

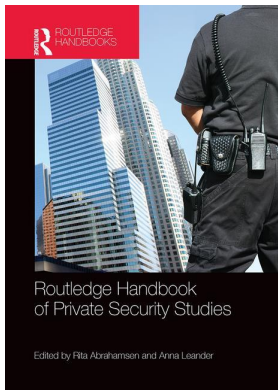
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5

PRIVATE SECURITY GUARDS

Authority, control and governance?

Joakim Berndtsson and Maria Stern

Who guards life and property in our societies? And who guards the guardians? To an increasing degree, the answer to these questions is: commercial security actors. In this chapter, we explore more fully these vexing questions, as well as what might be at stake in their answers. In particular, we query the ways in which public–private distinctions are being drawn and unsettled, spheres of authority and governance coincide and clash, and how control and oversight are determined in the practice and governance of contemporary security guarding.

The ubiquitous use of private security guarding is part of a widespread and quickly accelerating global trend of increasing commercialization of security actors and governance. The market for private security services is vast and expanding; in many countries, private security guards outnumber the police and sometimes even the military. In the US, more than 1 million people work as security guards (US Department of Labor 2013). By comparison, the EU-27 market is home to 54,000 security companies, employing around 1.3 million, while in India there are over 7 million guards (Eurostat 2013; Gooptu 2013: 14). This development has also given rise to large private security companies (PSCs) such as G4S, employing over 618,000 people in 120 countries, and Securitas, with around 300,000 employees in 52 countries, according to these companies' own websites. Importantly, the trend towards security privatization is not confined to liberal democracies in the 'global North', nor is it concentrated to developing states in the 'global South'. Private security is a *global* phenomenon, associated with developments in peaceful societies as well as in armed conflicts and military operations in the post-Cold War era.

The increasing privatization of security guarding figures centrally in changing patterns of global security governance. The forms of security privatization in guarding are many and varied, as are the activities and roles taken on by commercial actors. For instance, private security companies supply both armed and unarmed guards to state and non-state clients operating in a variety of different settings, ranging from conflict zones to stable and peaceful societies. Security guarding, as it occurs in different sites across the globe, involves particular and highly contextual public–private, local–national–global security constellations, as well as seemingly incongruous political and juridical arrangements for their enactment and oversight. Indeed, some authors have also observed a 'close association between state security and corporate security', both being 'party to a fluid and largely informal relationship' (O'Reilly 2010: 184). In the context of globalization, this has created a 'sovereignty/capitalism nexus' and a 'hybrid transnational policing marketplace' (ibid.: 198, 203).

Nonetheless, in the literature on private security, there has been a tendency to focus on the more ‘spectacular’ use of armed security contractors in the wars in Afghanistan and Iraq. While this focus is understandable, it also is important to acknowledge the profound impact of the more ‘routine’ and ‘commonplace’ activities of private security more generally, and guarding, in particular; the ‘full significance and impact of contemporary processes of privatization cannot be grasped through a focus on the military sector alone’ (Abrahamsen and Williams 2011: 2). Hence, while dramatic developments have spurred significant research interest in security privatization in the context of armed conflict, less effort has so far been made to connect these complex and vital questions about authority, control and governance with concerns related to private guarding in non-conflict settings. However, questions of authority and governance, control and oversight, as well as who/what can do what and how under the name of security guarding in settings that span (and unsettle) the ‘peace–war’ spectrum have implications for the both the practice and politics of guarding, as well as for security governance and politics more generally.

In the remainder of this chapter, therefore, we address the privatization of guarding by focusing our lines of inquiry around the following interrelated questions:

- Who guards in what context?
- What are the implications of privatization for the practice and politics of guarding?
- What are the implications for security governance and politics more generally?

A comprehensive overview of security guarding across the globe is clearly beyond the scope of this chapter. Instead, we draw upon our (and others’) analyses of guarding in peace and war, aiming to identify recurrent themes and significant differences that can be gleaned from specific sites. These themes include: firstly, public–private distinctions and, secondly, spheres of authority and governance and attending questions of control and oversight. Additionally, by exploring guarding in sites that span both ‘mundane’ and ‘exceptional’ security practices, the chapter highlights the interrelated dynamics of divergent security guarding contexts and practices and unsettles any tidy topographies of ‘peace’ and ‘war’, ‘exceptional’ and ‘mundane’, or even a spectrum between them.

The chapter begins by offering a conceptual discussion of guarding, as well as brief snapshots of three different security guarding contexts to provide a backdrop for our discussion of the themes raised. Next we explore the central themes of public–private distinctions and authority and governance in relation to our threefold question.

Setting the scene: loss prevention and the guarding of life and property

As many of the contributions in this Handbook show, the commercial security industry covers a very wide and disparate range of activities, technologies and actors. Still, there is no commonly agreed upon definition of what constitutes a private security (or military) company, nor is there any exhaustive list of activities or services that should be included under such rubrics as commercial ‘security’, ‘protection’ or ‘policing’. Similarly, there are many different ideas of what characterizes a private security guard or the activity of guarding itself. A definitive distinction between policing and guarding, for instance, remains elusive. Both the police and the military are charged with demarking (public) order from disorder, as well as guarding and protecting that which society values, such as human life, property, particular freedoms, etc. While conceptual development and discussion remain highly important, our endeavour here is not to remedy this situation. Rather, we argue that the lack of clear-cut definitions and

delineations is magnified through security privatization, and that one important task for research is to explore the ways in which private security guarding helps shape ideas, practices and policies linked to ‘public’ and ‘private’ security provision and governance. Before proceeding, we dwell a bit longer on the concept of private security guards and what they do.

On a very general level, we can say that private security guards are individuals who work for commercial entities that seek to provide ‘loss prevention’ and ‘protection of life and assets’ (South 1988: 38; Abrahamsen and Williams 2011: 39). This means that private security guards are involved in preventing (deadly) harm to persons (e.g. when working as bodyguards) or assets such as (private or public) property and information. Performing typical duties and functions such as ‘patrolling, transit and guarding,’ private security guards are also, in many contexts, ‘the public face of the security industry’ (Zedner 2009: 103). These guards police ‘privately defined orders’; however, they also increasingly police public order – a remit that is often seen as the ultimate purview of the state (Shearing and Stenning 1987: 13–14). The distinctions between public and private orders (as well as who/what defines such distinctions) accordingly transform and blur. The ways in which these duties are performed, by whom, for whom and under what circumstances differ widely between cases, giving rise to a variety of concerns linked to the lines of distinctions between public and private actors and responsibilities, spheres of authority and governance, as well as issues of control, regulation and oversight. To illustrate the very different practices that make up guarding in varied contexts, we offer some brief snapshots drawn from three seemingly very different contexts: the Democratic Republic of Congo (DRC), Sweden, and the wars in Iraq and Afghanistan.

In the DRC – a war-torn country where a plethora of armed groups continue to engage in combat in the Eastern territory over, among other things, access to lucrative minerals – private guarding is becoming widespread (Schouten 2014). The market has expanded from a handful of companies in the late 1980s and early 1990s to between 35 and 45 companies in 2008, employing an estimated 25,000 people (de Goede 2008: 42). Some international security companies such as G4S provide guarding services to government bodies, transnational companies (including mining companies), international humanitarian agencies, international organizations, as well as to private individuals. Moreover, one section of the national police – the Brigade de Garde – is, in effect, run partly as a commercial security outfit. For a fee, armed police can be hired to protect private property and individuals, and while the Brigade police are often less well equipped than other private security outfits in terms of vehicles and communications, they have two distinct advantages; they are generally cheaper and, perhaps even more importantly, they are armed (ibid.; Schouten 2014: 144). Such outsourcing occurs both formally and under specific regulation, and informally through personal contacts. Additionally, and particularly in volatile and more militarized areas, guards from the national armed forces are for hire through informal channels to protect both individuals, and companies.

In Sweden, known as a strong democratic state, the domestic security industry consists of over 500 companies, employing around 20,000 people. The use of private security companies to provide protection and investigation services for individuals and other private companies is by no means a novel phenomenon. However, over the past decades, the sight of uniformed private guards patrolling public and semi-public places (such as shopping malls, airports, sports arenas and high streets) has become increasingly common. In addition, since 2006, Swedish state authorities have contracted with private companies such as Saladin, Control Risks and Vesper Group to provide armed and unarmed protection as well as risk assessments and intelligence services to overseas diplomatic and development cooperation missions in Pakistan, Afghanistan and Iraq (Berndtsson 2012; Berndtsson and Stern 2013). Finally, under a new law that entered into force on 1 July 2013, it is possible for shipping companies with ships sailing

under Swedish flag to employ armed guards to protect against piracy on certain voyages. The tasks of the vetting and controlling the private guards are mainly in the hands of the shipping companies (Berndtsson and Østensen 2015).

In Iraq and Afghanistan – two war-torn countries where violent conflict is still very much a reality – tens of thousands of armed and unarmed guards from private security companies continue to protect local politicians and businesspeople, foreign diplomatic staff, convoys, embassies, and military bases (Avant 2005). In these situations of violent conflict, guards have formed a vital part of the military, diplomatic and aid missions of Western countries that are incapable of meeting and/or unwilling to meet perceived security needs with state-based solutions (Kinsey 2006). Indeed, these guards and other private security services have been indispensable for both military and civilian efforts during these wars (Dunigan 2011). At the same time, the substantial number of violent incidents where guards have been involved, along with several cases of fraud and breaches of contract, coupled with a general lack of state oversight and control of their activities, has raised serious questions about the ethics and legitimacy of security privatization in violent conflict (Pattison 2014).

These three seemingly disparate cases provide examples of the very different contexts in which commercial security guards are hired to protect life and property. In addition, they hint at the importance of questions about who the guards are: Are they employed and trained by a public body under democratic control and oversight? Are they hired by a private profit-driven company and trained under sketchy circumstances? The three cases also suggest the very different impact that the increase in commercialized guarding might have on the practices, politics, and governance of security and protection. Finally, they underscore the importance of addressing questions surrounding ideas about public–private distinctions, spheres of authority and security governance, as well as issues of control and oversight in relation to the ethico-politics of the commercialization of guarding. Below, we probe these themes further by drawing on the cases introduced above, as well as pointing to other cases where these themes emerge.

Public–private distinctions

The task of guarding life and property has often been seen as one of, if not the primary, merit of the modern liberal state. Indeed, according to the logics of modern state sovereignty, the state is often seen as ultimately responsible and accountable for ensuring the protection of its citizens and their goods, private industries well as, of course, the public bodies and infrastructures that make up the state apparatus (see Introduction, this volume). Security, broadly understood, is frequently seen as a ‘public good’ and the modern state the locus of the public. While such notions are deeply imbedded in the modern political imaginary, it is also clear that the public–private distinction constructed through this storyline, as well as the notions of the state as a distinct (and primary?) locus of politics poorly reflect the complex webs, networks or assemblages of security actors, logics, practices, and technologies that make up security guarding today. As many authors have shown, these lines of distinctions are ‘fuzzy’ at best (e.g Johnston 1992: 205; Leander 2006: 28). Although clear-cut and static distinctions between the private and the public clearly exist only in theory, they remain firmly etched into common (and shared) public political imaginaries (Owens 2008).

Consider once more the brief introduction to the case of the DRC above. The issue of the Brigade de Garde – a public entity tasked mainly with police work on part of the state – being formally rented out to private enterprises. This is clearly a striking example of how our notions of public and private are being confounded. Lines of distinction are being (re)drawn and unsettled, and our notions of what constitutes a police officer or a private security guard are being

called into question. In the DRC, a public, violence-wielding institution ‘doubles’ as a commercial entity, providing (armed) protection to clients, which in many cases are made up of international companies. The result is very different to the idea(l) of security as a public or collective good, with the state providing publicly funded protection through institutions such as the police or the military. Such crisscrossing of public–private divides calls into question the prevalence of sovereign security logics in relation to commercial ones (Leander 2006), and begs the question of whether or not the ‘right’ to security and protection must be bought from ‘public’ forces. This question, in turn, raises further and thorny questions about the way in which different lives and assets are valued.

Additionally, and importantly, the Congolese state often falls far short in its remit of providing security for all of its citizens; this ‘doubling’ is therefore further problematic. That those who are supposed to protect the population, yet do so poorly, are for hire (both the Brigade through formal and informal channels, and the national armed forces through informal channels) to and in competition with various ‘private’ actors, including foreign commercial companies, calls into question the legitimacy and loyalties of the state security institutions, and ultimately, the Congolese nation–state project. It also severely unsettles familiar distinctions between public and private guarding activities that are borne out of the primacy of the sovereign state’s role as ultimate guarantor of the life of the population.

Again, this is not an issue particular to the context of ‘weak’ or ‘developing’ states struggling with the effects of violent conflict. Similar logics and processes are also at work in Sweden, where conditions are vastly different. Since 2007, security guards from Securitas have performed the majority of security work at Stockholm’s Arlanda airport, the most trafficked airport in Sweden. In effect, these guards also help ‘secure’ the Swedish state, European territory, the safety of passengers from all over the globe, global airspace, as well as the economic interests of a host of companies (Berndtsson and Stern 2011). However, the guards are not the sole providers of protection at the airport. Beside the private guards, security staff from Swedavia (a state owned company), as well as members of the Swedish Border Police, Swedish Customs, and the Swedish Security Service also work to prevent the loss of life and assets. The (re)drawing of lines of distinction between public and private spheres at the airport frames much of the terms of, and the struggles over, power, knowledge and authority in relation to the use of private security guards. For instance, Swedish national police have ultimate authority and accountability over security at Arlanda, yet this remit is rendered practically impossible as their presence at the airport is limited. Contention surrounding who has adequate training and knowledge to guard the airport properly, as well as how the division of labour should occur, figure centrally in discussions over demarcations between the public and private spheres.

There are many other examples of how security privatization raises questions about public–private distinctions. For instance, several authors have pointed to the ‘hybrid’ or ‘protean’ character of private security companies and their employees (Carmola 2010: 10–12, 27–39; Abrahamsen and Williams 2011: 59). In zones of armed conflict such as Afghanistan and Iraq, private security guards – often with a military or police background – work for private companies but frequently perform duties closely associated with the military, such as interrogation of prisoners, intelligence gathering or armed convoy escorts (Singer 2003). Higate (2012), for example, explores how prospective private security guards (who are ex-military British and US soldiers) retrain to perform such ‘private’ guarding duties; yet their embodied (masculine) subjectivities as soldiers (who have been produced as particular masculine soldier-selves) render it difficult for them to inhabit a private security guard–self. While private guards and soldiers often perform very similar acts, the remit of protecting a client in contradistinc-

tion to fulfilling a military aim requires different forms of restraint – restraint that the ex-soldiers struggle to employ.

In other cases, employees of private security companies are explicitly described as more or less ‘public’. One example of this is the employment of ‘security coordinators’ by the Swedish Ministry for Foreign Affairs to manage security and provide bodyguards to the Swedish embassies in Iraq, Afghanistan and Pakistan. Not only are these coordinators deeply involved in organizing and governing security at the embassies, they are also listed as ‘diplomatic staff’ and described by state officials as ‘the extended arm of the ambassador’ and essentially as ‘public servants from the private sector’ (Berndtsson 2012: 318; Berndtsson and Stern 2013). Surprisingly, given the sensitive and precarious theatre of operation, the hiring of a security company to play such a vital role was seen as unproblematic by the Swedish government. As many of the private security personnel are former police or military officers, the Ministry’s Security Secretariat in Stockholm implied that the difference between ‘private’ and ‘public’ security actors was essentially non-existent; the contracting of private actors, even as they were granted diplomatic status, was therefore rendered without controversy in their accounts. Nonetheless, a representative of the Swedish International Development Cooperation Agency (Sida), whose work is dependent on security clearance by the Embassy in Kabul, for instance, lamented this state of affairs and queried the commercialization of the logics of risk assessment (Berndtsson and Stern 2013).

As we shall see below, the impetus to contest and (re)inscribe lines between public and private security provision and governance follows from the very indistinctness of these lines. The discomfort with such indistinctness is coupled with the notion that they should somehow be clearly defined; public and private orders should be distinguishable and the public order should trump the private ones, even though it is clear from the workings of guarding and security provision more generally that the public and the private are indeed quite blurred. Furthermore, a routine focus on this binary allows us to turn a blind eye to what might be at stake in the practice of guarding. However, this does not mean that these distinctions are unimportant. On the contrary, security actors from the individual guard at the airport or at the embassy, to company management and state security and police officials, frequently use (their interpretations of) these lines of distinction to rationalize their own and each other’s roles, behaviour and responsibilities. Vitaly, contestations and practices over lines of distinction between (and ‘within’) the public and private spheres raise important questions about spheres of authority and governance. Who guards in what contexts matters in terms of how such guarding is governed and who can be held accountable.

Spheres of authority and governance

As noted above, the lexicon of modern state sovereignty provides a familiar and tenacious framework for allotting accountability and defining the parameters of security governance. The Weberian edict of state monopoly over the legitimate use of force continues to hold sway in terms of the underlying logic for the ultimate role of the state as provider of security and the maintenance of public order. However, this logic is often overridden in practice, and through the complex webs of (globalized) governance arrangements at play in different security assemblages (see [Chapter 13](#), this volume). Overlapping spheres of authority and parallel, crisscrossing, and/or discontinuous lines of accountability render the governing of security guarding precarious and incoherent in many contexts, further raising questions about the ethico-politics of security practices that poorly resonate with the political and juridical structures available for their governance.

Furthermore, the question of democratic control and oversight sheds light on basic assumptions that cast the commercialization of security as a site of considerable controversy. The publicly recognized slip of private interests and activity into what many concur should be a democratically controlled public realm (security) is most obvious in the context of armed conflicts, such as those in Iraq and Afghanistan. The much-publicized shootings in Baghdad's Nisour Square in 2007 serves now as a cautionary example of the problems associated with uncontrolled and unregulated private companies engaging in military-like activities (Dunigan 2011: 71–2). The Nisour Square shootings and the absence of functioning systems of state control and oversight led to public outrage, calls for more regulation and accountability, as well pertinent questions about who can do what, where, in the name security or protection (Leander 2010). While the highly charged dilemmas posed by PSCs in conflict zones continue to attract attention, less violent but certainly not less important crisscrossing of what is commonly understood to be public–private spheres and activities occur in security practices across the globe. While most go unnoticed in the everyday security landscape of modern life, such crisscrossing cause alarm when they clearly challenge dearly held notions of who can use force when, where, how, against whom, and for what purposes. Witness for example the uproar that ensues when private security guards in different contexts act in violent ways that fall outside the legitimate use of force by the police – force that is (ideally) subject to democratic oversight and strict regulation. One example is the storm of protest that followed upon recent reports of severe violence and abuse by private security guards against refugees and asylum-seekers in Burbach, Germany (Kirschbaum 2014).

What might such outrage be about? If a state no longer maintains control (so the logics goes) over the means of the use of force; over the security knowledge and technology that allows for the detection of threat and the management of risk; over the practice of protecting its citizens and their assets; and if accountability, and regulation of guarding are not subject to democratic oversight, then the basic workings of security governance and modern liberal democracy require critical scrutiny. The fact that these rules never correlated with the actual workings of politics is not the point. What is at stake is the sense that democratic oversight allows for a system of control, and importantly, enforcement so that the (legitimate) use of force is not unwittingly wrested from the state – as a democratically appointed guarantor of security for the population and upholder of public order. Yet security practices often resonate poorly with the political and juridical structures available for their governance.

For instance, as explained above, a mix of public and private actors guard Arlanda airport in close proximity. However, the different ‘public’ and ‘private’ actors enjoy different mandates and authority, and must navigate an intricate web of instructions and regulations, supervision, and evaluation from authorities on the local, national, regional, and global levels. In this particular context, struggles over public–private demarcations, roles and responsibilities among security actors help create and shape a number of ‘public–private’, ‘private–private’ and ‘public–public’ contestations linked to problems associated with the ways in which the contracted security guards performed their duties (Berndtsson and Stern 2011). Such contestations reveal how the inaccurate, yet obdurate binary of public–private poorly reflects the dividing lines where vital political questions about the governance of security are posed, debated and settled.

Another example is found in the increasing use of private guards on board commercial vessels to protect against piracy. Like many other countries, the three Scandinavian countries (Denmark, Norway and Sweden) have recently put regulations in place that permits the use of armed guards on certain voyages. While there are some differences between the countries’ legal procedures, rules for the carrying and use of arms, and the applications procedures that precede licensing, there are also similarities in terms of how security onboard ships is being governed.

To a considerable degree, tasks such as conducting risk assessments, vetting personnel, making decisions on rules for the use of weapons, as well as reporting and oversight measures, are left in the hands of shipping companies, ship captains, and the PSCs themselves. A very blunt description of the indirect role of the state was offered by a representative of the Swedish Transport Agency, the organization tasked with overseeing the use of private guards on board Swedish ships: 'We work with risk-based systems oversight. That means that we normally do not make on-sight inspections; instead, we review the systems and procedures that the shipping company and the security company have' (Swedish Transport Agency, e-mail conversation, 11 October 2013).

In essence, what has been created in the three Scandinavian countries cases is a regulatory 'façade' and a way of governing security at a distance and through the market (Berndtsson and Østensen 2015).

In the DRC, security governance is notoriously precarious. While the Congolese state is ultimately responsible for and dictates the remit and actions of the state security agents (the police and the military), in practice many informal arrangements and (globalized) public-private constellations govern security provision and guarding in the Congo (Hönke 2013; Schouten 2014). The distinction between public and multiple private orders become further blurred when state security agents act simultaneously as public servants and as individual actors who utilize their public position in a parallel informal economy and politics (Eriksson Baaz and Verweijen 2014). Furthermore, a plethora of international actors are involved in reforming the state security sector (Boshoff *et al.* 2010); and many competing armed groups continuously unsettle state sovereign control over public order. In such a context, the question of authority over guarding practices becomes even more salient – and slippery. Although the head of police is officially responsible for the activities of the Brigade de Garde, informalized arrangements often accompany formalized ones, and authority and accountability remain blurry at best. When members of the national armed forces are for hire through informal political economies, notions of accountability and sovereign control, not to mention democratic oversight, abide as theoretical fantasies of security sector reform that have little to do with what occurs on the ground.

Conclusions

In this chapter, we have endeavoured to connect issues of authority, control and governance raised in the context of armed conflict with concerns related to private guarding in non-conflict settings. The three seemingly disparate cases from where we have drawn most of our examples provide insight into the very different contexts in which commercial security guards are hired to protect 'life and property'. As we have shown, questions about who provides the guards, and who these guards are, matter for both the practice and politics of guarding, as well as for security governance and politics more generally. Indeed, pertinacious notions of who can use force when, where, how, against whom, and for what purposes in the name of security and protection bang against the realities of complex and shifting practices, identities, and spheres of authority involved in guarding. Paying attention to the contestations involved in practicing and governing security guarding also unsettle other lines of distinction, such as that between peace and war, or the mundane and the exceptional. The cases discussed above reveal important similarities across the 'peace-war spectrum'; the unsettling of lines of distinction, for instance, between public and private actors, responsibilities, control and spheres of authority figure centrally in debates about, and the practice of, guarding in sites as disparate as the DRC, Sweden and Afghanistan. Hence, our analysis ultimately underscores the importance of

addressing questions about private guarding across cases and contexts to better understand the impact of private security guards on issues of governance and the politics of security more generally.

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