

THE IMPACT OF PMSC ON THE ROLE OF TODAY'S MILITARY

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*“The U.S. cannot go to war without contractors” (Avant, 2005: 115).
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INTRODUCTION

Reliance on private organizations to provide security and military services to states, international organizations, and multinational corporations (Avant, 2009, 104) has presented an increasing trend in recent years and has risen very quickly in the aftermath of the Cold War². During the last decade of the past century, more than one hundred private military and security companies (PMSC) were known to have operations in over one hundred countries around the world and represented an estimate of \$55.6 billion US in total annual revenues already by 1990 (Holmqvist, 2005: 1-7). “Recent estimates show that the security market is worth about US 100-165 billion per year, and that it has been growing

at an annual rate of 7–8 per cent” (Florquin, 2011: 103).

These PMSCs have become important tools to return order and stability to conflict-affected scenarios by assisting the work of national and multinational security forces even in UN peace operations (Avant, 2005: 8). Small Arms Survey recently published a study on the booming business of this phenomenon of the privatization of security in 70 countries. That research found that the total personnel employed today by private security companies “exceeds the number of police officers at the global level” (Florquin, 2011: 101): while PMSCs employed 19,545,308 individuals, the number of police officers was only 10,799,059 (p. 106). Yet, holding these companies and their employees accountable for their actions and omissions in peace and war times represents an even greater challenge since regulation over them is still scarce, and, as of today, it is not legally binding³.

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² “Contrary to popular perceptions, not only governments (and not only African governments) but also international organizations, NGOs, humanitarian agencies, members of the international media and MNCs contract private security services” (Holmqvist, 2005: 6).

³ At an international level, the initiatives that have tried to regulate PMSCs include the Montreux Document, the International Code of Conduct (ICOC), and the Draft of a possible Convention on Private Military and Security Companies (PMSCs) for consideration and action by the Human Rights Council of the United Nations.

After the news of 17 innocent civilians killed by Blackwater employees in Nissour Square, Bagdad, became public, policy makers and academics began to pay closer attention to the expansion of the private military and security industry. Various studies have tried to evaluate the implications that the presence of these PMSC has had in countries such as Iraq, Afghanistan, South Africa, Sierra Leone, Angola, Haiti, and Colombia, among others. Most of the academic research available on the topic has focused on the importance of regulating this private industry, on the potential risks that their activities pose to the protection of Human Rights, and on whether the use of force by PMSCs challenges the modern State's monopoly of the legitimate use of violence. However, not much research has concentrated on the direct impact that the use of PMSCs may have on the military force and on the military institution. This paper will try to address this gap from a theoretical point of view, highlighting the impact of the use of PMSCs on the role of today's military.

The proliferation and diversification of private military and security companies is a process that will not slow down. Therefore, it is crucial to understand how and in which ways it affects and may continue to affect the role of the military force. The purpose of this paper is to determine the impact of the use of PMSCs on military institutions and on the provision of security and defense services. It analyzes three specific domains where the role of today's military may be more directly affected: the exercise of the monopoly of the use of violence, the professionalization of the military, and the process of enrollment of new recruits.

It is important to emphasize that these domains are not the only roles that the military should play or the only realms on which the use of PMSCs may have some kind of impact. On the contrary, the essence of the military force has always been to help preserve political stability, to secure national sovereignty, and to protect the state from external aggression. Wendy Hunter, in a study regarding soldiers and states in Latin America, went even further and identified four other functions and missions that a current military body should engage in: "(1) conventional defense of territorial integrity; (2) international peacekeeping; (3) internal security, which includes counterinsurgency and drug interdiction; and (4) civic action and development functions" (Hunter, 1996: 4). However, for the purpose of this study, a special focus will be given to the three domains mentioned earlier because they embrace some of the vital and current tasks assumed by the military institution regarding its provision of security and defense services to the state and to the civilian community.

This analysis requires a review of the literature regarding the concept of the monopoly of the legitimate use of force and the role of the military in the consolidation of modern democratic states, as well as a review of the effect of PMSCs on the theory and balance of civil-military relations. In this sense, the general objectives of this paper are to broaden the research on the impact of the privatization of security in the evolution of the modern state and to highlight from a theoretical perspective how turning to private armed groups to provide security and military services affects the current role of the public military profession.

The current paper is divided into four parts. The previous introductory section described the modern industry of the private provision of security and military services, exposed the main purpose of this document, and identified the specific domains of analysis of the paper. The second section presents in detail the origin of PMSCs and the rise that the industry has had in recent decades. The third part is the central section of the paper. It elaborates on the concept of the monopoly of the legitimate use of force and analyzes the impact of PMSCs on the exercise of that monopoly by the military, on the professionalization of the military, and on the process of enrollment of new recruits.

THE RISE OF THE PRIVATE MILITARY AND SECURITY SERVICES INDUSTRY

The conception of the state's monopoly of the use of force has been constantly challenged along history and is still being challenged today. Among the literature on the formation of states, Max Weber argued that the monopoly of the legitimate use of force is the central characteristic of the modern state (Weber, 1994: 310-311). For Michael Mann, that monopoly is also the basis for the state's power (Mann, 1984: 187). However, the use of coercive means to provide security to the state and its citizens has not always been a totally exclusive characteristic of the state. Pirates, corsairs, mercenaries, and private contractors have provided their services to states, kingdoms, empires, and all other forms of political organization in order to fulfill the duties commanded to them by the relevant

ruler or authority (Holmqvist, 2005: 1; Avant, 2005: 1). Today, a tendency to rely on private organizations to provide security and military services has increased even more and has been growing exponentially during the last three decades (Singer, 2001: 189).

The increasing trend towards the privatization of security began in the aftermath of the Cold War and has already spread all over the world (Richards and Smith, 2007: 3; Holmqvist, 2005: 1). The end of the war was characterized by a massive downsizing of the defense sectors and a reduction in the amount of personnel, which translated into smaller armed forces and less security-related costs for the state (Shreier and Caparini, 2005: 3-4; Cohn, 2010: 24; Holmqvist, 2005: 2). The downsizing of security forces enlarged the supply of trained workforce that afterwards was eagerly demanded by private companies interested in the security business. At the same time, the withdrawal of major powers from certain regions of the world, the emergence of new wars in the developing countries during the 1990's, and the tendency to outsource military training motivated the involvement of private security providers in conflict zones (Shreier and Caparini, 2005: 3-4; Cohn, 2010: 24; Holmqvist, 2005: 2).

Summarizing what different scholars have explored regarding the origins of the rise of the private industry of military and security services, it may be affirmed that there are three main factors that led to the consolidation of PMSCs by the end of the xx century. First, the downsizing of the defense sector: a reduced budget and the need to make the state more cost-efficient encouraged the assistance of

the private sector to fulfill the tasks that the security sector was not able to do efficiently anymore but that were still required. Second, the reduction of military personnel: a reduced budget of the defense sector together with the tendency to discontinue conscripted armies obliged the military institutions to cutback men and women that were not indispensable, and when more personnel was required in specific or extraordinary circumstances, the private sector became the perfect ally to provide the needed human resources. These available human resources turned out to be, in many occasions, the same men and women that used to belong to formal military institutions.

Third, the high salaries offered by the private sector: those men and women, who were left aside by the public security sector of many governments, found in the private industry the perfect possibility to get back into the business for which they were trained. At the same time, well-trained and talented personnel began to be offered better salaries in the private sector. This offer gave them an incentive to drop out from public military institutions and to enlist with private providers of military and security services. In this sense, armies had to rely once again in private companies to get a hold of the well-trained personnel who they did not have any more in their ranks.

In this context, private security agents became structured corporations that com-

mercialized the provision of security and military services and tried very hard to differentiate themselves from simple mercenaries or illegitimate coercion groups (Singer, 2001: 191; Holmqvist, 2005: 2). The services they provided supported the activities carried out by public security forces ranging “from tactical combat operations and strategic planning to logistical support and technical assistance” (Singer, 2005: 120).

Due to this wide range of activities, Singer tried to categorize them into three different groups: military provider firms, military consulting firms, and military support firms⁴. PMSCs from each group became very popular among states, international and humanitarian organizations, corporations, and even individuals: they proved to be—at first—more efficient and effective than public security providers, and in many cases, they offered higher levels of security when compared to their public counterparts (Singer, 2001: 189; Leander, 2005: 606). However, as their popularity increased, the difficulties and inquiries around the use of private providers of security also began to rise.

All over the world grave scandals involving the presence of PMSCs in cases of violations of human rights and abuse of national laws became a public concern. One of the most publicized cases took place in September, 2007 in Iraq, more precisely in Nisour

⁴ “The industry is divided into three basic sectors: military provider firms (also known as ‘private security firms’), which offer tactical military assistance, including actual combat services to clients; military consulting firms, which employ retired officers to provide strategic advice and military training; and military support firms, which provide logistics, intelligence, and maintenance services to armed forces, allowing the latter’s soldiers to concentrate on combat” (Singer, 2005: 120-121).

Square, a busy square in Bagdad. Employees of Blackwater USA, at the time a contractor offering security services to officials of the US State Department, “proceeded to shoot and kill 17 civilians, wounding numerous others” (Cotton *et al.*, 2010: 26).

In addition, the employment of Colombian demobilized paramilitaries in Honduras, the presence of unauthorized private armed groups disguised as PMSCs in Afghanistan, and “the alleged involvement of two United States-based corporations, CACI and L-3 Services (formerly Titan Corporation), in the torture of Iraqi detainees at Abu Ghraib prison” (General Assembly, 2010: 5-7) highlight the critical challenges posed by the lack of control over PMSCs. The International Humanitarian Law does not refer to PMSCs and “there is no discrete regulation of PMSCs as such” (Doswald-Beck, 2007: 115); only under some very specific circumstances certain legal aspects of existing law may be applied to them. This situation also raises questions over the impact that these companies may have on national and international security policies, as well as on the role and morale of national armed forces all around the world.

IMPACT OF PMSCS ON THE MILITARY

Most of the scholarly literature related to PMSCs has focused on two broad subjects: first, the circumstances that led to the rise of the private military industry: and second, the legal vacuum in which these companies operate. Academics have concentrated on these topics in order to understand the emergence of the phenomenon of PMSCs, identify the reper-

cussions of using them in armed conflicts, and suggest possible ways to control and regulate them. In contrast, the social science field has studied very little about the alteration of the role of the military due to the surge of PMSCs.

Peter Singer and Elke Krahmman, in separate academic works, have agreed on the fact that among the various studies regarding the expansion of the market of private military firms, its impact on civil-military relations has not been sufficiently addressed and even neglected (Singer, 2008: 191-205; Krahmman, 2008: 247-265). “Very little exploration of the impact of outside actors on civil-military relations or regime survival has occurred, and certainly no studies have been performed on corporate military actors in this role” (Singer, 2008: 196). Likewise, insufficient academic attention has been given to the impact of PMSCs on the recruitment process, which is actually one of the most important tasks of any military institution.

In this sense, Lindy Heinecken and Michon Motzouris carried out one of the few studies that tried to satisfy what Singer demanded. They aimed to “show how the practice of outsourcing or privatizing military work is affecting the relevance, capacity, and capabilities of national armed forces” (Heinecken and Motzouris, 2011: 78). Although they do touch specific issues regarding the effect of PMSCs on the capacity and capabilities of the armed forces, their study is still too broad. The current paper, trying to fill this academic gap, intends to be much more specific. The analysis exposed in the paper is restricted to the impact of PMSCs on three particular aspects: the exercise of the monopoly of violence, the professionalization

of the military, and the process of enrollment of new recruits.

Discussion on the concept
of the monopoly of violence

Before the concept of a modern-state came to exist, and with it the thought of a strong military exercising the monopoly of the use of coercive means within a given territory, armies were already part of society, although they did not enjoy such monopoly at that time. On the contrary, individuals were encouraged to hold their own weapon as a sign of social wealth and personal safety. André Corvisier, a French scholar specialized in military history of the xvii century, gives a clear explanation of this social attribute: “The exercise of arms was accorded the highest respect among all human activities by the societies of the ancient regime. [...] it was also the expression of a moral setting in which violence and respect for force characterized relationships among individuals” (Corvisier, 1979: 3).

During the xviii century, when the Age of Enlightenment promoted various cultural, political, and economic changes in Europe, a clear differentiation took place regarding the importance of the possession and use of arms in western European states in contrast to that given by central and eastern ones. While there was a “lowered esteem for arms in western Europe, in central and eastern Europe those rulers who were inspired by the Enlightenment tried to create a military framework that called for a still greater respect for arms” (Corvisier, 1979: 20).

This contrast regarding the esteem for arms within the European states is directly related to the upcoming theory of the consolidation of the modern state proposed by Charles Tilly. Tilly argued that the process of state-making in western European countries was characterized by the accumulation and concentration of political authority and war-making (and policing) resources (Tilly, 1990: 27-30). Those resources were embodied in strong armies to whom a centralized political authority granted the exclusive privilege of using and exercising violence. This process was successful in western European states given that in their territory, since the esteem for weapons declined, individuals were dissuaded from carrying them, and only a limited group of professionals had the approval for using force. Other European countries that did not follow this dynamic were not able to concentrate the use of coercive means under only one institution.

This argument is supported by Corvisier, when he affirms that in the long process of increasing the levels of discipline within the armed troops, reducing abuses from the officers, and making soldiers more committed, by the xviii century in Europe, the state began to rise as the unit with the necessary authority and power to control the armies. A superior hierarchy slowly deprived captains and other proprietary officers from their positions of authority over their regiments. It came to a point in which “the armed forces that were to oppose each other during the Wars of the French Revolution and the Napoleonic Empire were firmly under the control of the States” (Corvisier, 1979: 72).

Tilly's approach towards the process of European state-making and Corvisier's description of the authority of the state to control national armies, together with the popular definition of Max Weber regarding the monopoly of the legitimate use of force as the central characteristic of the modern state and Michael Mann's assertion about this monopoly being the basis for the state's power, are very valuable contributions to the relation between the use of violence and the existence of the modern state. However, as much as their arguments seem logic and reasonable, heavy criticism towards them has not been absent in academic spheres.

Buzan considers that the dominant power of the state and its control of the coercive means in society is a "theory [that] is close to reality [only] in a large minority of states" (Buzan, 1991: 58-59), and Singer affirms that "the monopoly of the state over violence is the exception in world history, rather than the rule" (Singer, 2008: 19). Certainly, a successful monopoly of the legitimate use of force is a characteristic that only a few states had the sufficient authority to claim. Furthermore, it may be affirmed that states were not able to exercise the monopoly of violence entirely through their own military forces by the end of the XIX century, nor are they able to do so today: the presence of PMSCs is the most recent example.

Private provision of military services has existed since the army of King Shulgi of Ur in the year 2094 B.C.E., passing by ancient Greek armies, and all the way up to the Carthaginian Empire to fight the First and Second Punic Wars (Singer, 2008: 19-22).

More recently, during the Middle Ages, the nobility and the businessmen "produced the German *Landsknechte*, the Swiss *Reisläufer*, the Italian *condottieri* and the English *mercenaries*" (Cockayne, 2006: 465) in order to protect the promising commercial system rising in Europe. During this time, the notion of the monopoly of force did not exist. As time went by, political power began to be centralized and the concentration of the use of coercive means under only one authority was imposed as the model that needed to be achieved. Yet, today it is still possible to find active mercenaries fighting a wide variety of wars, as well as corporatized providers of military services (Singer, 2008: 45) reflected in PMSCs.

In this sense, the notion of the monopoly of the use of coercive means has never been a genuine monopoly of the state, at least under the scope of the institutions or organizations that exercise it. The modern state is the natural authority that may claim such monopoly and the military forces are the ones entitled to exercise it, but very frequently states have relied on non-state –or private– expressions of military and security services to effectively implement that monopoly. Cockayne affirms that modern "states alone are authorized to organize legitimate violence [...], [making them] the mutually recognizing, oligopolistic *principals*, each with a monopoly on legitimate violence within their own territory" (Cockayne, 2007: 199), leaving PMSCs and other non-state actors as the *agents* under the principal-agent theory.

In order to preserve its monopoly over the legitimate use of force, the state then has the power to delegate the use of coercive means on any agent or institution it considers necessary,

meanwhile it can assure control over them. The military forces are part of the state and as such, are controlled and supervised by the latter – except in situations of military coups, in which evidently the monopoly over legitimate violence is shattered. The same is true in the case in which the state hires PMSCs to fulfill the security demands that the national armed forces are incapable of satisfying. The state has a certain degree of control over PMSCs through the contracts that the companies have committed to respect, so, although those companies have the potential to use force, it may be affirmed that the state's monopoly is not endangered.

Impact of PMSCs on the exercise of the monopoly of violence

PMSCs do not challenge the state's monopoly of the use of violence: these companies are instruments, tools, or agents through which the state exercises its monopoly. However, since the military forces are the natural agents used by states, the increasing presence of PMSCs creates an uncomfortable environment of suspicion regarding the impact that they may have on the activities performed by the military. As it will be exposed in the upcoming paragraphs, today's military force has become very dependent on PMSCs to perform many of its traditional activities in the exercise of the monopoly of violence.

The fear of becoming dependent on PMSCs was already expressed some years ago by Peter Singer as he began to study in depth the phenomenon of the privatization of security. He stated that within the state's inclination

to privatize many of its functions, and taking into consideration the principal-agent theory, another “danger with outsourcing is that the principal/client may become too dependent on the private military agent, risking what is known in economics as ‘ex-post holdup’” (Singer, 2008: 158). Relying too much on the agent may hinder the strategies, objectives, and desires of the principal, in this case, the state.

Singer's approach is evident in Paul Verkuil's description of the indispensability of PMSCs in current armed conflicts, as he addressed the intervention of United States in Iraq. He stated that “the United States went to war with a level of force that made contractors necessary. Contractors are now so entrenched they have become indispensable. Now they even negotiate directly with Iraqi and U.S. military forces” (Verkuil, 2007: 29). According to his argument, PMSCs become indispensable, among other things, because regular military forces are not enough to fulfill all the responsibilities they have had to face in Iraq. But military forces have become dependent on PMSCs not only due to a reduced amount of personnel. The permanent use of PMSCs by states has made military forces reliant on the services these companies offer, services without which the military would not be able to continue performing at all its own activities.

Heineken and Motzouris also affirm that the rise of the private military industry together with small numbers in military ranks and the increasing desire to outsource security services translated into a high level of “dependency of the military on the private sector to provide not only logistical, but also combat

support” (Heinecken and Motzouris, 2011: 81). However, they do not state exactly which military tasks that have been privatized are the ones that do generate dependency on PMSCs, and they do not analyze either, to what extent certain privatized activities have a more direct impact than others on the exercise of violence by the military force. This differentiation is important because some privatized activities may enhance the performance of the military while other privatized activities may hinder it.

Not all the tasks performed by the private sector related to the military force attempt against the capacity of the military to exercise violence. Since the time when the modern state began to concentrate and centralize its authority over the military force, it still recognized the need to rely on the private sector to fulfill certain needs. Besides imposing discipline and control over the military, its management required other vital logistical activities to support the troops. Sovereigns and proprietary officers had to supply for food, clothing, weapons, and munitions, most of the time without enough money to cover all the expenses. Trying to avoid possible mutinies and rebellions inside the military, they had to rely on private providers to supply the necessary items with less delay. These private entities turned out to be more flexible on payment deadlines than troops with direct access to means of violence (Corvisier, 1979: 66).

“Over the past two decades the range of military core functions which must not be contracted out has progressively declined” (Krahmann, 2008: 250). This has been encouraged even more by the increasing amount of military and security services provided by

PMSCs. Following Peter Singer’s categorization of PMSCs (2005: 120-121), military core functions began to be delegated to private companies beginning with those activities handled by support firms and have gradually increased to a point where even combat operations have been handled to private firms; the presence of these companies in Iraq and Afghanistan are just two of the most evident examples.

For instance, in counterterrorist operations, the military forces may be useful in activities of deterrence, interdiction, intelligence-gathering, and training of allied forces, among others. “Maritime and air forces can be employed in the interception of terrorist personnel and arms shipments” (Hughes, 2011: 41). Furthermore, in a 2009 study carried out in the United Kingdom, it was stated that “counterterrorism, alongside other missions such as peacekeeping and COIN, has been traditionally viewed by the U.S. military hierarchy as a distraction from missions more important to the national interest” (Hughes, 2011: 67).

Although, as Hughes affirms, the military may be useful in COIN activities, the hierarchy of military functions, the need to avoid distractions from military missions, and the available services provided by PMSCs, makes activities such as gathering intelligence material and training military forces a new responsibility for these private providers of military and security services. This delegation of functions is not harmful per se. What may become harmful, as time goes by, is the excessive reliance on PMSCs to perform these activities. The military may lose its expertise on, for instance, intelligence gathering and training of military

forces, hence if PMSCs cease to exist or become too expensive to contract their services, the military will not be able to take over those activities that it used to provide itself.

In addition, the challenging situation for the military regarding its dependence and reliance on PMSCs is that the latter are hired most of the time directly by the state, not by the military institution: PMSCs are hired to complement the activities assigned to the military. Since the states are the ones that hire PMSCs, these companies show the results of their activities directly to the state and not necessarily to the military. Therefore, if the military requires, for example, certain information product of intelligence gathering, an activity that was performed by a private company, the military would need to call on state officials in order to get that information.

This becomes even more complicated when a state hires PMSCs to develop activities abroad as part of economic and political cooperation between states. In this case, as it happens between the U.S. and Colombia, the contracting state, for instance the U.S., is the one that gets all the reports regarding intelligence gathering and critical information useful for counter-narcotic and counter-insurgent operations. The national government, in this case Colombia, and its national military do not get access to this information unless the contracting state provides it, although the private company that gathered that information was in Colombian territory and under Colombian laws (Perret, 2009: 68). Once again, although the use of PMSCs is intended to achieve better results, in some occasions the role and the activities that the military should

perform may get hindered by the fact that it is a private entity and not the military institution directly the one that executes critical security and defense tasks.

Impact of PMSCs on the professionalization of the military

The suitability of military personnel and its adequate or inadequate level of professionalization is related to the increasing desire of the state to use private providers of security and military services. If the use of PMSCs is growing exponentially due to their efficiency and capacity to develop activities in insecure environments, as some scholars allege, then it is valid to review why professional military personnel is not as competent as its private counterparts, and how the professionalization process is being affected by the constant, often unintentional, rivalry between both.

Traditional theorists on civil-military relations (CMR) theorists such as Huntington and Janowitz highlight that to ensure civilian control of public security and military forces, it is essential for the military and the police to be subordinated to the state (Huntington, 1957: 17; Feaver, 1996: 158-167) and to enhance in them high levels of *professionalism* (Feaver, 1996: 158-167). A professionalized military that is subordinated to the state, is obedient, ethical, and has added moral and social values (pp. 158-167). A high level of professionalism also awakens a sense of duty and military culture to serve the state (Cohn, 2010: 10). Furthermore, within a professionalized military, “regular national soldiers are deterred from treason and revolt by a combi-

nation of patriotism, unit loyalty, and a fear of punishment” (Singer, 2008: 165).

Contrary to this professionalized military, PMSCs are not subordinated to any superior institution that may exercise some type of control over them. PMSCs themselves, and the personnel they hire, do not follow this professionalization path. Private security agents are corporations concerned mainly about business and the trends of the market, and its employees are professionals with military training that serve the corporative interests of their employers, without basing their actions upon loyalty or obedience to any government or state. Professionals involved in the provision of security and military services, who use violence and coercion in their daily activities, should be oriented towards serving the state and safeguarding the rights of its citizens. However, without any subordination to the state, the scarce control and supervision of the PMSCs and its professional employees turns out to represent a major risk to the stability of the state, to the protection of civilians, and to the promotion of human rights.

Obedience to a superior authority, respect towards an ethical behavior, high moral and social values, and undisputed loyalty to the state are key characteristics of a military professional. However, the professionals hired by PMSCs do not share all these characteristics and therefore their degree of professionalism may not be compared at the same level as that of members of the military. It is possible that employees of PMSCs are ethical in what they do, and they may also have high moral values, but it is clear that they are not subordinated to the state and they “have no particular loyalty

to the state” (Burk, 2002: 22). Their loyalty is questioned when their incentive to perform their activities is not patriotism or a social or moral obligation towards the state, but instead what interests them is the economic profit in exchange for their services. PMSCs do hire former military personnel who may have been indoctrinated using the professional soldier model, but once they step out of the institution, their loyalty and obedience to the state may be as questionable as that of a non-military-trained individual.

Moreover, private providers of military services “introduce into any military operation a degree of uncertainty that is not present when soldiers perform the same task” (Stanger, 2009: 90). Personnel of PMSCs may be professionals and experts in what they do, but they do not abide to the concept of a professionalized military as expressed in previous paragraphs. Their performance is conditioned by individual interest and financial gain while the interest of the state, of the public in general is not important any more. As a subordinate institution, the professionalized military follows the strategies and guidelines of the state, fulfills its mission, and always protects the general public interest; if not, sanctions and punishments await. PMSCs employees that do not follow the assigned tasks as they should do not fear any sanction or punishment as regular soldiers do. Although PMSCs employees may comply perfectly with their duties, their level of responsibility may not be compared to that of a soldier, opening in this way a certain degree of operational uncertainty regarding the different incentives and fears between soldiers and non-soldiers.

In summary, the increasing presence of PMSCs answers in part to a decline in the ranks of military forces all over the world and to a subsequent enrollment of these unemployed personnel in those companies. For these new private recruits, the process of military professionalization comes to an end: with their new employer there is no subordination to any state institution, the financial gain becomes the primary incentive, and the required loyalty, morale, ethics, and social values may carry different connotations. PMSCs continue to be professionals in what they do, but they may not be leveled to the same degree of professionalization of military personnel. In other words, within the realm of the provision of military and security services in a state, the privatization of security distorts the conception of *professionalism* put up front by CMR theorists.

Impact of PMSCs on the process of enrollment of new recruits

“Converts to an all-volunteer force found universal military service both unaffordable and inconsistent with maintaining a competent, modern military” (Rostker, 2006: 5). This was the thought of many states that used to have a system of conscript militaries but in the second half of the xx century converted them into an all-volunteer force; the United States and many Western European countries followed this trend. This change in the process of enrollment of new recruits created an enormous debate among political scientists and military scholars highlighting both the advantages and disadvantages of each system. The rise of PMSCs presents an additional element

that expands such debate and impacts the role of the military institution in the recruitment of new personnel.

In order to understand the impact of PMSCs on the process of enrollment of new recruits, it is necessary to understand the concepts of conscription and all-volunteer forces. The French scholar André Corvisier, a specialist in military history, has addressed in-depth the issue of conscription. The word conscription, as we know it today, became widely used only until the eighteenth century in Western Europe.

Rulers were forced either to turn to contractors or to insist upon military obligations of their subjects (obligatory military service). The second solution came to be preferred, and after several attempts to create an effective military organization for smaller numbers of men, it led in the eighteenth century to the idea of general conscription (Corvisier, 1979: 41).

At first, the military service was considered a privilege exclusive for free men, entailing certain financial benefits and an increased social status. One of the first countries to have such military obligation on a permanent basis was Sweden.

Not all states adopted officially a system of a “compulsory universal military service”, as Corvisier renamed it. In fact, since the sixteenth century there have been three different recruitment methods that have persisted, in different scales, until today: “recruitment of volunteers, who except in times of famine were given the best terms (*doucer, Handgeld,* and later *argent du roi*); impressment, and finally recourse to professional war contractors

(*entrepreneurs de guerre*)” (Corvisier, 1979: 41-42). These *volunteers* are the origins of what today is called an all-volunteer force based on a liberal ideology.

These citizens should have the right to decide whether they would like to be part of a military body or not. The concept of an all-volunteer force instead of simply *volunteers* developed mainly during the second half of the xx century as criticism arose over the excessive power exerted by the state over its citizens. From this historical background it is important to highlight that the use of private providers of security and military services existed since before a centralized military power began to be consolidated, and that the state considered this new type of military power a better agent through which to exercise the legitimate monopoly of the use of force, in contrast to relying on professional war contractors.

As the end of the Cold War approached, states began to reduce their defense budgets and to downsize their military power; at the same time, the boom of PMSCs was taking place. Conscription systems were also coming to an end in various states and all-volunteer armies were taking over. The situation did not seem to be very different from that of the sixteenth century where recruits for military bodies were selected through the three methods mentioned by Corvisier. However, one huge difference did exist in the twentieth century: the concept of the state's monopoly of the legitimate use of force. Under this circumstance, the military, conscript or all-volunteer, but subordinated to the state, had to face a new competitor in the exercise of that monopoly, namely the PMSCs,

taking into consideration the desire of the state to keep low defense budgets and the growing tendency to have small permanent armies, among others.

Regarding the enrollment of new recruits, a conscript military might not worry too much about the presence of PMSCs. However, an all-volunteer army does. Turning from conscript recruits to all-volunteer personnel meant that conscripts were “replaced by *homo economicus*, motivated primarily by the personal skills, salary, and educational benefits that military service bequeaths” (Krebs, 2006: 4). This had a double negative consequence for the recruitment process of the military institution: on the one side, the volunteer labor force becomes more expensive because it demands better salaries, benefits, and conditions in order to be part of the institution (Duindam, 1999: 135); on the other side, PMSCs offered a deal that the military institution could not match, as it granted better salaries, better benefits, better conditions, and were interested in recruiting personnel with the best military skills possible. For example, “people working for PMSCs in Colombia, for instance, reported being offered three times their salary to move to Iraq” (Avant, 2007: 458). Maintaining trained recruits within the ranks became a difficult task for the military.

A few centuries ago, the idea of having a conscript military, besides the need to have more enlisted recruits, was to grow among the civil population a sense of patriotism, of belonging, of loyalty to the state. An all-volunteer military diminishes to some extent this objective as the economic gain becomes more relevant. But the introduction of person-

nel hired by PMSCs brings that initial objective almost to an end. “Private military companies are not representative of the community they serve, and this is a morally significant difference between these companies and national military forces” (Wolfendale, 2008: 218). The military institution used to have -and still does- the role to generate feelings of patriotism and loyalty to the state among civilians, a function that is being gradually taken away from it as private providers of military and security services are enlisting many of the potential recruits, that otherwise might have enlisted in the army.

The role played by the military in the recruiting of new personnel is also important to keep a close connection between the military and the community. Since the military is one of the central agents of the state, this type of recruiting also strengthens the connection between the state and the community. In this sense, “maintaining the connection between the community and the military is important for two interrelated reasons. It means that governments must justify the use of military to the public and it means that governments do not have complete control over the public’s perception of and reaction to a war” (Wolfendale, 2008: 217). Reducing this connection makes the community less interested in the activities in which its military is involved and it also avoids civilian oversight and criticism regarding the activities developed abroad by the state, especially when the state increases the use of PMSCs, companies that have in many cases no connection whatsoever with the community.

CONCLUSIONS

The monopoly over the legitimate use of coercive means has been a notion that developed at the same time as the modern state consolidated itself in Western Europe. This modern state began to concentrate and centralize its political authority over a specific territory and also over the military power. Certain states that were capable of developing a strong centralized authority claimed a complete monopoly over the legitimate use of violence within its boundaries, and tried to exercise that monopoly through its military institutions. However, as the reviewed literature shows, besides the national armed forces, most states have had to rely on non-state actors to successfully implement their alleged monopoly.

The state is the one that administers the monopoly over the legitimate use of force and the military turns out to be the main and traditional agent through which the state exercises that monopoly. However the military has no exclusivity and the state has the capacity to use other security agents as well: PMSCs appear as one of the other agents on which the state can rely on. Therefore, the presence of PMSCs does not threaten the monopoly over the legitimate use of force: it only represents another actor with which the military has to work together on a competitive basis in order to fulfill the security and defense needs of the state.

One of the main impacts of the use of PMSCs is that the military force is becoming very dependent on PMSCs to perform many of its traditional activities regarding the exercise of the use of violence. They have become indispensable in current armed conflicts, on both

logistical and combat operations, as well as in other activities that the state has also outsourced to a great extent, such as the gathering of intelligence and the training of military forces. Although this delegation of functions is not harmful per se, an excessive reliance on PMSCs to perform these activities is.

The use of PMSCs supports many logistical operations of military activities, but when these companies take over crucial tasks, the military may lose its own expertise and skills to execute them. Military forces may rely on PMSCs to do intelligence gathering and to train its troops, but relying too much on them would prevent the military from doing those same activities again once the PMSCs stop providing those services. The military should exploit the advantages provided by PMSCs, but it is also a very important duty to remember that the military's role to train its troops and to implement other activities such as intelligence gathering continues to be its responsibility. These tasks will never cease to exist and therefore the military institution should always be prepared to overtake them and should avoid depending excessively on private companies to perform them.

Within the realm of the provision of military and security services to a state, the privatization of security distorts the conception of *professionalism* put up front by CMR theorists. Obedience to a superior authority, respect towards an ethical behavior, high moral and social values, and undisputed loyalty to the state are key characteristics of military professionals. However, PMSCs employees do not share those exact same characteristics: they are not subordinated to the same superior

authority, their ethical behavior and moral values are questionable, their loyalty toward the states that hire them may be disputed, and their main incentive is financial gain above all.

These private employees do not fear any sanction or punishment as regular soldiers do. This situation becomes very challenging for current military forces as they have to fulfill their duties working hand in hand with employees of PMSCs that perform similar types of activities but with different accountability measures, different sorts of punishments, better levels of payment, and more flexible guidelines. It is important for military forces to encourage an adequate performance and behavior of its troops, as well as, to maintain a high level of moral and ethical standards in their activities, even though their private counterparts may not need follow the same parameters and still receive better salaries and better benefits.

Finally, individuals are motivated to work for PMSCs by very similar incentives as the ones that promote the enrollment of volunteer forces in military ranks: specialized personal skills that should not be wasted, good salaries, and social benefits. However, while volunteer forces do become part of military institutions and in most cases follow the path of military instruction and military professionalization, PMSCs employees, who belong to the private sector, do not follow that same military track. This marks a huge difference between them. Yet, working with PMSCs appears to be an interesting and very attractive option for individuals seeking to be part of organizations (agents) with the capacity of using force. This situation obliges today's military to strengthen

its recruitment strategies. Some options may include highlighting other benefits that individuals may receive once they enroll: public education in military institutions, public service for the community, a secure career with a promising future, etc. In the process of recruiting new personnel, it is also important for the military to recognize its role as the public institution capable of keeping a close connection between the military and the community: recruiting individuals from the community to serve the community enhances patriotism, social conscience, and promotes public oversight to force-related activities of the state.

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