



# The private military industry and neoliberal imperialism: Mapping the terrain

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## Abstract

Despite the international reach, and increasing global importance, of the free market provision of military and security services—which we label the Private Security Industry (PSI)—management and organization studies has yet to pay significant attention to this industry. Taking up Grey's (2009) call for scholarship at the boundaries between security studies and organization studies and building on Banerjee's (2008) treatment of the PSI as a key element in necrocapitalism, in this article we aim to trace the long history of the PSI and argue that it has re-emerged over the last two decades against, and as a result of, a very specific politico-economic backdrop. We then suggest that the PSI operates as a mechanism for neoliberal imperialism; demonstrate its substitution for and supplementing of the state; and count some of the costs of this privatization of war. Finally, we take seriously Hughes's (2007) thesis of the growth of a new security-industrial complex, and of the intersecting elites who benefit from this phenomenon.

## Keywords

(nation) state, neoliberal imperialism, private security company, private security industry, privatization, security-industrial complex

The last 20 years or so have seen the rise, or more correctly the re-emergence, of privately owned and operated military and security organizations. Such organizations have historically had a significant effect on shaping the political and economic world order and, in the context of contemporary global capitalism, this role is seemingly being reprised. Since 1990 the PSI has more than doubled in size (Leander, 2005). When such growth is compared to other global industries such as energy, where primary energy consumption rose 'by 2.5% in 2011, roughly in line with the 10-year average'

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(BP, 2012: 2), its vitality appears astonishing. During 2010 alone, the PSI's British arm won a record £29 million in government contracts covering operations in Afghanistan alone (Townsend, 2011). By 2015, one estimate suggests its broader global value will reach \$230 billion (Abrahamson and Williams, 2011).

Within the PSI operate Private Security Companies (PSCs). These PSCs are commercial organizations selling a variety of military and security services, resources and technologies. Their clients include: nation states, such as Sierra Leone, Bosnia, the United Kingdom and the United States; commercial enterprises, such as BP, Exxon Mobil and De Beers; and non-governmental organizations, such as the British Red Cross and the World Wildlife Fund (Avant, 2004; Spearin, 2001).

It is worth noting that ascribing the labels PSI and PSC to the private security industry is a relatively recent development and, in itself, an indicator of the quickly evolving structure of this industry. Throughout the 1990s and early 2000s, the preferred terms were Private Military Industry and Private Military Companies (Singer, 2004): a reflection of the activities of the most prominent organizations of that time. These companies, such as Executive Outcomes and Sandline International, engaged primarily in military—or what we might call 'offensive'—activity. However, more recently in Iraq and Afghanistan, private firms have been hired primarily to undertake roles such as guarding bases, commercial enterprises and government installations; providing escort services for civilian convoys; and bodyguarding services for individuals. The emerging emphasis on these 'defensive' or 'precautionary' activities has led to a relabelling of the industry as more focused on security than on military engagement.

Whilst the PSI has been discussed in disciplines such as politics and international relations, law and legal studies, history and military and peace studies, and despite its economic significance and the obvious prominence of the clients of PSCs, scholars of management and organization have largely neglected it. This article is therefore a response to Grey's (2009) call for greater interdisciplinarity between organization studies and security studies. We also build upon Banerjee's (2008) useful introduction to PSCs (which he refers to as Private Military Firms) in his theorization of 'necrocapitalism'. Following Mbembe, Banerjee defines necrocapitalism as

contemporary capitalist practices [that] contribute to dispossession and 'the subjugation of life to the power of death' in a variety of contexts, for example in the organization and management of global violence through the increasing use of privatized military forces and conflicts over resources between transnational corporations and indigenous communities. (2008: 1542)

In a more narrow sense, our central task is to explore the implications of the changing relationship between public and private organizations over the control and conduct of military and security activity.

To fulfil these objectives, we do the following: 1) establish the long history of the PSI and, in particular, establish the key points at which its services were gradually taken over by standing state militaries; 2) identify two intersecting conditions (privatization and the end of the Cold War) as facilitating the PSI's re-emergence within the wider context of political and economic neoliberalization; 3) analyse the PSI as a tool of neoliberal imperialism and isolate the ways in which it both substitutes for and supplements the state; 4) address the implications of this substitution and supplementation by counting some of the costs of privatizing war; and finally, 5) speculate as to the possible beneficiaries of exponential PSI growth by considering the emergence of what Hughes (2007) calls the new security-industrial complex.

## Section I: The historical roots of the PSI and the state control of violence

‘The contemporary organization of global violence is neither timeless nor natural. It is distinctively modern. In the six centuries leading up to 1900, global violence was democratized, marketized and internationalized. Nonstate violence dominated the international system, ... People bought and sold military manpower [sic] like a commodity on the global market’ (Thompson, cited in Hughes, 2007: 93).

As Thompson avers, the use of private agencies to provide military services—or what she refers to as ‘global violence’—is far from a recent development. Indeed, it was only in the 17th century that the state military model we have today began to emerge. Prior to that, the use of private soldiers<sup>1</sup> was a standard, indeed fundamental, component of military operations; and mercenary forces played an instrumental part in many key events in world history. For example, in 334 BC, private forces formed a notable proportion of each army when the Persian King, Darius III, lost the Battle of Granicus River to Alexander the Great; and it was the Vandal, Goth and Visigoth hordes—whom it had previously trained and paid—that eventually helped bring down the Roman Empire between late Antiquity and the early Middle Ages (Armstrong, 2008).

Throughout the era of feudalism local lords or, at state level, monarchs, continued to rely heavily on privately recruited military forces (Fawtier, 1966). By the 14th century it was the Italian city states of Florence, Genoa and Venice that had developed an especially substantive reliance on such forces. These city states often lacked the population required to raise armies but did have substantial wealth in currency form through their lucrative Mediterranean trading links. Local guilds raised forces under a system of *condotta*, or contracts (Kiernan, 1957). The use of such forces was underpinned by a belief, which we might associate more readily with post-Industrial Revolution management discourse, that this was a highly rational and efficient means of defence (Singer, 2004). So powerful and significant did the *condotteri*<sup>2</sup> become that they appear regularly in Machiavelli’s *The Prince* (1988), originally published in 1532. His largely negative view of these mercenaries is summed up in his description of them as ‘the whores of war’. Later, from the 16th century, the spread of European empires in the ‘age of exploration’ sparked by Columbus’ discovery of the New World saw a new role for private military forces. As states established trading companies to administer foreign outposts, these companies, including the Dutch East India Company and the British East India Company, raised forces to defend their interests. These forces, whilst nominally managed by military attachés, were predominantly made up of privately recruited troops.

However, the Thirty Years War (1618–1648) and the solidification of the role of the sovereign state in Europe marked a turning point in the fortunes of private military contractors (Mears, 1988). In order to consolidate power and territory, new ruling elites sought to establish a military apparatus recruited, trained and controlled by the state (albeit periodically and rarely as a standing army). This was the genesis of the nationalization of military activity which gradually transmogrified into the state standing army organizational form with which we are more familiar today. Changes in warfare, principally the development of the cannon and the subsequent diminution of the importance of cavalry and castle fortifications, further served to render the centralized state the most efficient unit of organization for the military (Bean, 1973). This is not to suggest that privately contracted forces ceased to be employed by nation states, but rather that they were frequently subsumed within, or largely replaced by, state militaries (Krishnan, 2008).

Of course, the move towards nation states mobilizing standing citizen armies was not achieved all at once throughout Europe. Principally, the French and Industrial Revolutions ushered in a new

era that was characterized economically by capitalism and capitalist imperialism and politically by the growth of the nation state (Hobsbawm, 2005). The latter, as a matter of principle, mobilized citizens in pursuit of the former. Perhaps unsurprisingly, France, the epicentre of the process of constructing the nation, led the way in mobilizing the people to its cause. The French Revolution rested upon the idea that the state and the people had reciprocal rights and responsibilities. It is equally unsurprising that Britain maintained the use of mercenary forces much longer than France. After all, Britain had fought the Revolutionary and Napoleonic Wars (1793–1815) precisely to contain the ideas of the French Revolution. Moreover, mercenary forces reinforced empire on the cheap. In India, for example, the East India Company maintained British control<sup>3</sup> and it was only after company rule was blamed for the uprising of 1857 that the British state took direct control of armed forces and government of the sub-continent (Porter, 2004). Indeed from the 1870s onwards, the Scramble for Africa (and, to a lesser extent, Asia) resulted in states taking formal imperial control of territories. Because of this, the extent to which mercenary forces could be successfully used was further curtailed. And, by the time of the Great War (1914–1918), the nature of warfare had changed to the point whereby mercenary forces became irrelevant. Total war and mass mobilization necessitated that everyone in a nation be directly involved in the state's military objectives (Hobsbawm, 1998).

As such, the declining role for private military forces, and the increase in state monopoly on military activity, was underpinned by a growing belief that the state should exercise control of violence. As Weber (1994) notes, by the early 20th century so complete had the state control of military activity become that it was a defining feature of the state's purpose and function: 'In the last analysis the modern state can only be defined sociologically in terms of a specific means (*Mittel*) which is peculiar to the state, as it is to all other political associations, namely physical violence (*Gewaltsamkeit*)' (p. 310). Weber was clear that not only was the exercise of violence the state's function, but also that sole dominion over what he calls 'legitimate physical violence' was deemed to be its privilege. Only the state should be able to sanction its use. Since the inception of the sovereign state in the 17th century, then, war and politics have been intricately connected. The aphorism that politics is war by other means became as much of a truism as its opposite (Foucault, 2003: 267).

But it was not just politics that shaped the development of warfare and engagement in military activity. Increasingly, as the nineteenth century progressed and gave way to the twentieth, for the industrializing powers of Britain, Germany, France, Japan and the US, war became a tool via which to pursue capitalist and, as an intrinsic part of that, imperial goals. In this sense, and in keeping with the ideas of Hobsbawm (1968, 2007), we see strong links between developments in warfare and developments in capitalism and capitalist imperialism. True enough, as Hobsbawm does, we recognize that not all wars were directly linked to the maintenance and development of capitalism. The Great War, for example, had as its immediate cause nationalism in the Balkans and its more long-term underpinning in the development of a precarious European alliance system in the 19th century. Nevertheless, overarching those developments was the search for territory, raw materials, labour and markets that various capitals were engaged in prior to 1914. However, after 1945, the growing strength of (neo)liberal imperialism, and in particular its desire and ability to pursue informal imperialism, gradually resulted in the re-emergence of mercenary forces, suitably re-imagined as Private Security Companies. We examine this development now.

## Section 2: Neoliberalism and the re-emergence of the PSI

As Chwastiak (2007: 5) notes, the resurgence of the PSI could not have taken place were it not for certain 'legitimizing practices and norms already existing in society'. In this section we locate

those 'norms'. We place the re-emergence of the PSI within a broader context of political and economic neoliberalization, the key aspects of which we now outline.

In the years following the Second World War, the political economy of the United States became much more focused on economic liberalization, both domestically and internationally. The Bretton Woods agreements of 1944, for example, shifted the balance of world economic power towards the US; whilst the Marshall Aid programme tied together the capitalist world and centred it on American capitalism. Both acted to reconfigure international capitalism, and both began the process of liberalizing the economies of Western Europe and Japan. Thus the move towards neoliberalism had its roots in the immediate post-war era (Harvey, 2003, 2005). But more social democratic models still had a distinct purchase in Europe and in the US itself. After all, the US had just introduced the New Deal, key components of which were regulation and state intervention; and in Western Europe (with the exception of Spain and Portugal), Keynesian ideas were still strong. Such ideas were favoured by populations at large because they were seen as a direct attempt to fix the poverty of the inter-war period. For Western European governments, Soviet Union propaganda which promised a 'worker's paradise' behind the Iron Curtain also required a countervailing force to ameliorate the perceived worst excesses of capitalism and communism alike. In subsequent decades, patience was required in introducing potentially unpopular liberal domestic policies when governments already had to contend with controversial conflicts in Korea, Borneo, Malaya and Vietnam in the 1950s, 1960s and 1970s.

Indeed until the late 1970s, the unpopularity of such policies, coupled with the pressures facing US capitalism in the west, required that the US economy turn to its frontiers to enact neoliberal reforms. It was forced to test such theories abroad—in, for example, Guatemala in the 1950s and Chile in the 1970s—in order to demonstrate their suitability in providing economic growth to a home audience (Klein, 2007; Litvin, 2003). Here, at the periphery, both formal and informal means were used to create circumstances favourable to neoliberal economics and to the expanding US economy more broadly. At the frontier, by preference, informal imperial tactics were employed to gain advantages for US capitalism. As we shall see later, from the 1990s onwards, such informal means were combined with the use of the re-emergent PSI.

By the late 1970s, however, neoliberal policies had sedimented within western capitalism itself as elites took advantage of high inflation and poor growth rates in order to smash Keynesianism. This process accelerated rapidly after the collapse of the Soviet Union. Perhaps the most iconic reforms were those associated with privatization, and these were certainly crucial for the PSI. During the 1980s, policies of privatizing nationalized industries, outsourcing the provision of services and greater public-private collaboration laid the foundations for its re-emergence. Explaining the changes that took place, Crouch (2011) focuses on the neoliberal influence on the organizational and managerial configuration of the state; arguing that governments sought 'to move their own activities closer to those of the private sector or even to move them fully into that sector' (p. 71). Importantly though, this indexes a reconfiguration rather than the withering of the state, although the latter is often supposed by neoliberal theorists to be a necessary outcome of their policies. Certainly with regard to the PSI we can see the reconfiguration of the state to better serve neoliberal capitalism through the removal of 'proper administrative oversight' (du Gay, 2002). As such,

neo-liberalism departs astonishingly from both the political and economic legacy of liberalism in not seeing any problem in a close relationship between firms and the state, provided the influence runs from firms to state and not vice versa. The first error of this position is not to realize that firms try to influence

the state precisely because they want that influence to turn back onto the economy, to grant them favours. (Crouch, 2011: 95)

Although Crouch is discussing domestic affairs here, his point can be drawn out to elaborate on the conduct of private firms in the formal and informal empire. Furthermore, the 'close relationship' he outlines seeks to excuse private organizations from public accountability, further demonstrating that neoliberalism is not libertarian in character but is rather concerned with liberating private organizations from the 'limitations' of accountability mechanisms.

In the UK context, from 1984 onwards the Thatcher government initiated a policy of extensive privatization of many aspects of British industry and service provision. As such, it was here that the (re-)privatization of the military began to take hold. Initially, a move toward the use of market mechanisms to determine whether military needs should be serviced 'in-house' or by the market saw the contracting out of provision like military housing and welfare services. However, before long, more and more aspects of direct and indirect military support operations were opened up to free market tender, aspects such as in-theatre supply chain management, maintenance and servicing of equipment, engineering services, intelligence and even military security. Similar events unfolded in other western states. Thus Kinsey (2006) argues that, by the early 2000s, western militaries had outsourced more or less every function other than combat itself. Indeed, as Johnson (2004) and Krishnan (2008) both observe, the US and UK militaries have now become so dependent on contractors that they are unable to operate effectively without them.

Further to the above, neoliberalism is not only an economic project, but also an ideological one. The Cold War called for the projection and naturalization of liberal economic policies in such a way as to not only promote them as good sense, but also to give these policies moral authority by linking them to notions of freedom, a connection pioneers Hayek (1944) and Friedman (1962) both argued for. The fall of the Berlin Wall and the end of the global Cold War seemed to further justify the move towards neoliberalism. This also provided an ideal (if unforeseen) opportunity for the PSI to flourish. In fact these economic and political shifts saw not only a changing political world order but also a redefinition of the role and purpose of state militaries, creating new doctrines of war and a significant restructuring of the state military apparatus. The nuclear stand-off between East and West was replaced by the outbreak of nationalist tensions that had been suppressed under the various regimes of the Eastern Bloc. As stated in the Stockholm International Peace Research Institute (2010) *Yearbook*, for example, of the 30 major armed conflicts between 2000–2009, only three were inter-state. Such conflicts, given numerous names including 'new wars' (Kalder, 2001), 'post-modern war' (Hables Grey, 1997) and 'degenerate warfare' (Shaw, 1991), no longer required the mass state armies so fundamental to military planning from the Great War until the end of the Cold War. Instead, smaller 'rapid response' forces were needed, able to undertake what have variously been called 'humanitarian operations', 'peacekeeping duties' or in current United Nations jargon, 'Responsibility to Protect' (R2P) activities.

This changing role, and greater collaboration between militaries as global and domestic security concerns increasingly became indistinguishable, led to a substantial downsizing of many state military forces. In the US, for example, enlistment reduced by one-third between 1989 and 2000 (Bacevich, 2001). In the UK, the all-volunteer force that began with the end of National Service in 1963 saw numbers fall from 326,000 in the mid-1980s to 173,020 by the 1 January 2012 (Defence Analytical Services and Advice, 2012).<sup>4</sup> These changes generated a vast pool of redundant military labour and an abundance of surplus equipment to supply the emerging PSI. Utilizing these surplus resources, the PSI found a specific niche in supporting, even training, regular state militaries in the use of the new technologies of war. As Kinsey (2006) notes, many



of the most advanced weapons systems employed by state militaries, including the Aegis missile defence system, Patriot missile batteries and the Apache attack helicopter, are primarily maintained and serviced by civilian contractors. Elsewhere, many complex ICT capabilities have been developed, not by the military, but by civilian organizations and then adapted for military use, often with the need for civilian operators (Coker, 1999; Hughes, 2007; Kinsey, 2006). As such, by 2002, up to 80% of all British Army training involved civilian contractors of some kind and all Royal Navy shore-based training is now conducted in partnership with a commercial consortium—Flagship Training Limited (Straw, 2002).

Hughes (2007) argues that this privatization of military capability came most prominently to the fore in the aftermath of the terrorist attacks of 11 September 2001. The US government's instigation of a policy of 'Full Spectrum Dominance' (FSD)<sup>5</sup> necessitated increasing reliance on privately contracted organizations to achieve the goals that the recently downsized state military could no longer accomplish on its own. In a curious turn of events, here we see an increase in state powers that were subsequently delegated to the private sector. The result, according to Hughes, is the rise of what he calls a new 'security-industrial complex'; an industry ready-formed and able to offer a broad range of commercial solutions to problems of national and international security. This is a claim to which we shall return.

For now, however, the restructuring that occurred after the terrorist attacks of 11 September 2001 was also all of a piece with the 'best practice' ideologies which characterized neoliberal restructuring of other public and private sector organizations; namely downsize, outsource and/or privatize. Indeed, the architect of changes to the US military, Donald Rumsfeld, was appointed by George W. Bush as Defence Secretary in 2001 with the specific task of transforming the US military into a 'lighter fighting force'. Rumsfeld brought to the post a desire to implement the type of restructuring he had been instrumental in introducing to corporate America during the 1990s; namely downsize/delay the core workforce and either subcontract or outsource non-essential activities. The rationale was that outsourcing a significant proportion of activities would drastically reduce capital commitments, whilst not compromising operational effectiveness (Ackroyd, 2007). Rumsfeld wanted this increased internal financialization to also take place within the contemporary US military, and implemented it via his 'Force Transformation' policy. As such there was an overview of all kinds of military activities and an assessment as to whether or not these could be outsourced; and Rumsfeld's approach

saw the army shedding large numbers of full-time troops in favour of a small core of staffers propped up by cheaper temporary soldiers from the Reserve and National Guard. Meanwhile, contractors from companies such as Blackwater and Halliburton would perform duties ranging from high-risk chauffeuring to prisoner interrogation to catering to health care. (Klein, 2007: 285)

These transformations were so controversial that eight retired generals called for his resignation, and he was eventually forced to step down in 2006 (Klein, 2007: 284). However, Rumsfeld's attempt to bring outsourcing and downsizing to the heart of the US military had been successful.

These events, and the possibility of an emerging security-industrial complex, bring us back to the central question in this article: namely, what are the implications of the changing relationship between public and private organizations over the control and conduct of military and security activity? In Section 3 we address this by articulating some of the main uses of the PSI as a state tool. Specifically, we consider the use of private contractors as a neoliberal mechanism for expediting the transfer of territories in two specific ways: substituting for and supplementing state military and security activity.

### Section 3: The PSI as a tool of neoliberal imperialism

Here we argue that, within neoliberal imperialism, the PSI has fundamentally assisted metropolitan states in moving imperial possessions from formal to informal control. It is therefore worth outlining the concept of informal imperialism as originally suggested and developed by Gallagher and Robinson (Gallagher and Robinson, 1953; Robinson, 1972). In the seminal article 'The Imperialism of Free Trade', they define imperialism as the 'process of incorporating regions into the expanding economy' (1953: 5). This useful definition they augment with the idea that such an incorporation could be undertaken either through formal annexation or through informal control. It is the latter that interests us here.

Informal imperialism might be best characterized as the process of a state using collaborators at the periphery in order to secure economic advantage. Its principal advantage is that it is considerably cheaper than exerting formal control (annexation). Parallels have been drawn between the attempts by Britain in the nineteenth century to establish a free trade empire and the attempts by the United States since the Second World War to establish a (neo)liberal empire (Kiely, 2011). Both countries made use of informal imperialism and both countries sought to press informal empire through the weight of their dominant economies. In the nineteenth century, one of the most prominent examples of informal control was Britain's influence over Argentina, secured through the phenomenal investments the former made in the latter's railway infrastructure. This made the Argentinean government virtually dependent on the good will of British capitalism. In the twentieth century, as aforementioned, we have seen examples of US informal imperialism in countries such as Guatemala in the 1950s (Litvin, 2003) and Chile in the 1970s (Klein, 2007). Moreover, as also implied earlier, memories—in the US of Korea and Vietnam and in the UK of Korea, Malaya and Borneo—index the domestic problems caused by formal interventions involving significant numbers of troops and deaths. The problems of formal annexation moved both the US and UK to create ways of moving territories to informal control which requires much fewer state military resources. And of course informal control fits not only with the economic tenets of liberalism, but also with the small state political philosophy of neoliberalism.

Establishing informal empire rests upon the metropolitan power harnessing the power of pliable collaborator elites at the frontier. Neoliberal imperialism seeks to work much more quickly than British imperialism did in moving countries from formal to informal control. The sheer scale of US economic power makes this more feasible than it ever was for the British. In part, this is because the US has been able to use its considerable economic might to quickly overrun countries where previous collaboration has broken down—as it did in Grenada in 1983. In part, and building on military power, swift interventions followed by rapid privatization of national assets and other structural changes to an area quickly befitted countries for informal control. However, as in the exemplary instance of Iraq, the quick switch from formal to informal leaves collaborators in a more exposed position than collaborators in the British empire, whose power was often built up over several decades.

The PSI provides an ideologically consistent way of bolstering the power of collaborators and facilitating the swift transfer of responsibility for government to the periphery. There are three main reasons for this. In the first place, by contracting out a role (the maintenance of an army) that has for a considerable amount of time been the responsibility of the state to a private company, working through the PSI to support informal control is consistent with neoliberal ideas on privatization. Second, the fact that casualties and deaths in the PSI do not have to be justified by the state to the nation as a whole shields governments from the problems experienced during bloody conflicts and lengthy foreign occupations. Indeed not only are deaths of PSI personnel



not widely reported but neoliberal political economy serves, in the case of necrocapitalism, to rationalize deaths as an occupational hazard and more broadly puts such deaths into the context of the individual's right to exercise choice of occupation in a way that the state could not justify. Finally, because the PSI is often exempt from local legislation, PSCs can offer their clients services that subvert the normal rule of law and give them an edge in protecting both their clients and their clients' interests. This helps to strengthen the hands of collaborators whose position at first glance appears weak.

We return to all of these observations in Section 4, but we will now outline the two functions we see the PSI fulfilling as a tool of informal imperialism: first, as a substitute for state military or security activity in situations where the state is unable or unwilling to act; second, and perhaps most prolifically, as a supplement to the state, through the subcontracting of military and security activity.

### *Substituting for the state*

We can identify two key roles for the PSI in this regard. To begin with, there have been instances in which private contractors have acted on behalf of nation states in roles previously occupied by the standing military. For example, following the Dayton Accords in 1995, one of the biggest PSCs, Military Professional Resources Inc (MPRI), was contracted by the US government to consult on the restructuring of the Bosnian military. More recently, MPRI was awarded a contract to train the new Iraqi security services; and built an exact replica of the US military training base, Fort Irwin National Training Centre, in Kuwait (Avant, 2008). Domestically, MPRI have won contracts to run the Reserve Officer Training Corps (ROTC) in 217 US universities and to operate US military recruitment offices (Johnson, 2004). Elsewhere, since 1975 Vinnell have been contracted to train the Saudi Arabian National Guard, under the auspices of a joint venture between the Kingdom and the US called Vinnell Arabia. Similarly, following the surge in violence in Iraq in 2003, DynCorp won a contract worth over \$50 million to carry out a local security assessment and to recruit and train a 1000 strong security force (Pelton Young, 2007). Of course these are all activities that, historically, would have been undertaken by state military forces.

In addition to the above, we have seen instances in which PSCs (or more appropriately PMCs in this regard) have fought on behalf of a state that cannot leverage sufficient military capability. During the 1960s war in the Congo, mercenaries from countries including France, Spain, Rhodesia and South Africa fought on each side of the conflict (Abrahamsen and Williams 2011). Likewise, in the Nigerian Civil War, private soldiers were recruited by both the government and the Biafran separatists. And in the Angolan Civil War it is estimated that as many as 1000 foreign mercenaries, including British, American and Egyptian personnel, were central to the fighting (Abrahamsen and Williams, 2011). More recently, in the 1990s Executive Outcomes, made up almost entirely of ex-members of the South African Special Forces, assisted the Angolan government against the UNITA rebels. It provided, amongst other things, 'armoured personnel carriers, amphibious vehicles, Soviet helicopters and helicopter gunships, Soviet fighter-bombers, and Boeing 727 transports' (Smith, 2002: 108). Executive Outcomes combat forces also 'undertook commando assaults' (Singer, 2004: 108) against the rebel forces.

### *Supplementing the state*

But in the past ten years or so, the more common utilization of PSCs, and that which accounts for most of the PSI's growth, has been to supplement state military activity through the subcontracting

of, primarily, support activities. This takes many different forms but Krishnan (2008: chapter 5) groups them into 'maintenance, overhaul and upgrading services' such as aircraft and depot maintenance; 'focused logistics' support such as transportation provision, base operations and weapon systems logistics; and providing 'operating equipment and systems'. In the last category, PSCs offer expertise in everything from radar and satellite systems through reconnaissance and intelligence activity to supporting military weapons technology. So, for example, Tibbett and Britten, a British company, services the transportation and maintenance needs of the Canadian military, and in 2004 US-based Kellogg, Brown and Root, secured a contract worth some \$5.6 billion to provide logistical support to the US Army (Kinsey, 2006). Elsewhere, contractors such as Compass Group plc, headquartered in the UK, have provided vital but arguably less newsworthy support by providing catering and laundry services in a range of state military operations (Hughes, 2007).

Other PSCs, like Blackwater, have provided security to civilian, governmental and military 'assets' in Iraq and Afghanistan, including contracts for personal security for Afghan president Hamid Karzai and the head of the Iraqi Coalition Provisional Authority, Paul Bremer. Indeed Jones (2011) suggests that Blackwater has been paid more than \$320 million since 2004 for such contracts. Personnel here have been hired in the main using the US Iraqi reconstruction budget, initially set at \$18 billion but estimated to have grown to over \$55 billion by 2007 (Pelton Young, 2007). In Afghanistan, this outsourcing has led to a curious network of state military personnel, known in the UK as Operational Mentor Liaison Teams (OMLTs) and locally referred to as 'omelettes' (Hennessey, 2009), working alongside private contractors in training the Afghan national army and police force.<sup>6</sup> But although such outsourcing has been most visible during these two post-invasion conflicts, Avant (2008) notes that private contractors have been involved in every United Nations sanctioned operation since 1990.

In each of these different forms, the PSI seems on the face of it to demonstrably undercut the control of legitimate violence by the state, something which Weber suggested a hundred years ago was—and importantly so—its unique role. Our thesis, however, is that the picture is a good deal more complex than this. In order to arrive at this conclusion, our next section argues that the employment of private security forces does not come without significant costs around accountability, regulation and oversight.

## **Section 4: Counting the costs of privatizing war**

### *The lack of accountability and its consequences*

The widespread use of private contractors, we contend, not only makes more complex the state control of legitimate violence but also poses questions about the management and conduct of military operations and around assigning accountability to those engaged in such activities. Contractors after all are civilians and therefore not subject to military command and control structures; nor are they subject to military law. Further, their status under civilian law is extremely ambiguous. We shall discuss PSI regulation and control shortly but, for now, it is worth observing that holding PSCs legally accountable for their actions, under civilian law, is extremely difficult for a number of reasons.

First, for any recent conflict in which private contractors have been employed, there has been no requirement by the contracting state, or any other agency, for PSCs to provide detailed and accurate reports on typical military issues: troop levels, injuries and deaths, weapons' discharges, contact with an enemy, activities undertaken, intelligence gathered, etc. Consequently it is not known with any certainty how many contractors are active, where, and for what purposes; and accountability

cannot be assigned in any meaningful sense to either individual contractors or PSCs. Even when incidents involving contractors are reported, successful prosecutions are fraught with difficulties.

In large part the lack of knowledge about the personnel involved in PSCs is a result of the lack of an audit trail and therefore individuals under suspicion will usually be removed from active service or reassigned before local law enforcement can act. This happened in 1999 when a number of DynCorp employees were reported to have sexually assaulted and raped women and young girls in Bosnia (Singer, 2004). In other theatres of conflict, contractors have been afforded immunity from local civilian law. Paul Bremer, shortly before handing over authority to the new Iraqi government, issued Order 17, giving all coalition agents, including contractors, immunity from Iraqi law 'with respect to acts performed by them pursuant to the terms and conditions of a Contract or any sub-contract thereto' (cited in Pelton Young, 2007: 115). As a result, when Blackwater employees fired on civilians in Nissor Square in 2007, killing 17 and injuring 24, there was no means of pursuing a legal case against them.

In fact only one successful prosecution has been brought against a security contractor, and this was under the terms of the US Patriot Act, not local law. David Passaro, a former Green Beret, was charged in 2006 in relation to an Afghan detainee who died whilst being interrogated by US forces. However, Passaro was not charged with murder but instead sentenced to eight years for assault. In contrast, as Pelton Young (2007) observes, literally hundreds of US soldiers have been prosecuted, or court-martialled, in Iraq for crimes ranging from theft to murder.

Second, part of the difficulty in identifying and holding accountable PSCs and their personnel stems from the (absence of) oversight arrangements in conflict zones. For example, in Iraq, oversight of PSC activity was itself outsourced to another PSC, Aegis Ltd. Awarded the 'Matrix' contract by the US government, Aegis was responsible for monitoring the activities of PSCs and for coordinating activity between PSCs and the coalition forces (Armstrong, 2008). This reliance on self-regulation again does not accord with the oversight procedures to which state security and military forces are subject.

Third, one of the most complex issues surrounding the assignation of accountability results from the practice of sub-subcontracting by PSCs. Whilst the state may contract a well-known and established security firm, the relevant activities are then frequently subcontracted again to other PSCs. These, in turn, may subcontract further. What this means is that operators on the ground may well be far removed, geographically, legally, and even in terms of expected skills and experience, from the contracted PSC. As McCoy (2010) notes, it is not uncommon to have a private security team consisting of a small collection of highly trained former western military personnel who manage the project whilst much of the activity itself is undertaken by locals, who are frequently much cheaper to recruit but are often poorly trained and equipped for their role. Such contractors are frequently referred to as host-country nationals (HCNs) or third-country nationals (TCNs). These personnel, who are often vetted and employed by third parties, may have no direct link to either the contracted PSC or the sponsoring state. Indeed, McCoy estimates that some 90% of the PSC workforce is made up of these subcontracted workers whilst as little as 10% may be employees of the PSC itself.

However, the complications do not end there. There is also ample evidence of subcontracting within individual PSCs, such as the organizational practices of UK-based ArmorGroup:

FCO [Foreign and Commonwealth Office] contracts are signed with ArmorGroup Services UK Ltd, a subsidiary of ArmorGroup plc. Within the contract, AG agrees to provide security personnel. AG UK subcontracts AG Jersey to provide this manpower. AG Jersey promptly subcontracts the recruitment of the manpower back to AG UK ... 'Jersey' law is quite unusual in that it's a combination of French and English law, so mainland UK solicitors rarely understand proceedings ... Jersey also allows clauses in contracts

that state companies cannot be held liable for negligence, which would be deemed unfair under the UK legal system. (Armstrong, 2008: 203)

This myriad of contracts not only confounds clear lines of accountability but also is arguably designed to protect the PSC from being accountable to its own employees. Armstrong cites numerous compensation claims brought against PSCs by contractors themselves, or the families of those killed, only to find that they do not have formal legal recourse due to the ambiguity of the original employment contract. The problem of legal status that this lack of accountability turns on leads us into our second 'cost', the absence of formal regulation and oversight.

### *The absence of formal regulation and oversight*

Another hugely contentious issue surrounding the PSI centres on its very definition, or industry label, and therefore on the legislative architecture which applies. This complication arises because there is no universal agreement on whether contemporary private security companies constitute mercenary forces. As Krishnan (2008: 139) has observed, private security contractors can be variously defined within international law as mercenaries, non-combatant civilians, lawful combatants or illegal/unlawful combatants: each designation significantly altering the position and status of the contractor under international law.

If we consider the category of mercenary, we also see that Article 47 of the 1977 Geneva Convention, while appearing to provide clear criteria for defining mercenary forces, is so open to interpretation as to make it almost unworkable in the context of contemporary PSCs (Shearer, 1999). Cleaver (2000) adds that Article 47 is primarily focused on inter-state conflicts or wars of national liberation. Internal conflicts and civil wars may therefore be considered to be outside of its remit, and it is here of course that PSCs have operated most widely. Cleaver also notes that Article 47 lacks commitment and support from the major western powers, including the UK. A more recent attempt in international law to govern private contractors occurred in the 1989 UN International Convention Against the Recruitment, Use, Financing and Training of Mercenaries. Article 1 of this Convention, which was passed in 2001, supplements the definition of a mercenary provided by Article 47. Nonetheless, whilst this definition extends the types of conflict covered, it still very much emphasizes direct participation. That much of the PSI is involved in a range of indirect and support functions means that large chunks of it—once again—sit outside of Article 1's conceptualization. Moreover, few of the major powers signed this particular Convention, such as the US and the UK, which—again—limits its potential impact (Percy, 2006).

Whilst international law may fail to provide a sufficient framework for establishing a legislative environment for this industry, efforts have been made at the nation state level to articulate a particular relationship to the PSI. In the UK, the most recent attempt came in the form of a 2002 Parliamentary Green Paper prepared by then Foreign Secretary Jack Straw and entitled 'Private Military Companies: Options for Regulation' (Straw, 2002). The Green Paper is both intriguing and revealing in its broadly positive support for the existence of private security (or 'military' as they were then known) companies. It even pursues the neoliberal argument that there may be a clear economic rationale behind the use of privately contracted forces in the pursuit of UN objectives. In response to claims of atrocities perpetrated by PSCs, the Paper largely dismisses these as exceptional and suggests that, where they occur, the PSC is often still acting 'more responsibly' than other parties active in the conflict. In fact Straw draws on a commercial argument in suggesting that it is not in the interests of 'legitimate' PSCs to commit such atrocities, as it does not reflect

well on their corporate image. Overall, Straw seeks to assert a clear economic and political case for the relevance and use of private contractors of security and military services. In doing so, he draws a clear distinction between the 'disreputable mercenaries' of old and the new, highly organized, commercially-oriented PSCs.

Of course, having the status of a private corporation does not automatically imply an ethical way of doing business—far from it—but, at the same time, nor does the commercial provision of military and security capability mean such provision is administered in a wholly unethical manner either. Many PSCs are incorporated by, and consist of, former military personnel. So there is no reason to assume that, once they leave public service, such individuals lose whatever professional and moral standards they previously maintained; and this appears to be at the root of the claims Straw makes. However, of course, as Fallows points out, we can mount the counter-argument about a potentially 'corrupting effect on the uniformed military by their alliance with contractors' (2002: 47–48). We might also note anecdotal evidence that some individuals join the Special Forces with the intention of serving their minimum contract in order to 'qualify' for PSI recruitment, where remuneration can be as high as four times their state salary (Kinsey, 2006). However, the moral probity of individual PSCs and contractors notwithstanding, and although the Paper outlines a range of potential regulatory options for the industry, its conclusions leave the debate open and no final recommendation is offered. Overall Hughes (2007) suggests that the Green Paper served to legitimize the British state's use of privately contracted providers of military and security services whilst producing no new laws or regulations.

And if the legal status of PSCs remains fairly ambiguous, there are also several grey areas in the drawing up and administration of contracts for their services. In the US, for example, we know there is a clear separation of powers in which the Executive branch controls the military, the President being the military's Commander-in-Chief. However, only the legislative branch, Congress, can declare war and approve the use of military forces. By contrast, the subcontracting out of activity previously undertaken by military forces eliminates most of the need for Congressional authorization. Indeed only contracts worth more than \$50 million require Congressional approval and thus, in effect, the President can administer many small wars without ever having to inform Congress or the American people (Chwastiak, 2007). That a country's elected representatives are excluded from decisions about the engagement of forces deployed to further military objectives is worrying. This situation challenges the very basis of the US political system. In theory, wars can now be waged without public debate and without approval: decisions about the use of legitimate physical violence, on which the sovereign nation state was formed, are being removed from the democratic process. Moreover, even when state military forces are employed, these can be supplemented by private contractors, enabling any enforced 'troop ceilings' to be overcome (Percy, 2006). In Iraq, then, 150,000 US military personnel were 'supported' by over 125,000 private contractors. Never before, Broder and Risen (2007) note, has the US gone to war with so many civilians undertaking roles that would, in the past, have been fulfilled by uniformed labour.

The lack of either international or national regulation and consequent absence of clear oversight has raised many concerns for those critical of the use of privately contracted military and security forces. In the final section of our discussion we elaborate these concerns by arguing that the absence of meaningful accountability within the PSI may in part result from political, rather than economic, motives, such that the rewards of this dearth of transparency are reaped by specific elites at the heart of Hughes's (2007) security-industrial complex.



## Section 5: The PSI, transparency and the security-industrial complex

The absence of clear and robust forms of accountability, oversight and regulation makes it extremely difficult to grasp either the activities or the true scale of the PSI: there is a veil of secrecy around its activities that is only occasionally lifted through investigative journalism or the odd piece of empirical research. Indeed much PSI activity is exempt from Freedom of Information requests, and PSCs cannot be subpoenaed to appear before the US Congress (Chwastiak, 2007). So there is a distinct lack of transparency in its workings, which in its turn allows the PSI to be utilized as a tool of informal neoliberal imperialism. This point can be directly connected to du Gay's (2000) warning of what happens when 'proper administrative oversight' is dismantled, in his argument against traditional critiques of bureaucracy. Du Gay contends that bureaucracy is neither just 'the iron cage' of rationality, nor an anonymous organization full of faceless, amoral individuals. For our purposes here, we can understand bureaucracy as the legitimate articulation of state administrative procedures. So when du Gay expresses concern about the erosion of oversight in the name of neoliberal cutting of red tape, he is drawing our attention to the consequences. This is not a dewy-eyed view of bureaucracy as always providing for fairness and democracy, but it is to argue that bureaucracy is predicated on accountability. Given this, du Gay contends that the ethos of bureaucracy is a necessary feature of liberal democratic states. Similarly, we suggest that, as neoliberal states dispense with accountability as it pertains to a substantive proportion of their military activities, then these states become ever less answerable to the electorate; and perhaps even to elected politicians themselves.

As such, as the ethos of bureaucracy is excised from the exercise of informal empire and war via increasing use of the PSI, so are the constraints on the actions of those employed in military activities on behalf of the contracting state. Although in state militaries it may be more accurate to talk about the ethos as opposed to the practice of bureaucracy, we suggest that this ethos at least turns upon 'doing the right thing'. PSCs on the other hand seem to be driven by 'getting the job done'—whatever that may entail. What we see, therefore, in the downsizing, outsourcing and subcontracting of military activity ushered in most profoundly by Donald Rumsfeld post 2001 is a reduction in accountability based on the constitutional legitimacy that du Gay (2000) argues the bureaucratic ethos aims to uphold. In turn, this protects the interests of peripheral collaborators in informal empire, further facilitates the neoliberal political economy of metropolitan elites and threatens the proper administration of Weber's (1994) 'legitimate physical violence'.

Currently, lack of oversight and reporting hides the true costs of military activity. Moreover, instead of the use of the PSI simply undermining the state control of violence, rather what we are seeing is a 'new geography of security' (Abrahamsen and Williams, 2011: 3) in which networks of social elites are converging on the control of security. And we are also witnessing the emergence of a new security-industrial complex that should be received with the same caution as that which Eisenhower sought to convey about a military-industrial complex in the 1960s. We elaborate on each of these observations below.

As we have noted earlier, numbers of security contractors and their activities are not officially recorded. This lack of reporting also extends to the death and injury count for private contractors. Neither the PSC nor any government agency is obliged to record these figures. However, an investigative report by the *New York Times* in 2007 estimated the figures in Iraq to have been, at the time of publication, approximately 1000 contractors killed, and a further 12,000 injured. In the same time period, 4000 US troops were killed. Thus, contractors were being killed at the rate of one for every four state military troops. This reveals much about the extent of the death toll but also the



dangerous nature of the supposedly 'defensive' or 'precautionary' activities contractors undertake. There are even fewer data on the deaths and injuries caused by contractors in any theatre of operations. Whereas the death of military troops is widely reported, as are the lawful—and unlawful<sup>7</sup>—injuries and deaths for which they are responsible, the activities of contractors remain hidden. These largely invisible costs of war are profoundly worrying given the growing size and spread of the PSI.

And the absence of transparency around the activities of this industry may be an intentional move by certain powerful elites who stand to gain from the use of private contractors. As Chwastiak (2007) and Avant, (2008) have observed, the use of the PSI in place of state military allows a range of 'wars by proxy' so that military action can be undertaken without the oversight—or even media reportage—that would accompany the deployment of state troops. Ever since the Vietnam War, the US public in particular has been extremely cautious about the use of its military in high risk environments, as seen when a number of US Army Rangers were killed on peacekeeping duties in Somalia in the early 1990s—events commemorated in the 2002 film *Black Hawk Down*. Their deaths, and the subsequent domestic backlash, resulted in 1994's Presidential Decision Directive 25. This led to a decidedly 'hands off' role for the US military in any overseas conflicts not directly relevant to foreign policy objectives. But in the space between official policy like PDD 25 and the pursuit of neoliberal imperialism, the PSI arguably proves a most useful tool. That private security 'solutions' can be amassed quickly and without the need for oversight and approval (as we established earlier, in the US at least, if they cost less than \$50 million) presumably makes them even more attractive. We would suggest that it is partly public hesitance and the cost in political capital of sending troops to fight which has led to an increasing reliance on the PSI by many nation states.

The increasing use of the PSI, the relative freedom under which the industry operates, and the seemingly lucrative returns that PSCs can reap have also led to greater networking and collaboration between political, military and corporate elites in the running of these organizations and the securing of government contracts. For example, many PSCs, originally set up by ex-military personnel, have subsequently been acquired by influential multinational corporations. MPRI, as one instance, was set up by eight former military men, but is now owned by L3 Communications Holdings. L3 is a US-based company that offers a range of services including communications, satellite technologies and electronics systems to both military and civilian customers. Such large and powerful corporations have likewise been able to appoint Boards of Directors that seem uniquely suited to securing government contracts. Tim Spicer's Aegis counts amongst its former and current board members and advisers former SAS commander, Major General Jeremy Phipps; former Chief of the Defence Staff, Field Marshal Lord Inge; former Defence Minister and Conservative MP Nicholas Soames; and Ronald Reagan's National Security Adviser, Robert McFarlane. Other examples include former MP Malcolm Rifkind sitting on the board of ArmorGroup, and Judge William Webster, one-time CIA Director, serving as a member of Diligence LLC's advisory board. And, perhaps most famously, former US Vice President Dick Cheney was at one time the CEO of Halliburton, the corporation that owns KBR (Armstrong, 2008; McCoy, 2010).

Under Cheney's leadership, KBR were able to secure more than \$2.3 billion in government contracts, double what they earned in the previous five years. Moreover, they rose from 73 to 18 on the Pentagon's list of preferred contractors (Johnson, 2004). As another indication of the scale of these networks, in a single year, Gillian (2011) counts 250 ex-UK Ministry of Defence employees, including 20 generals, air marshals and admirals, joining PSC boards.

The culmination of all of this, given the PSI's immunity from, for instance, Freedom of Information requests; the fact that there has been no concerted push at national or international

level to instigate legislation or oversight procedures to control its activities; and the close networks of political, military and corporate elites which control this vast industry leads us to concur with Hughes (2007) that we are witnessing the rise of a new security-industrial complex. As such, we conclude our observations on the implications of such arrangements by reminding ourselves of former US president Dwight D. Eisenhower's farewell address to the nation in 1961, in regard to the rise of a military-industrial complex:

This conjunction of an immense military establishment and a large arms industry is new in the American experience ... In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist ... We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defence with our peaceful methods and goals, so that security and liberty may prosper together. (Eisenhower, 1961: 3)

As Fallows (2002: 46) establishes, most historians suggest Eisenhower has been routinely misread as warning of 'an increased risk of going to war', whereas his real concerns were much more pragmatic and centred around the ways in which the military-industrial complex might coalesce to identify potential national security threats and demand a budget for weapon manufacturing on that basis. However, if we take it in the sense in which it was generally used during Vietnam, as Fallows also points out, the term 'military-industrial complex' is 'a shorthand reference to the interests that presumably kept profiting from the war' (Fallows, 2002).

## Conclusion

Following Grey's (2009) call for further research at the boundary between the disciplines of security studies and organization studies and by building on Banerjee's (2008) analysis of the PSI as an aspect of necrocapitalism, we have sought to introduce a new (old) industry to the discipline of management and organization studies. We have located the industry in time and space and considered some of the main contours and characteristics of its current form. We conceive of this as a first tentative step into the substantive study of the PSI within our home discipline.

To summarize our key observations, the re-emergence of the market provision of military and security activity, combined with the specific way in which this activity is currently undertaken, has led many in disciplines such as politics and international relations, law and legal studies, history, and military and peace studies to call for greater scrutiny of what appears to be an emerging security-industrial complex. As McCoy notes, the increasing reliance on private military and security forces could potentially 'signal a net loss of control for most states under most circumstances' (2010: 680). However, utilized as a tool of informal neoliberal imperialism, we consider the relationship between state and private security contractor to be more complex than a simple transfer of power over the use of legitimate physical violence, identified by Weber (1994) as properly the sole province of the state. Following Abrahamsen and Williams (2011) we suggest that the increasing use of private military and security contractors does not necessarily diminish the power of the state in relation to the use of legitimate physical violence. Instead the rise of the PSI is more closely linked to changes *in* the state whereby the lines of responsibility for, and control over, domestic and international security are beginning to blur. This is leading to 'new security structures and practices that are simultaneously public and

private, global and local. Within these assemblages, state power is certainly configured, but it is not necessarily weakened' (Abrahamsen and Williams, 2011:3).

And this is not just the story of the re-emergence of PSI in the current period. Our discussion highlights the organizational and managerial reconfiguration of the state, by analysing the way in which war has been privatized through the mechanism of informal empire—which relies on neoliberal, pro-free market logic. Privatization of war, a logical consequence of neoliberal theory, also frees PSCs from the ethos of accountability and proper administrative oversight which du Gay (2000) attributes to bureaucracy. It allows states to wage wars by proxy, without the official oversight of either the government, the legislature or the media. Without this ethos of bureaucracy, organizations in the PSI can focus solely on 'getting the job done', and not on 'doing the right thing'. It is the neoliberal enthusiasm for anti-intervention and deregulation that has pushed states towards privatizing war, and allowed the PSI to function as a tool of informal empire. Thus neoliberalism has provided a philosophical, political and economic justification for overthrowing the bureaucratic but formally accountable form of warfare conducted by a state standing military, in favour of the use of services by the PSI.

As a result, and adding in recent events including the Arab Spring and the withdrawal of troops from Iraq and possible future scenarios including increasing cuts to the size of state militaries in the UK and the US—plus imminent withdrawal from Afghanistan—there is good reason to believe that a reliance on private military forces will not recede any time soon. Therefore, we need to ask further questions that address the changing relationship between public and private provision of military and security services, and how this will continue to reconfigure the control and use of legitimate physical violence.

## Notes

1. The word 'soldier' itself comes via Old French from the Latin *solidarius*, meaning someone who served for pay.
2. The Italian for military 'contractors'. The English translation is still used by the PSI today to refer to its members.
3. As Abrahamsen and Williams (2011) note, by the late 18th century the total size of the British East India Company force, standing at some 100,000 troops, was greater than that of the British army.
4. Further planned reductions in the UK armed forces were revealed in October 2010 as a result of the Periodic Strategic Defence Review and continuing cuts are being announced at the time of writing.
5. FSD involves achieving control over every single element of the battlespace, using resources on land, in the air, in the sea and in space. Its purpose, as the name suggests, is to severely delimit the power of opposition forces to exploit the battlespace.
6. The role of PSCs in Afghanistan is now much more uncertain following President Karzai's 2011 decree banning all private contractors.
7. A particularly tragic example is the killing of Afghan civilians by US Staff Sergeant Robert Bales in March 2012. Bales was charged under the Uniform Code of Justice with 17 counts of murder, later reduced to 16, as well as six counts of attempted murder and seven of assault. More recently, seven Royal Marines were charged in October 2012 with the murder of an Afghan insurgent in 2011. Again we can compare both of these cases to the assault charge brought against David Passaro in 2006, discussed in Section 4.

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## Author biographies

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