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Let Slip the Dogs of War

The Use of Private Security Contractors in Modern Warfare

Jon B. Mitchell

The United States Department of Defense (DOD) has begun to privatize war by increasingly utilizing private security contractors. The deployment of a private force with little oversight creates an array of problems. While they provide a professional and effective response to complex situations if properly applied, the use of contractors is accompanied by legal and cost efficiency consequences in mismanaged situations. To mitigate these effects, there may be a better way of employing contractors than demonstrated by the current paradigm.

American private security personnel have been in operation since the Revolutionary War but have not been significantly applied until the Global War on Terror. By definition, contractors are individuals and firms that fulfill the requirements of a contract either by making products or performing a service for a set amount of pay.⁴⁷ The DOD utilizes two types of contractors: private contractors and private security contractors (PSCs). Private contractors hired by the DOD provide various services such as food preparation, janitorial work, base construction, weapons and systems maintenance, translators, reconstruction projects, and laundry services. These companies provide the logistical support while private security contractors carry weapons and provide security to the contract holders.

The War on Terror has revolutionized the use of armed employees; while their primary application is to provide security in hostile areas, situations have arisen in which they have fought alongside the military in warzones.⁴⁸ With the U.S. government relying on private contractors to perform essential duties, many analysts suggest that in future wars and conflicts it will be difficult, if not impossible, to effectively perform operations exclusively with conventional military forces. The legal issue of titles immediately arises when PSCs are employed. While having the word “security” in

⁴⁷ Carafano, James Jay. *Private Sector, Public Wars*. (Westport, CT: Praeger Security International, 2008), 71.

⁴⁸ Krahmann, Elke. *States, Citizens, and the Privatization of Security*. (Cambridge: Cambridge University Press, 2010), 235.

their services denotes armed employees, PSCs are still private and therefore do not fall under military authority. This creates a problem for satisfying the Geneva Conventions’ rules of war as they pertain to POWs and war crimes because of the unclear distinction between combatants and non-combatants. According to the International Committee of the Red Cross, a combatant is classified as an individual that directly participates in combat situations on a regular basis.⁴⁹ While private security contractors are technically restricted to providing security and not conducting combat functions, there have been instances where PSCs have fought alongside military forces in firefights; this has included infantry and armed helicopter support, which appears to qualify as active combatant status. Despite legal ambiguities, the DOD has utilized security contractors in Iraq on an unprecedented scale.

Armed Services	Unarmed Security Services
Static (site) security Convoy security Security escorts Personal security details	Operational Coordination Intelligence analysis Hostage negotiations Security training

Schwartz, Moshe. *The Department of Defense's Use of Private Security Contractors in Iraq and Afghanistan: Background, Analysis, and Options for Congress*. CRS Report for Congress, 19 January 2010; 2.

Private security was introduced to the War on Terror by Paul Bremer, the head of the Coalition Provisional Authority in Iraq at the outset of the war. Bremer paid \$21.3 million for the security services of Blackwater, which was the first private security company in the country.⁵⁰ Blackwater provided a 36-man security detail, SUVs, canine teams, Little Bird helicopters with aerial gunners, and heavy trucks for Bremer.⁵¹ Various ex-military contractors hired from South America and South Africa soon represented

⁴⁹ Elsea, Jennifer K. *Private Security Contractors in Iraq and Afghanistan: Legal Issues*. CRS Report for Congress, 22 December 2009. <http://fpcc.state.gov/documents/organization/135010.pdf>, (accessed 20 March 2012).

⁵⁰ Vlahos, “Hired Guns: While the Volunteer Army Struggles, the Business of War Booms.” *The American Conservative*, 19 November 2007. http://www.thefreelibrary.com/Hired_guns:_while_the_volunteer_army_struggles,_the_business_of_war...a0172748215, (accessed 20 March 2012).

⁵¹ Ibid.

her nationalities in the war,⁵² and the amount of these security employees rose steadily throughout the conflict. According to an article written in 2007 for *The Guardian* newspaper, “[t]he precise number of mercenaries is unclear, but last year, a U.S. government report identified 48,000 employees of private military/security firms.”⁵³ Though this number may seem high, only 5 percent of the U.S. force in Iraq was comprised of armed security contractors.⁵⁴ Near the drawdown phase of the war, expert Tom Bowman asserts that 15,000 individuals will conduct U.S. diplomatic efforts in Baghdad with an additional estimated 5,000 private security forces employed for protection and support. These contractors perform security with armed helicopters, armored vehicles, and assault rifles.⁵⁵ With these numbers, it is clear that PSCs are a small portion of total contractor forces present in Iraq, though this 5 percent still includes over 11,000 armed employees who do not fall under close supervision or chain of command. This results in legal issues and complications, with lack of accountability at the forefront of policy concerns.

As a result, Dov Zakheim, a former top Pentagon official, states that there are not nearly enough government supervisors in Iraq to oversee the actions of PSCs.⁵⁶ In agreement with this, William Nash, a retired Army general with expertise regarding the reconstruction process, points out that the Pentagon has so many guns for hire in Iraq that they cannot all be controlled.⁵⁷ The unsettling reality of the situation is that in addition to lacking control and accountability, it is possible that these dogs of war have grown too strong for their chains. Private security companies such as Blackwater, DynCorp,

⁵² Ibid.

⁵³ Scahill, Jeremy. “A Very Private War.” *The Guardian*, 31 July 2007. <http://www.guardian.co.uk/uk/2007/aug/01/military.usa>, (accessed 20 March 2012).

⁵⁴ Schwartz, Moshe. *The Department of Defense's Use of Private Security Contractors in Iraq and Afghanistan: Background, Analysis, and Options for Congress*. CRS Report for Congress, 19 January 2010. <http://www.scribd.com/doc/25533429/DOD-s-Use-of-PSCs-in-Iraq-and-Afghanistan-012010-R40835>, (accessed 20 March 2012), 7.

⁵⁵ Bowman, Tom. “No U.S. Troops, But An Army Of Contractors In Iraq.” *NPR.org*, 27 December 2012. <http://www.npr.org/2011/12/27/144198497/no-u-s-troops-but-an-army-of-contractors-in-iraq>, (accessed 20 March 2012).

⁵⁶ Ibid.

⁵⁷ Miller, T. Christian. “Contractors Outnumber Troops in Iraq.” *LA Times*, 04 July 2007. <http://articles.latimes.com/2007/jul/04/nation/na-private4>, (accessed 20 March 2012).

and Triple Canopy have built private armies that “rival or outgun many of the world’s national militaries.”⁵⁸

Additionally, private security contractors frequently participate in lobbying to gain favor and contracts. From 1998-2004, private contracting companies donated \$214 million to political campaigns and spent \$1.9 billion on lobbying firms to pursue their interests in government.⁵⁹ These defense companies are able to make an excessive amount of money from the government and use it however they please. Not only does the DOD have to feed the dogs large amounts of money, but in order to keep them behaving correctly, the government must punish them when they misbehave. Unfortunately, discipline has presented a major dilemma relating to private security in Iraq.

Several troubling incidents have occurred at the hands of private security contractors, with Blackwater receiving the most attention from incident reports. There are many instances of PSC misconduct, as presented in chronological order; for example, when an inebriated Blackwater contractor allegedly killed a bodyguard of Iraq’s new Vice President in December of 2006, the company sent him back to the States before Iraqi police could apprehend him. He was fired from the company, but no legal charges were brought against him.⁶⁰ In another case, a 71-year-old Australian professor was shot and killed in 2006 by a private contractor convoy.⁶¹ Blackwater snipers shot three Iraqi security guards at the Iraqi Media Network the following year, and while no charges were officially levied, the Media Network deemed Blackwater responsible following an investigation. However, the blame fell on deaf ears as the U.S. government concluded that they operated within the use of force.⁶² In October of that same year, security contractors from Erinys opened fire on a taxi with automatic weapons, wounding two men

⁵⁸ Scahill, “A Very Private War.”

⁵⁹ Krahmann, 143-144.

⁶⁰ Vlahos, “Hired Guns: While The Volunteer Army Struggles, the Business of War Booms.”

⁶¹ Isenberg, David. *Shadow Force*. (Westport, CT: Praeger Security International, 2009), 140.

⁶² Ibid, 141; Fainaru, Steve. “How Blackwater Sniper Fire Felled 3 Iraqi Guards.” *Washington Post*, 08 November 2007. <http://www.washingtonpost.com/wp-dyn/content/article/2007/11/07/AR2007110702751.html>, (accessed 26 April 2012).

and a woman.⁶³ Yet Blackwater's worst media storm in Iraq came when some of its employees shot 17 Iraqis. While the guards claimed that the convoy was threatened, a U.S. investigation concluded that this was not the case.⁶⁴

There have been hundreds of reported incidents where private security contractors have fired their weapons at the wrong target, yet few have been brought up on charges.⁶⁵ A Marine who served in Iraq stated that he and his fellow soldiers periodically witnessed PSCs open fire on vehicles and immediately leave the scene without explanation or cause.⁶⁶ These shootings and abuses conducted by private security contractors have helped fuel the insurgency. A senior military officer said that incidents caused by security contractors had the unsettling potential to turn the population in an AO (area of operations) against the military.⁶⁷ Schwartz's Congressional Research Services Report offers three possible solutions for the issues of excessive force: the DOD could prohibit armed PSCs from operating in combat areas altogether, restrict them to static site security, or limit American and third country national security contractors to site security and allow Iraqi security employees to conduct security in combat zones.⁶⁸ Implementing one of these boundaries would certainly coincide with military efforts to gain the support of the civilian population.

Under the Posse Comitatus Act, the United States government is not legally allowed to deploy active duty soldiers on American soil under peacetime conditions.⁶⁹ However, exceptions such as natural disasters, terrorist attacks, epidemics, and other emergency situations allow DOD personnel to work in conjunction with law enforcement to

restore order in unstable areas.⁷⁰ Federal personnel and relief are only allowed into the affected state if the governor requests federal assistance. In this regard, the Hurricane Katrina aftermath provided an insight into the concept of using private security contractors to conduct security in the wake of natural disasters. Following the initial devastation of Katrina, Blackwater immediately deployed 180 security contractors, without authorization or request, to the affected areas and set up security operations for government officials and wealthy private citizens.⁷¹ Because the company's employees were already operating in Louisiana before federal relief even arrived, the Department of Homeland Security contracted them to continue security operations. The company made \$70 million in contracts for its services in the Hurricane Katrina aftermath.⁷² Additional U.S. private security companies along with an Israeli entity, Instinctive Shooting International (ISI), were hired to protect government buildings and private homes. ISI even operated an armed checkpoint outside of a wealthy citizen's residence.⁷³ Registered private security companies in the state soared from 185 to 235 in the two weeks following the hurricane.⁷⁴ The primary issue with this application of contractors is that some of the contractors were still deployed in Iraq just two weeks before the hurricane.⁷⁵ An expert on the situation commented in an interview, telling of a contractor in New Orleans who complained about the situation, saying "there wasn't enough action down there."⁷⁶

Now that the government has successfully incorporated PSCs into relief effort, the potential arises that they may be used in future emergency situations on U.S. soil. However, this invites the question that if private security contractors can conduct aggressive

70 H.R. 5122 (109th): John Warner National Defense Authorization Act for Fiscal Year 2007. <http://www.govtrack.us/congress/bills/109/hr5122/text>. Section 1076, Sec. 333, (accessed 20 March 2012).

71 Moyers, Bill. "Bill Moyers Talks With Journalist Jeremy Scahill - Part 2." PBS.org. 19 October 2007. Online video clip, <http://www.pbs.org/moyers/journal/10192007/watch2.html>, (accessed 24 April 2012).

72 Scahill, Jeremy. *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. (New York: Nation Books, 2008), 60-61.

73 Moyers, "Bill Moyers Talks With Journalist Jeremy Scahill - Part 2."

74 Scahill, 396.

75 Moyers, "Bill Moyers Talks With Journalist Jeremy Scahill - Part 2."

76 Ibid.

63 Ibid, 141-142.

64 Bowman, "No U.S. Troops, But An Army Of Contractors In Iraq."

65 Isenberg, 142.

66 Vlahos, "Hired Guns: While the Volunteer Army Struggles, the Business of War Booms."

67 Schwartz, 17.

68 Ibid, 20-21.

69 "The Posse Comitatus Act." U.S. Northern Command. http://www.northcom.mil/About/history_education/posse.html, (accessed 20 March 2012).

security in Iraq under the U.S. total force, why should they be allowed to transition to a homeland security force during emergencies? Their answer is that they see such crisis situations as business opportunities rather than problems and conflicts, and the DOD needs timely solutions to those same problems. This realization has helped to privatize and commercialize the Department of Defense.

This commercialization of the DOD seems to be a convenient course of action, but it also means that the government has perhaps become too dependent on private companies. A large portion of regular DOD duties has been increasingly commercialized, as shown by statistics from 1996:

1996 DOD Commercialization Statistics	
25% Base Commercial Activities	70% Army Aviation Training
28% Depot Maintenance	45% Surplus Property Disposal
10% Finance/Accounting	33% Parts Distributions

Krahmann, 129.

During the span of a decade, government spending on contractors increased dramatically from \$46 billion in 2000 to \$113 billion in 2010.⁷⁷ At the now-decommissioned Counterintelligence Field Activity unit, private contractors conducted 70 percent of the intelligence process.⁷⁸ This prolific use of contractors to fill government roles is common practice, as demonstrated in the Air Force's reliance on contractors to the point of inclusion into an extended "Air Force family."⁷⁹ This dependency further extends to other areas of the DOD, as private intelligence contractors are routinely awarded 70 percent of the national intelligence budget amounting to a \$42 billion / year industry.⁸⁰ While this increased commercialization of DOD duties effectively eases the burden of governmental responsibility, it is not done without repercussions.

The Project on Government Oversight conducted a limited study which shows that it costs the government more money to pay for private contracts

77 Krahmann, 129.

78 Ibid, 133.

79 Ibid, 141.

80 Scahill, 454.

than it does for federal service contracts. The Chairman of the House Defense Appropriations Subcommittee, John Murtha, notes that there is an abundance of contractors in Iraq, some of whom collect more pay than the U.S. Secretary of Defense.⁸¹ The amount of money poured into PSCs in Iraq is an impressive 17 percent of the total U.S. budget for the war.⁸²

Private Contracting Expense	
Private Contracting Industry	\$320,000,000,000 per year
Average Pay for PSC in Iraq	\$600-\$1,000 per day

Cost for computer engineering services	
Federal Employee	\$136,456 per year
Private Contractor	\$268,653 per year

Nixon, Ron. "Government Pays More in Contracts, Study Finds." Nytimes.com. 12 September 2011.

Yet sometimes this budget is taken advantage of; war profiteering can easily occur in the absence of sufficient oversight and accountability. In 2006, Custer Battles was taken to court as the first civil fraud case against a private contracting company.⁸³ This PSC was charged with war profiteering to the total amount of \$50 million from the United States government.⁸⁴ Although private contractors cost a significant amount of money, they are actually the less expensive option in certain circumstances. The strategic use of private security contractors can be more efficient and appropriate in cases for which the military is not well suited.

One viable strategy would be to use private security contractors to resolve conflicts in Africa, potentially enabling war-torn countries to develop peacefully. A security specialist on Africa asserts that private security companies could resolve all conflicts on the continent with \$750 million from the UN's budget.⁸⁵ One researcher on this topic states that this cost would be far cheaper and more effective than the UN's traditional use of conventional peacekeeping

81 Scahill, "A Very Private War."

82 Krahmann, 205.

83 Isenberg, 162.

84 Ibid, 162.

85 Fabricius, Peter. "Private Security Firms Can End Africa's Wars Cheaply." The Star. 23 September 2000. <http://www.sandline.com/hotlinks/article4.html>, (accessed 20 March 2012).

forces.⁸⁶ One such example is Executive Outcomes, a PSC which quickly ended a protracted war by training Sierra Leonean government soldiers and jointly confronting the RUF, a brutal rebel opposition army. With the aid of EO, government troops ousted the RUF from the country in a mere nine days' time.⁸⁷

Along with providing a viable solution for the African nations, PSCs are being used effectively in conjunction with the military in America's war on drugs.⁸⁸ Half of the \$630 million of U.S. funding for the anti-drug effort in Columbia is funneled to DynCorp and other private corporations.⁸⁹ In addition to their strategic value, PSCs offer the advantage of quicker preparation and deployment.

Security contracting companies present greater flexibility and ease of use because they can be employed and fired on an as-needed basis.⁹⁰ This allows the government to use swift, adaptive forces rather than military or federal personnel, which logistically take much longer to prepare.⁹¹ For example, a leading expert provides the tactical readiness of Blackwater: "at present, Blackwater has forces deployed in nine countries and boasts a database of 21,000 additional troops at the ready, a fleet of more than 20 aircraft, including helicopter gun-ships, and the world's largest private military facility – a 7,000-acre compound in North Carolina."⁹² This expedient force is more convenient than dispatching a larger military detachment, which would take months to prepare and transport. In addition, private security companies can also be used as a force multiplier or supplement rather than direct replacement for conventional forces.

According to Schwartz's report for Congress, private security contractors can assist the military by performing basic security.⁹³ This would leave the military forces unencumbered to conduct operations,

which would help prevent overlap of PSC and military operations. Clearly, there must be a distinction between PSC support and combat operations. Private security contractors could potentially be utilized as a support package for military operations if deemed necessary. Support could manifest in several ways such as providing logistical, security, and extremely limited combat support or by utilizing local nationals as contractors for the government, because of their terrain and language skills which traditional U.S. forces often lack.⁹⁴

This increased use of private contractors to fight in wars would also provide a cushion for U.S. civilians because fewer citizens would be sent to war and a draft would never be necessary as long as PSCs are available. Finally, private contractors are not officially included on the official casualty lists. A leading expert states that in just the Iraq war, "more than 900 U.S. contractors have been killed, with another 13,000 wounded."⁹⁵ These contractor casualties are not included in the official numbers, which would otherwise further tarnish public image. This supplementary strategy of hiring PSCs to deal with world problems will likely continue to increase over time as they become more adaptive and efficient.

Private security contractors are professional and expedient assets to the Department of Defense if used properly. If employed in conjunction with military forces, they would best be applied as a force multiplier in an effective support function. Additionally, if private security contractors are to be implemented strategically and in lieu of military personnel, they must remain under close supervision from the DOD or State Department. Proper strategic application of private security contractors could truly be the crucial force multiplier needed to resolve conflicts in today's chaotic world.

86 Ibid.

87 Ibid; McGhie, Stuart. "Private Military Companies: Soldiers, Inc." *Janes Defence Weekly*. 22 May 2002. <http://www.sandline.com/hotlinks/20020518-janes/default.html>. (accessed 20 March 2012).

88 Scahill, "A Very Private War."

89 Ibid.

90 Schwartz, 5.

91 Ibid, 5.

92 Scahill, "A Very Private War."

93 Schwartz, CRS Report for Congress.

94 Ibid.

95 Scahill, "A Very Private War."

Economics and Third World Debt

A Look at How Debt is Hazardous to Third World Countries

Mary A. Doyle

Third world debt is a serious concern in the world today, the cause of which can be attributed to the debt crisis that occurred in the 1970s when a rise in oil price induced higher interest and lending rates. As a result, third world countries incurred a significant amount of debt. Factors such as colonialism, illegitimate loans, mismanaged lending, and subsidizing have stimulated the rise in debt. Consequently, there has been a decrease in education, policy reform, and health spending, resulting in poorer health conditions and weaker economic performance. In response, there are numerous organizations working to alleviate, and eventually end, third world debt.

Poverty is a worldwide phenomenon that has existed for thousands of years and affects a multitude of people on a daily basis. There are numerous factors - particularly debt - which induce poverty. Underdeveloped countries have been found to have the poorest economies and thus contain the highest poverty and debt rates. By building a better understanding of the contributing factors of debt and its effect on a country, society could collectively work to end debt. The cause of third world debt is a combination of several factors, including the debt crisis of the 1970s, overspending, illegitimate loans, and embezzlement. These in turn cause poor economic performance, a decrease in government spending for health and education, and higher unemployment levels.

It was not until the 1970s that debt began to significantly impact global society. During this time, the United States government exceeded its budget, resulting in the printing of more money to cover the loss. Inflation occurred which led to a rise in oil prices by oil producing countries. Oil producers had also deposited their profits into western banks, which stimulated a rise in interest rates within the banking sector. This in turn forced banks to lend money to third world countries that wanted to continue developing, as well as meet the rising costs of oil production. According to the Jubilee Debt Campaign (JDC), debt "often arose through reckless or self-interested

lending by the rich world."⁹⁶ Countries that profited from the rise in oil prices disbursed loans to poor countries as a means of accruing more revenue and obtaining allies, regardless of the country's political stance. With the rise in "world interest rates, a global recession, and low commodity prices," the amount of debts grew dramatically and the ratio between debt and repayment became unevenly distributed.⁹⁷

Additional facets of debt include colonialism, illegitimate loans (also known as odious debt), mismanaged lending, and subsidizing (corruption and embezzlement of money by the rich). Odious debt is defined by the Jubilee USA Network as "debt that resulted from loans to an illegitimate or dictatorial government that used the money to oppress the people or for personal purposes."⁹⁸ This type of debt is prevalent in countries like South Africa, Tanzania, and Cuba. The practice of mismanaged lending transpires when a country incurs a debt to another country, the country in which the debt owed to is pardoned, and the cycle repeats itself as the in-debt country continues to seek loans. Subsidizing occurs when the political elite in developing countries rise to power and deposit money in foreign banks with certain regulations; this in turn causes more money to be withdrawn from developing countries. As a result, developing countries are forced to reduce the process of economic reforms, which leads to a weakened economic performance. The consequence of subsidizing is a dramatic decrease on the price of commodities, which creates a devalued currency rate.

Third world countries have continued to experience the negative impact of the 1970s' debt crisis. An expert on the matter notes, "debt has impeded sustainable human development, security, and political or economic stability."⁹⁹ Third world

96 Jubilee Debt Campaign, "Where Did the Debt Come From? Jubilee Debt Campaign". <http://www.jubileedebtcampaign.org.uk/33720Where3720did3720the3720debt3720come3720from373F+2649.twl>, (accessed 14 March 2012).

97 Third World Debt Crisis. *New Internationalist Magazine*. 1999. <http://www.newint.org/easier-english/money/debt.html>, (accessed 14 March 2012).

98 G-8 Summit 2004; Iraq's Odious Debt: Rhetoric to Reality. Jubilee USA. 2003. http://www.jubileeusa.org/press_room/iraqdebt.pdf, (accessed 14 March 2012).

99 Shah, Anup, "Causes of the Debt Crisis," *Global Issues*. 03 June 2007. <http://www.globalissues.org/article/29/causes-of-the-debt-crisis>, (accessed 13 March 2012).