the State Department to allow the company to work in Equatorial Guinea, in spite of long-standing State Department proscriptions against working with regimes suspected of human rights abuses (Avant 2005: 155).

Proponents argue that outsourcing provides flexibility because it enables governments to hire contractors with skills needed to address specific tasks that government actors may not possess. These include language skills or knowledge of specific policies or technologies. Yet, reliance on contractors could also lead to less policy flexibility. Government goals may change, but contractors may not shift their policies to adhere to modified government goals. This may have occurred at times in Iraq. The US and coalition partners revised their guidelines regarding interactions with the Iraqi population as they sought to quell the insurgency that developed after 2003, but companies were not contractually obligated to follow suit, including the companies providing protection to US diplomats. Companies are liable only to the terms of the contracts they have signed, regardless of their fit with new policies.

Finally, heavy reliance on contractors means policy decisions may well be made by these private actors. Reliance on private companies for risk assessments, reviews, and advice encourages a shift in the centre of gravity for decision making. Yet, this distances decision making from both the public and from elected officials, which may circumvent the democratic process (Singer 2003: 215). Moreover, because PMSCs are in the business of security provision, their perception of the national interest may be coloured by corporate goals or capabilities.

An alternative perspective on the potential hollowing of the state is the view that PMSCs can act as 'force multipliers' in foreign policy. The blurred lines between foreign and security policy are evident, in the US case, in the use of this military jargon by high level officials to describe the potential contribution of private actors such as contractors and NGOs to US foreign policy goals. In the US and some other states, governments operate on the assumption that trusted PMSCs will act of their own accord to further state interests. This gives the state a different kind of flexibility, in that it can rely on PMSCs to influence foreign policy while avoiding both the expense and attention that direct reliance on diplomats or troops entails. Moreover, PMSCs may be willing to undertake messy tasks that state governments and militaries would rather avoid (Shearer 1998). Many prominent PMSCs are populated by former military officers and some state department officials, who have explicitly stated their goal of working to further state goals with preferred clients; MPRI is an obvious example. Only one state, South Africa, has sought to constrain PMSCs from operating internationally. This is explained in part by South Africa's recent history and its desire to play a positive foreign policy role on the continent, which was seen as directly contradicted by the activities of mercenary companies like Executive Outcomes, an early PMSC created by demobilized South African military officers (Shearer 1998). Many African states have acceded to the 1989 African Union Convention that banned reliance on mercenaries. Yet, many of these governments allow PMSCs to operate in their territories as foreign policy proxies, either training local police and military forces or guarding multinational business activities, and indigenous mercenaries are also commonplace (Ebo 2008).

PMSCs enable states to pursue foreign policy goals with greater latitude because the state can deny involvement, and can circumvent domestic oversight and potentially international obligations as well (Singer 2003; Lehnardt 2007: 140). This use of private actors as foreign proxies is not new, or geographically limited. PMSCs have been used to support Colombia's counter-drug efforts and to strengthen its military and police capacity since 2000 as part of the US's Plan Colombia. Reliance on contractors circumvented Congress's limits on military

personnel. Private contractors and US soldiers jointly analyse intelligence, conduct surveillance, and train Colombian troops in counter-guerrilla operations (de Nevers 2006: 381).

Transparency and accountability

The shift in decision making towards private actors reflects a second implication of reliance on private security; a reduction in transparency, particularly with regard to decision making. Reliance on contractors can remove policy decisions from public view because of corporate confidentiality clauses regarding contracts. On the positive side, one could argue that less transparency and public debate would help rationalize foreign policy decision making (Avant 2005: 156). Moreover, outsourcing can help avoid the bureaucratic infighting and red tape that can obstruct policy making. There are several downsides, however. In particular, lack of transparency leads to less oversight with regard to both spending and tasks. In the context of Iraq, opaque contracting made it impossible to determine how government funds were being spent by PMSCs. The fact that much PMSC activity is undertaken via subcontracts erodes transparency further. The use by the US DOD of supplemental financing to fund its overseas operations during the 2000s only exacerbated this trend, because supplemental budgets give lump sums to agencies to spend as they see fit (Stanger 2009: 87, 165).

Reliance on PMSCs in foreign policy also erodes accountability. Contracting enables governments to undertake tasks without public debate, because they need not explain to legislatures how contractors will be used in the way that they would if soldiers or diplomats were tasked to operate overseas. Governments can also deny responsibility for actions undertaken by private security actors, particularly if they go badly, although this is risky (ibid.: 8–10).

Militarization and reputation effects

Outsourcing can also contribute to the militarization of foreign policy. This is particularly evident in the US, but other countries are following their lead in reliance on PMSCs. As noted previously, the State Department's role as the government's key foreign policy representative has eroded as other government agencies have expanded their international activities, and global communications have enabled broader international information and contacts. Since the end of the Cold War, the State Department's resources have been shrinking, constraining its ability to sustain its diplomatic presence overseas. One consequence has been an increase in contracting by both State and USAID, the main US development agency. Although the State Department sought to expand its presence in stability and reconstruction after 9/11, it has struggled to get funding in this area. At the same time, the DOD has taken on additional responsibilities in the international arena, partly because it has more capacity to act in post-conflict zones. These responsibilities include functions previously carried out by the State Department or USAID, and as the DOD lacks the expertise for these tasks it has relied heavily on contractors. As part of its efforts to stabilize Iraq, for example, the DOD took on governance tasks that had previously been carried out by the State Department, and recent strategic policy reviews include 'stability operations' as a core mission, although these policies were previously characterized as development activities undertaken by USAID (Stanger 2009).

Reputationally, PMSCs can influence foreign policy by contributing to state-to-state relations, and by influencing international attitudes toward their home state. As noted previously, the sale of military services abroad generally requires government approval. When governments allow commercial sales of arms or training, this is a tacit indication of good relations with the recipient country even if the state is not directly involved in the sale. This is a way to generate

good will to potential partners, while also signalling US support to arms and service recipients – and to their potential opponents. Thus, it is another form of foreign policy by proxy, which enables the state to influence events in its preferred direction without direct involvement (Avant 2005). US support for Croatia's president Franjo Tudjman in the 1990s is one such example, as are the training missions undertaken in Liberia (see [Chapter 12](#), this volume) and in Mexico in support of the Merida Initiative in the 2000s. French and British companies have offered protective services in Libya since 2011 to support EU activities there, and to encourage economic ties with their home states (Tran 2012).

PMSCs can also influence foreign policy negatively if their actions generate discord with the host country. A significant challenge arising from reliance on PMSCs in the foreign policy realm is that the distinction between 'government' and 'private' actors may be lost on the local populations in places where PMSCs are working. This matters because if PMSCs actions have a negative impact on local communities, this can have a corrosive effect on attitudes toward the company's home state. This has been most pronounced with US reliance on PMSCs in places like Iraq, but also in Afghanistan and Pakistan.

In Iraq, for example, local populations did not distinguish between soldiers and PMSC employees working for the State Department or private interests; they were lumped together as Americans, and poor behaviour by American contractors – even if the employees were not American citizens – negatively shaped attitudes toward the US. This was particularly problematic as PMSCs gained a reputation for shooting at innocent civilians in Baghdad and elsewhere. Moreover, they appeared to do so with impunity, due to the immunity from prosecution that PMSCs were granted in Iraq in 2003–2004. Contractors were involved in multiple shooting incidents in Iraq, with allegations that contractors deliberately shot at civilian bystanders and Iraqi government employees, as well as US Marines (Krahmann 2010: 209–10). The most egregious example was an incident in Baghdad in September 2007 in which Blackwater employees that were employed as a State Department convoy killed seventeen Iraqi civilians and injured more. This was one of the few incidents that resulted in criminal prosecution, and four contractors were convicted of murder or voluntary manslaughter in October 2014, seven years after the shootings.

Similarly, US relations with Pakistan, already frayed by disagreements over Afghanistan and the Taliban during the 2000s, were deeply strained when a former Blackwater employee contracted to work under cover with the CIA in Pakistan shot and killed two Pakistanis while driving through Lahore in January 2011. This confirmed Pakistani suspicions that the CIA was operating clandestinely inside Pakistan, and incited fury against the US among a population already angered by what were perceived as indiscriminate US drone strikes in the country. This fury was exacerbated when the contractor, Raymond Davis, was allowed to leave the country without prosecution after the US government paid 'blood money' to the families of the shooting victims (Mazzetti 2013). Anti-Americanism in Pakistan rose to an 80 percent 'unfavourable' rating in Pew's Global Attitudes Survey in 2012, shortly after this incident (Pew Research Center 2014: 10).

Foreign policy scandals have been triggered by other private security actions. The British government was damaged by the 1997 Sandline affair, in which Sandline International, a UK-based private military company contracted by the Sierra Leonean government to undertake military operations on its behalf against rebel groups, was discovered to have imported weapons to Sierra Leone in violation of an international arms embargo, with the Government's knowledge and at least tacit consent (Singer 2003: 115). Then Foreign Secretary Robin Cook was almost forced to resign. Private contractors were implicated in the abuses that occurred at Abu Ghraib prison in Iraq in 2004, and the secret interrogation programme run by the CIA relied

heavily on contractors. These and other actions have been termed ‘diplomatic disasters’ (Stanger 2009: 4). They can have deleterious effects on foreign policy by making it more difficult for a state to gain the trust and cooperation of other state actors. In conflict zones, this may also generate outright opposition in ways that make fighting the asymmetric wars of the twenty-first century more difficult, by limiting local willingness to cooperate with foreign forces, and bolstering insurgencies against them.

Conclusion

Private security actors have become integrated in multiple facets of foreign policy, even as foreign policy and security policy have become increasingly blurred in recent years. PMSCs shape foreign and security decisions through private involvement in intelligence, policy analysis, and training of government officials and troops. Increasingly, PMSCs help shape the way states see the world, through their risk and security analyses and consulting services. Private activities in support of foreign policy goals include logistics, protection, and reconstruction functions. PMSCs increasingly conduct security sector reform activities and the military training that is a major part of US foreign aid, and by acting as foreign policy proxies they enable governments to extend their foreign influence.

Debate continues about the impact that reliance on PMSCs has on the state. The privatization of security functions has generated concern by hollowing out states’ capacity to act without contractors. But PMSCs may also work as force multipliers, enabling states to do more in foreign policy with less cost and official commitment. Reliance on PMSCs has had pernicious effects on transparency and accountability, two core democratic principles. Reputationally, PMSCs as proxies can extend a state’s influence, but poor behaviour by PMSCs can corrode state-to-state relations and poison popular sentiment toward the countries that employ these companies.

In the US foreign and security policy context, PMSCs have become virtually indispensable; the state is no longer able to engage in many foreign policy activities without reliance on private actors. Dependence on private actors is not so pronounced in other countries, but outsourcing is increasingly common among other Western states as well. This trend is unlikely to change soon.

Private security is thus a fact of life in the foreign policy and security realm. Some scholars argue that contracting could be done in ways that enhance states’ power and prestige. This would require thinking about what conditions would make outsourcing effective (Stanger 2009: 163). Ensuring that contracting states regain the capacity to oversee private actors and actions is key. This will be an uphill battle given the decline in oversight capacity that has accompanied the explosion in contracting in recent years. State regulations governing PMSCs need creation or strengthening in most countries, particularly with regard to activities conducted outside the companies’ home states; the industry’s reach expanded more rapidly than the regulatory framework. In the interim, reliance on voluntary codes of conduct and industry standards provides a stop-gap that can encourage companies seeking to do business with reputable states and clients to engage in responsible business practices (also [Chapter 26](#), this volume). More broadly, states should consider their aims in pursuing foreign policy, and what this implies regarding appropriate tasks to be assigned to private actors. Corporate interests and national interests do not always align.

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