



## Research on Privatisation of War

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**Inspired by:** FP7 theme 8 project PRIV-WAR

**Filters type:** Affective, Political

**Signal type:** Mixed

**Importance:** Important for the EU

**Implications:** Mixed

**Occurrence:** 2005-Now

**Impacts timeframe:** Now-2025

**Key words:** Conflict, outsourcing, security, privatisation, ethics, law, rights

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### Weak Signal

Existence of FP7 project PRIV-WAR ("Regulating privatisation of war: the role of the EU in assuring the compliance with international humanitarian law and human rights"; Research area: SSH-2007-4.2-02 Articulation of rule of law and protection of human rights at national, European and international levels)

Private military and security companies have long been used in situations of armed conflict. Mercenaries ("dogs of war") have been used throughout recorded history, it seems. What seems to be a new phenomenon that the project is responding to is the use by major states of corporate organisations in a wide variety of military, security, and auxiliary roles – to the extent that many suspicions have been raised about the potential influence of such entities on security policy. This can be seen as a specific example of the more general trend of outsourcing public sector activities to private companies, also evident in prison and similarly sensitive domains in several countries. But it could also be related to governmental efforts to disengage from responsibility for (armed forces) casualties and for the conduct of peacekeeping (and activities that better fit the description of waging war).

The signal refers to these developments. It is also indicative of growing concern with the human rights and ethical issues of such privatisation, which could become a major factor in the future through, e.g., litigation or public opinion. More widely, the concern might extend to some other spheres of outsourcing of public services to what has become known recently as "the public service industry". The Weak Signal, then, might suggest simply a continuation of an existing (largely unremarked, if remarkable) trend. Or it could imply one or other extreme Wild Card. Wild Cards concerning the trend would be either a considerable intensification of the trend (war becomes very heavily privatised) or a considerable break with it (states' ability to mobilise private actors in war-fighting – and even peacekeeping and recovery efforts (!)) becomes highly constrained.

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## Typology

(Note: this heading refers mainly to the factors “weakening” the signal, including those related to the need for further confirmatory signals. However, there are other “types” of We to consider.)

The “privatisation of war” is so far limited in that major military forces and their encounters in conventional war operations remain largely unprivatised. (There is little new in the reliance on civilian-owned equipment and intelligence, etc.) The main publicity has concerned the use of security personnel in peacekeeping and post-conflict situations (these terms are somewhat contentious shorthand) and support services of various kinds on the periphery of war-fighting (e.g. catering facilities at military bases). In the past there has been some attention, to, to the use of various types of private operative, motivated for financial gain (i.e. not ideological terrorists) in activities of destabilisation and the like. The latter activities have typically had a high level of deniability, so that their very character has remained opaque to many ordinary citizens.

Thus, restricting our attention simply to the sorts of activities carried out openly by the Blackwaters and Haliburtons of this world, it is not clear that this is a weak signal in the sense that there is little debate about longer-term implications because the trend itself is not recognised (it has received media coverage), or because the trend is widely considered unproblematic – or at least, the lesser of two evils. It might be that casualties among employees of such organisations are not regarded as so significant for military morale or public support (are they “our heroes”?). Likewise, the ability to distance the state from responsibility for risk management on the part of the operatives, and for issues such as human rights abuses and other ethical malpractices they may effect, may be welcomed on the grounds that the difficulties of the circumstances are such that any operatives are bound to blunder or worse on occasion, and it would be better for this to be some third party.

It would be valuable to explore public opinion data to see if any of these themes have actually been addressed. For now the hypothesis is that the weakness of the signal reflects ambivalence on the part of media and general public, more than being the result of systematic deliberate weakening on the part of state or firms. The latter may well exist.

## Importance

In order to address this issue, we need to explore the different scenarios that could emerge here, which means taking on some of the discussion that would fall under “Potential Implications”, below.

If the trend is to be continued, the importance is probably moderate – we will see some extension of national and international law to regulate the behaviour of such entities more effectively, but not enough to eliminate problems nor to substantially disrupt their activities. The implications of the other scenarios would be experienced as far more important.

If public (and legal) opposition to these activities grows, with more recourse to litigation or international law to restrict activities, seek compensation, punish malpractice, then implications could be substantial for military strategy in the modern world. If states have to reassume responsibility for social and economic reconstruction in occupied territories and “post-conflict” areas, then this will tax the capabilities of military forces. Some possibilities (not necessarily exclusive: (1) military forces will need to be restructured to adopt the new roles; (2) new entities will need to be mobilised (some form of “Peace Corps”) (3) New arrangements will need to be achieved concerning legal liability and regulatory supervision between states and private – and “third sector” non-profit – organisations. The wider ramifications of this Wild Card could be considerable. In the military sphere, there could be shifts in the abilities of states (and non-state actors in some cases?) to make use of mercenary and other forces; there could be agreements to resist legitimisation of regimes coming to power by such means; and so on. More broadly, there could be knock-on effects on domestic private and privatised security and related activities (in the justice and prison systems, for instance), and possibly in other types of public services subject to privatisation.

In the third scenario, where the Wild Card is an intensification of the trend, we could see the emergence of the more realistic elements of Richard Morgan’s 2004 novel MARKET FORCES. This sees the industry of “Conflict Investment” as one of the leading sectors in the highly dualistic world (and national) economy of 2049. The corporations involved are instrumental in maintaining and overthrowing regimes in the impoverished areas of the world, largely in order to maintain an international division of labour that can provide cheap production for the West. The United Nations is weaker than ever, trying to monitor and expose corporate moral excess. (The novel has many weaknesses, though there are also a few nice plot twists, as when a client is butchered when the protagonist displays some initiative and opts for regime change; the treatment of UN-corporate relations is reasonably well-imagined.)

## Potential implications

The three scenarios outlined above suggest various ways in which the trend might evolve. Below we will consider "Drivers" that can make the trend more or less likely. We could also consider drivers and events that might shape resistance to the trend. These could include: events such as highly visible exposure of serious abuse resulting from these privatised activities, or of corruption in allocation and administration of contracts; strong evidence and argument (for example by leading policy scientists) of the impracticability of monitoring and controlling outsourced services of this sort (e.g. agency or transactions cost theory developments); court rulings that hold states responsible for the behaviour of private contractors or the outcomes of privatised wars; shifts in public opinion and professional ethics concerning public-private partnerships; pressure from major international players that effectively restricts their use.

These developments suggest that recognition of the Weak Signal leads to major actions to limit its development. But there are contrary possibilities, for instance we could imagine corporations (even state-owned corporations (!) from emerging economies to see the trend as offering lucrative export possibilities, and moving aggressively (sic) into promoting their services to all sorts of clients.

Again, this need not be restricted to security in the military sphere (we already see some transnational companies in secure transport, prisoner escort, etc., so why not transnationals originating from NICs)? More radically still, we could see many public services "privatised" in this way (though presumably this would not mean importing the legal framework along with the judges, the alternative health treatments along with the hospital management).

Most fundamentally, the Weak Signal indicates the emergence of complex ethical and legal issues connected with the redefinition of state powers and public-private relationships. These are highlighted because of the particular sensitivities and risks associated with warfighting, peacekeeping, and post-conflict situations. Other dimensions include: the limits of state power in a multipolar (or at least less hegemonic) globalising economy; the commoditisation of ever wider spheres of activity; the growth of citizen media and sousveillance (not to mention self-incrimination by operatives who themselves use new media).

## Current situation

According to the International Committee of the Red Cross, "In the last decade and a half more and more functions that used to be performed by states' security or military apparatus have been contracted

out. These activities include, among others, logistical support to military deployments and operations, maintenance of weapons systems, protection of premises, close protection of persons, training of military and police forces at home or abroad, intelligence gathering and analysis, custody and interrogation of prisoners and, on some occasions, participation in combat. The past few years have witnessed an unprecedented increase in the demand for private security/military services that was met both by structured companies with a track record for the provision of military and security services and by a string of new companies.... Not just states, but also commercial companies, international and regional organizations as well as non-governmental organizations are resorting to privatized security services, in particular while operating in situations of armed conflict."<sup>1</sup>

This raises questions that have been noted by organisations such as the ICRC concerning human rights as new actors become involved as combatants and non-combatants, under different governance structures from those traditionally operative in military relationships. "Responsible command" may be harder to assess and enforce.

The PRIV-WAR project<sup>2</sup> (FP7) is seeking to formulate proposals for a satisfactory regulatory scheme within the European Union to ensure the accountability and responsibility of the private actors. Licensing and registration might be elements of this (note that training requirements are enforced for some categories of private security employee within some Western countries). It is organising workshops, network-building, and dialoguing with stakeholders, and is likely to effect further raising of awareness about these topics.

## Drivers

### S

- Public attitudes to overseas engagements, military casualties, and privatisation in general.
- Attitudes to foreigners of different types in conflict territories

### T

- Cheapening of some classes of military and security equipment requiring limited skills to use.
- New media enabling recording and communication of events as they unfold. Scope for monitoring operatives by citizens and clients.

### E

- Expansion of corporate interests into "war markets"
- Transaction cost issues

### E

- (limited environmental drivers at present, though climate change is liable to trigger much more conflict round the world)

## P

- Declining state power
- Avoidance of culpability
- Outsourcing risk

## V

- Human rights concern
- Attitudes to state responsibility – in conflict situations, in privatisation more generally

### Filters

- Institutional filters – military policymakers may be inclined to write off the power of legal institutions and pressure groups.
- Media filters – some major media outlets have little interest in covering such developments.

### Potential issues

- Regulation of private military and security companies.
- Human rights abuses and ethical/legal frameworks – the latter might be weakened, strengthened, or shaped in new ways.
- Corporate influence on international relations.
- State management of public-private partnerships and public service industries.

### Potential risks

#### immediate (before 2015).

- Human rights abuses.
- Exacerbation of hostility to occupying powers and foreign states, with knock-on effects on global conflicts and geopolitics.
- Threat to activity of charities and humanitarian bodies (e.g. UN) trying to work in conflict areas.

#### short term (between 2015-2025)

- substantial privatisation of war, with private actors shaping more military and geopolitical strategy.

### Potential opportunities

#### immediate (before 2015).

- Efforts to develop new regulatory frameworks
- Strengthening of Human Rights organisations and legal structures.

#### short term (between 2015-2025)

- Increased sousveillance initiatives.
- Application of improved monitoring systems.

### Potential stakeholders' actions

#### short-term actions (now-2015)

- EU, UN, development and rights agencies and foundations: review the trends and their implications for your activities and objectives.
- Private security and military services: introduce serious human rights and related training for field operatives; establish appropriate management reporting and accountability frameworks.
- Insurgents: define your policy towards non-state actors.

#### long-term actions (after-2015)

- Establishment of effective governance, monitoring and enforcement regimes.

### Relevance to Grand Challenges

Growing privatisation of war may create greater insecurity, worsening relations of EU or member states with significant parts of the world, and possibly intensifying threats of terrorism or restrictions on oil supplies or other resources.

### Relevance to research areas

This topic seems mainly relevance to social and legal research. Wider implications for, and similar issues in other areas of, public-private partnerships may be explored.

However, there might be scope for work on relevant technologies:

- Information technologies for monitoring operatives
- Systems to support citizen reporting and sousveillance
- Forensic science

### Relevance of the ERA strategies

This weak signal does not have any obvious relevance for ERA strategies.

### Relevance of a research-friendly ecology

It is hard to identify the overall relevance of a research-friendly ecology for the weak signal, apart from noting that circumstances under which research networks on this and similar themes can rapidly form, articulate analyses and results, and influence stakeholders, is very important for the weak signal to be acted upon.

### Relevance to future RTD & STI policies

This particular weak signal has substantial implications for other areas of policy and practice, but its links to R&D and STI are limited.



## Final remarks on importance for Europe

The weak signal is important for European security, image in the world, and view of itself as adherent to (and leadership of) humanitarian and human

rights norms. Research such as PRIV-WAR should inform activity dedicated to avoiding problems and improving practice.

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## Sources and References

- PRIV-WAR website:
- ICRC website: <http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/privatisation-war?OpenDocument>;  
<http://www.icrc.org/web/eng/siteeng0.nsf/html/privatisation-war-230506>
- <http://www.army.mil.nz/downloads/docs/massey/army%20conference%20paper%20slides.ppt>.
- Bjørn Møller 2005 PRIVATISATION OF CONFLICT, SECURITY AND WAR, DIIS Working Paper no 2005/2  
<http://www.janeliunas.lt/files/Moller%282005%29%20-%20privatisation%20of%20war.pdf>
- Richard Morgan, 2004, MARKET FORCES, London: Gollacz SF see: [http://www.amazon.co.uk/Market-Forces-Gollancz-Richard-Morgan/dp/0575075120/ref=cm\\_cr\\_pr\\_product\\_top](http://www.amazon.co.uk/Market-Forces-Gollancz-Richard-Morgan/dp/0575075120/ref=cm_cr_pr_product_top)



**About the project:** **iKNOW** is funded by the EC Directorate General Research under the Seventh Framework Programme theme eight: Social Sciences and Humanities (SSH). It is part of a series of foresight initiatives promoting 'blue sky' research on emerging issues affecting European science and technology. The **iKNOW** project aims to connect knowledge for the early identification of issues, developments and events (e.g. wild cards and weak signals) shaping and shaking the future of science technology and innovation in the European Research Area (ERA). In particular, **iKNOW** will develop conceptual and methodological frameworks to identify, classify, cluster and analyse wild cards and weak signals and assess their implications for, and potential impacts on, ERA).

## Notes

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<sup>1</sup> Quoted from: <http://www.icrc.org/web/eng/siteeng0.nsf/html/privatisation-war-230506>

<sup>2</sup> See <http://priv-war.eu/>

