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OPERATION IRAQI FREEDOM: A CASE AGAINST PRIVATE MILITARY AND
SECURITY COMPANIES

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ABSTRACT

In the 21st century, the United States has increasingly relied on private military and security companies (PMSCs) to perform military and security functions. The use of PMSCs has risen because of the changing nature of warfare, their perceived efficiency, and the United States' involvement in Iraq and Afghanistan. The increase in PMSCs has brought both positive and negative outcomes on military operations. On the one hand PMSCs prove to be nimble and efficient. On the other hand there are significant negative consequences which result from the widespread use of PMSCs that cannot be ignored. This thesis will review the role that PMSCs played in OIF and show that there were extensive examples of PMSCs that did not act in the best interest of the United States. Through the reduced utilization and the increased regulation of PMSCs, widespread waste, corruption, and fraud can be mitigated and the United States military can be improved.

TABLE OF CONTENTS

LIST OF FIGURES

Chapter 1: Introduction

This thesis will examine the role of private military and security companies (PMSCs) in Operation Iraqi Freedom (OIF). It will argue that the United States government should limit the use of PMSCs because they generally do not represent national interests. PMSCs promote warfare, exaggerate costs, and engage in fraud and corruption.

In the 21st century, the United States has relied increasingly on private organizations, known as PMSCs, to perform military functions. The rise in PMSCs over the first two decades of the twenty-first century was facilitated by a change in warfare and resource needs as the United States became enmeshed in concurrent conflicts in the Middle East. The Department of Defense doubled its spending on contract obligations between 2000 and 2017, at which point it reached $320 billion. Contractors have taken a greater role in modern conflicts. In Iraq, during OIF, the ratio of PMSC employees to United States military personnel was 1:1 (Hammes, 2011).

Employing PMSCs complicated warfare by adding an extra dimension to the once predominantly government owned military system. The use of private companies to conduct defense and national security work raises a number of issues. Specifically, since PMSCs tend to employ ex-military personnel, these companies are well positioned to lobby and influence the Department of Defense, and their employees often have monetary incentives to encourage the United States to engage in war. PMSCs are gaining lobbying influence, and could have negative effects on our democracy (Palou-Loverdos & Armendariz, 2011; Swed & Crosbie, 2017). Given that PMSCs are profit-driven entities, questions arise as to their commitment to serving the United States best interests.

In Iraq, the United States relied to an unprecedented level on PMSC contractors to perform wartime services. These services were to "protect individuals, transport convoys, forward operating bases, buildings, and other economic infrastructure, and are training Iraqi police and military personnel" (Elsea, Schwartz, & Nakamura, 2005). Despite the increased efficiency and cost-reduction that PMSCs appeared to provide, these companies also created a litany of issues for the United States. In Iraq, PMSCs engaged in wasteful, corrupt, and fraudulent transactions involving the loss of tax-payer money through unethical contracting and billing practices. These companies have also proven difficult to oversee, and even in the case of a PMSC being caught- oftentimes an over dependence on military contractors leaves the government powerless in punishing wrongdoings. Further, for many of the corrupt actions that PMSCs committed, the local Iraqi populations blamed the United States government. Yet in other spheres, the accountability of PMSC actions became jumbled and unclear. Specifically the political consequences of a failed mission, for instance, were more likely to go unnoticed as the media showed less interest in the lives of contractors than it did with the lives of national military personnel.

PMSCs have grown tremendously in the twenty-first century. OIF highlights many of the shortcomings of private military firms. This thesis argues that the government of the United States should limit the employment of PMSCs.

Research Questions

This thesis uses OIF as a case study to investigate the following questions about PMSCs:

1. What role did PMSCs play in OIF?

    a. How did PMSCs represent United States' interests on the ground?

    b. Have PMSCs delivered on their purported monetary savings and operational
        enhancements?

2. What were the reasons for the rise of PMSCs? What were the implications of this rise?

3. Where do the shortcomings of PMSCs arise?

    a. In what circumstances have PMSCs overcharged for their services? In what cases
        have PMSCs underperformed?

    b. How can PMSCs better operate moving forward?

Methodology

This research was conducted using first, second, and third hand sources. These sources included: books, legal documents, news articles, published theses, journal publications, as well as a Netflix documentary and an unclassified secret service memo. Several materials used for this thesis have been found on online databases including: Google Scholar, The Pennsylvania State University Library, The Harvard Business School Baker Library, as well as through the recommendations of Pennsylvania State University Professors. Keywords searched include: *PMSC/Private Military and Security Company, Mercenary Armies, Privatization of Military, US Defense Budget, Use of Private Contractors in Iraq, OIF/Operation Iraqi Freedom, Corruption,*

Fraud, Private Sector Outsourcing, Cost Saving, History of Iraq, Modern, Recent, Waste. These

keywords were searched, along with others, using different phrases to find the most useful and

relevant sources for this thesis. These sources contained extensive reference lists which were

used to collect information as well.

This thesis could be useful to a wide audience. By reading this thesis, readers can gain

insights into the utilization of PMSCs with a focus on their actions in OIF. This source could be

particularly useful to: the Department of Defense to improve future decisions with regards to

engaging in armed conflict, members of academia to engage with the topic of PMSCs,

government officials to allocate funds to different United States government departments, policy

makers to improve their efficiency in directing public funds, curious citizens to enhance their

tax-payer transparency, and the United Nation to ensure that PMSCs have proper oversight.

Thesis Limitations and Future Research

This thesis is limited by the scope of public information available about PMSCs. For

example, claims about contractor injuries and deaths are reported through the Department of

Labor, which notes that its statistics only include the deaths and injuries which resulted in

insurance claims (Workers' compensation, 2021). The real number of contractor casualties in Iraq

are extremely difficult to uncover. Moreover, many PMSC contracts are subcontracted multiple

times leading to a complex chain of operations which leaves the public with limited information

about the details of war efforts. Also, the United States government does not report detailed

information about its current war deployments for national security purposes. While the

Department of Defense reports broad information about the troops that are stationed in Iraq every quarter, still much information is omitted.

Future research could focus on the use of PMSCs in Operation Enduring Freedom. This research would be interesting as it could compare and contrast the ways in which military contractors were hired in the United States' concurrent wars. Other research could focus on PMSCs in foreign nations, such as the Wagner group in Russia. This research could show that foreign PMSCs avoided many of the vices that American PMSCs have displayed. Ideas from this research could be implemented in the United States to create a better functioning relationship between the United States government and contracted PMSCs.

Thesis Overview

Chapter two provides a historical overview of Iraq under the rule of Saddam Hussein. The political environment in Iraq was unstable, and this chapter will argue that PMSCs are not trained to work in sensitive environments. This chapter also provides an overview of OIF, and shows that the decision to invade Iraq was politically motivated.

Chapter three explains the role that PMSCs had in the Iraq War and describes their rise in the United States. The United States employs PMSCs because they are perceived as cheaper and more effective than government-led military teams, but this is not necessarily the case. This chapter will argue that PMSCs created a slew of operational deficiencies and threats which counter the perceived benefits of their employment.

Chapter four draws a historic parallel between PMSCs and mercenary units, and explains that PMSCs could repeat some of the negative tendencies of mercenary forces of the

past. This section concludes that the vices of PMSCs today are similar to those of mercenaries of the past. As such, PMSCs must be regulated, as mercenary armies had to be directed, this is shown through the cases of PMSC corruption and fraud in OIF which occurred as a result of poor government oversight.

Chapter five summarizes the key takeaways from each section. It also explores an attempt to regulate the PMSC industry. This chapter suggests that the United States enhance PMSC regulations and reduce the extent to which they are employed. In doing so, the United States government would limit cases of waste, fraud, and corruption as well as the undue influence of PMSCs on the Department of Defense.

Chapter 2: Iraq and the United States' Decision to Invade

Chapter two provides background information leading up to the United States' decision to storm Iraq and overturn Saddam Hussein and his regime. The chapter first offers a review of the history of Iraq to outline the challenging environment in which PMSCs operated. During Operation Iraqi Freedom (OIF), the religious and political environment in Iraq was unstable. This chapter will argue that PMSCs are not prepared nor trained to effectively operate in such sensitive environments. The chapter also provides an overview of OIF and shows that the decision to invade Iraq was politically motivated. The Chapter will argue that PSMCs were enablers of the war and more broadly that PMSCs present the danger to promote warfare.

Iraq is a country with rich and complex history. It is divided by religious and ethnic distinctions with a history of blended cultures. It is home to both Sunni Muslims and Shia Muslims, the two major denominations of Islam who have been in conflict for more than a thousand years. In addition to internal religious tensions, invaders had to deal with a rejection by the Middle East of the Western presence in Iraq. PMSC employees in Iraq were poorly trained to deal with the Iraqi cultural sensitivities. PMSCs have shown through their actions in OIF that they are not equipped to deal with the sensitivities that being stationed in Iraq necessitate. PMSCs are not skilled or trained to provide functional support to United States rebuilding functions in Iraq.

The decision to storm Iraq was controversial. As early as 2003, the global community including the United Nations, civilians in Europe and in the United States, and even the Pope questioned the invasion and the presence of the United States in Iraq. This chapter explores both

the official and the secondary reasons that led to the United States launching OIF. The secondary

reasons were political, economic, and personal. This chapter will conclude with the masses of

fatalities, casualties and displacement statistics that resulted from OIF. The chapter will argue

that PMSCs helped the United States initiate OIF and are therefore partially responsible for war

and its aftermath.

Cross-Cultural Competence

The United States trains their 'in-theatre' personnel in cross-cultural competence with

comprehensive courses that mix operational and institutional learning practices (Caligiuri, Noe,

Nolan, Ryan, & Drasgow, 2011). PMSCs do not provide their personnel with similar cultural

training. As a result, in tense situations military contractors cannot be trusted to respond with

composure. This section will describe the land, the culture, and the people of Iraq to show that

this is a culturally sensitive region. It will then describe the necessity for cross-cultural

competence of United States personal stationed in hostile territories such as Iraq.

The land of Iraq has a rich cultural history, but their people are rife with distinctions

which has led to conflict within the country. The Iraqi economy extends into many different

industries, and its land is rich in natural resources. The land of Iraq has tremendous wealth stored

underground in oil reserves. Some sources estimate that oil accounts for more than 95% of

national GDP (Hunt, 2005). One suspected reason for the United States to invade Iraq was to

take advantage of the abundance of oil (Hinnebusch, 2007; Bennis, 2003). Unfortunately Iraq has

also been a country ravaged by war, embargoes, and sanctions; it depends heavily on foreign

economic aid (Marr, 2019). The United States feared that their foreign economic aid provided to Iraq was directed towards funding Al-Queida and Afghanistan (Bassil, 2012).

Iraq has a rich culture. The modern day territory of Iraq was once the grounds of the earliest recorded civilization, Mesopotamia. The remains of this ancient civilization were only uncovered in the nineteenth century, so this discovery left a minimal influence on Iraqi culture (Marr, 2019). Iraqi heritage is more closely tied to its Arab-Islamic heritage. Most of the country's inhabitants cite the Islamic conquest in the seventh century as their source of identity (Marr, 2019). This conquest is the source of the country's dominant islamic religious belief. Last in chronological order, the Ottoman Empire had a profound impact on Iraqi culture. This empire governed Iraq for four centuries, and it established an administrative framework, land protection rights, and a secular public education system which led to prosperity in the region (Marr, 2019). This period of Iraqi history was marked by military action. Many buildings, mosques in particular, were built during this time period (R. Thomas, personal communication, March 16, 2021).

The distinctions between religious sects are responsible for much of the internal turmoil in the country (Lipka, 2014). Many Iraqi people define themselves by their religious affiliation, Sunni versus Shia. In Iraq 97% of people are Muslim. These Muslims are split into Sunni and Shia, which make up roughly 40% and 60% of the Muslim population, respectively (United States Central Intelligence Agency, 2011). Iraq is 29-34% Sunni and 64-69% Shia (Figure 2).
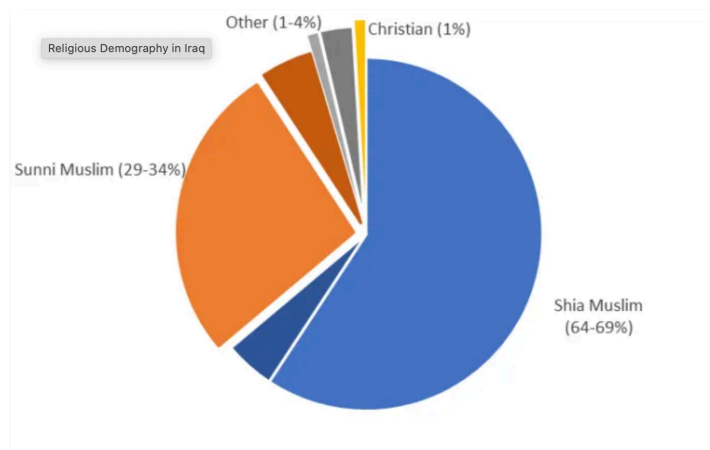
Figure 1. Religious Demography in Iraq

Data is based on a 1987 government estimates. Adapted from the the "Iraq," The World Factbook 2018, Copyright (2018) by The United States Central Intelligence Agency, Washington, DC, 2018.

At a glance both factions, Sunni and Shia, are similar: they both believe in god and the prophet Mohammad, 82% of Shia and 83% of Sunni's report that religion is very important to them, and nearly all Iraqi muslims fast during Ramadan (Hoover, 2014). In contrast to other countries, however, a wide social chasm accompanies several subtle religious distinctions. The divide between the two religions is severe. While in Kazakhstan 74% of the muslim population labeled themselves as "just a muslim" when presented the option to choose their sect. In Iraq only 5% of participants answered the question in this fashion. In fact, 14% of Iraq Sunnis don't even regard Shias as muslims (Hoover, 2014).

The distinctions between Kurdish and Arabic people, too, has created a significant social divide in Iraq. There have been multiple Kurdish uprisings in the twentieth century in a fight to gain autonomy. Between 1961-1963, Kurdish forces were engaged in an armed conflict against the Iraqi Government. The Iraqi government suppressed the Kurdish insurgents but the

civil unrest generated by the polarized population was detrimental to the Iraqi governments'

ability to secure power and protect its inhabitants in years to come (Cleveland, 2019). Iraq is

75-80% Arab and 15-20% Kurd (Figure 2).
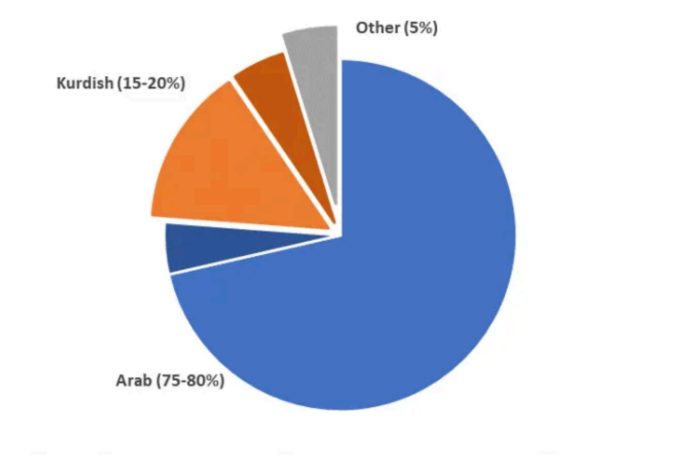
Figure 2. Ethnic Groups in Iraq

Data is based on a 1987 government estimates. Adapted from the the "Iraq," The World Factbook 2018,
Copyright (2018) by The United States Central Intelligence Agency, Washington, DC, 2018.

An infamous example of a contracted security provider exhibiting a lack of awareness for

the Iraqi way of life was Blackwater. Singer reports that one contractor "opened fire first,

shooting at a small car driven by a couple with their child that did not get out of the convoy's

way as traffic slowed…one Blackwater employee may even have pointed his weapon at his

fellow contractors, in an effort to get them to cease firing" (Singer, 2017). PMSC employees are

not trained to handle life-threatening situations, and operate in a loosely organized devision,

especially in a country marred by civil tension. There are a number of reasons that can explain

why PMSCs would be less competent than the military to deal with unique cultural and

contextual situations on the ground. The potential reasons include a desire to maximize profits,

lack of resources, lack of relative expertise, lack of information access. Whereas military 'in-theatre' personnel often receive direct command-and-control instruction, employees of PMSCs do not. As a result, PMSCs are less suited to operate with the proper cultural sensitivities necessary to react to complex situations in the sensitive Iraqi region.

The rest of Chapter two, here below, will provide context for Operation Iraqi Freedom, and explain how the invasion was in part politically motivated. The ret of the chapter will discuss how PSMCs were enablers of the war and more generally present the danger to promote warfare.

Iraq before OIF

Iraq before OIF was war-torn and down trodden. In July, 1979 Saddam Hussein became the main leader of the Baath party, after serving as the second in command to Ahmad Hasan al-Bakr. Saddam Hussein was impatient to assume power, and his new position as President had devastating consequences for the Iraqi people. When members of his own party plotted a coup, within ten days, Saddam sentenced twenty of the highest ranking Iraqi officials of his own party to death. He quickly reorganized the Iraqi government and placed his own family members into high ranking positions (Marr, 2019). Saddam Hussein soon became known as one of the most violent leaders in the world.

In his first year in office Saddam Hussein launched his country into an eight year war against Iran to suppress a muslim uprising in the region. This war accomplished none of its intended purposes, and Iraq lost some of its independence as it became heavily indebted to the West and several Arab Gulf states (Marr, 2019). In the 1990's Hussein launched another unsuccessful war. This time it was against Kuwait in an effort to augment state revenue and

absolve outstanding debts incurred from the war against Iran (Cleveland, 2019). The Iraqi

military stormed Kuwait, but Kuwait retaliated. Iraq was soon crippled back home with what

author and historian, William Cleveland described as "the most intensive air bombardment in

military history" (Cleveland, 2019).

Soon thereafter uprisings from the southern Shia's and northern Kurds broke out

simultaneously. While these insurgent, rebel citizens were soon defeated, Iraq was not out of the

woods just yet. The United Nations found that in suppressing insurgent civilians, Iraq breached

one of its resolutions calling for a ceasefire. Iraq was then hammered with burdensome sanctions.

This wreaked havoc on Iraq to the point where the UN reported a situation nearing a

humanitarian crisis. It was not until 1996 that the UN partially lifted their embargo through the

'Oil for Food' program, importing much needed food and supplies in exchange for oil exports.

Iraq has a long history of engaging in combat.

Operation Iraqi Freedom

On March 20th 2003, the United States launched a military attack on Iraq known as

Operation Iraqi Freedom (OIF). The United States' strategy was to bombard major Iraqi cities,

targeting key country defenses, with the expected effect that many Iraqi troops would desert their

military duty or that Iraqi civilians would start an uprising (Bassil, 2012). The United States

followed this bombardment by rolling 100,000 soldiers and thousands of tanks into the country

through the southern border. The forces clashed with three of the seventeen Iraqi military

divisions. Unfortunately the conflict was prolonged; violence erupted between insurgent military

powers and United States troops (Carlisle, 2007).

The United States spent the ensuing years attempting to establish peace and a new democratic government in the region. While American military intervention led to the capture and eventual execution of Saddam Hussein, the impact on Iraqi life was horrible and irreversible. While, by February of 2005, fifty-five of the highest VIPs of Saddam's regime were either captured or murdered, by November of 2011, between 103,000 and 112,000 Iraqi civilians had died as a result of the violence that spread across Iraq (National Counterterrorism Center, 2007).

Public Reasons Behind the Invasion

OIF was launched under the preventative war initiative, which attempted to secure "our interests at home and abroad by identifying and destroying the threat before it [reached] our borders" (United States National Security Strategy, 2009). President Bush instructed Donald Rumsfeld and Tommy Franks, two senior white house officials, to lead an attack against Iraq for several reported reasons. First, Iraq was thought to be undermining United States international authority by supporting al Qaeda's coordinated attacks against the United States. Al Qaeda and his organization had bombed USS Cole, a United States warship, during a routine refueling stop in Yemen, killing 17 sailors and injuring 37 others. They also attacked several United States embassies in Africa and were responsible for the horrific suicide bombings of September 11th. Albeit, the connection between Iraq and Al Qaeda was later proved unfounded.

Second, Iraq was thought to possess weapons of mass destruction. These long-range missiles were said to pose a massive threat to the security of the American people, especially if a terrorist organization gained access. The Bush administration claimed to enact a self defense policy that encouraged early, preventative action to curb the threat of another terrorist attack.

Lastly, the United States sought to strip Saddam Hussein of his political power, in order to replace his rule with a western style democracy and establish peace throughout the region. The stated mission objective was to liberate Iraq from its dictator Saddam Hussein and render Iraq united, stable, and free (Committee on Government Reform, 2004). But the reasons for this invasion are controversial as Iraq's involvement with Al Qaeda was later reported shaky, the weapons of mass-destruction non-existent, and democracy in the region not easily provided.

The information that Iraq posed a minimal threat to the United States was available before the Iraq War was initiated, leaving many international relation theorists to search for a different explanation for the decision to invade Iraq (Hinnebusch, 2007).

Secondary Reasons Behind the Invasion

The United States could have had less public reasons for launching OIF. There were political, military, and economic benefits to engaging in this war in addition to the counterterrorism and humanitarian objectives that the United States government stated publicly. Following the terrorist attack on the World Trade Center, the United States wanted to send a message to the international community and reassert itself as the leading global superpower (Bassil, 2012; Hinnebusch, 2007). One of the political objectives was to send a message to foreign countries that the United States remains a powerful nation that should not be threatened (Hinnebusch, 2007). More specifically, the United States wanted to remind the world of the power of its military capabilities. The United States wanted to reassert that they were in possession of the world's most powerful military force. The invasion, they thought, could serve as a deterrent for other countries to attack the United States, and it would also frame the Bush

administration as fierce protectors of American freedom. This message was thought to help the

Bush Administration win the hearts of the American people (Woodward, Lehmann, & Clarke,

2004).

Another informal political incentive to invade Iraq was to stabilize the Israel-Palestine

conflict (Hinnebusch, 2007). In 2004 the United States was in full support of Israel. Saddam

Hussein's regime was anti-Israel. His regime supported Palestinian troops with weapons to be

used against Israel. In essence, OIF was thought to benefit the United States' political position in

the Israel-Palestine conflict as the end of the Saddam Hussein regime would lead to a less

supported and therefore weaker Palestine. A weaker Palestine would then strengthen the Israeli

position.

The United States also had economic incentives to storm Iraq (Hinnebusch, 2007).

While it was well known that one of the United States' main-economic objectives was to protect

oil wealth "that will be useful for the reconstruction of the country and put an end to the large

black market", it was less known that after OIF the geopolitics of oil would shift to benefit

American companies close to the Bush administration (Hinnebusch, 2007). As a result of the

invasion "a lot of money could be fed back into the United States economy… particularly... to

United States republicans" (Bassil, 2012). While the Bush administration may have had noble

objectives to remove the threat that Saddam Hussein posed to the world, these objectives were

likely mixed with self-promoting incentives too.

Public Opposition to the War

While it may be argued that the United States had decided that engaging in military action and therefore the use of PMSCs were indispensable to United States foreign policy initiatives, many other forces rose in opposition to this argument. For one, the countries of the United Nations had voted not to support the United States in the war against Iraq. Second, many polls in Western Europe showed that their citizens opposed the war. And third even the Pope denounced the decision to invade Iraq. The war in Iraq had terrible consequences on military soldiers for both sides as well as for Iraqi civilians.

The United States had ample reasons to invade Iraq. They presented their case to the Security Council of the United Nations. Before the bombs were dropped on Iraq, Colin Powell tried to elicit the support of the Council by showing the councilmen "several pictures of the vehicles used as biological research laboratories, satellite photos of military plants, chemical weapons, bunkers, and a recording of a conversation between the officers of the Iraqi Republican Guard who speak about weapons of mass destruction" (Bassil, 2012). The council's response was short and bleak. The council declined to help the United States carry out military action against Iraq. Without the approval of the Security Council, the United States, along with the United Kingdom, invaded Iraq themselves (Zarefsky, 2007).

Had the war efforts followed the plan set out by then Secretary of Defense Donald Rumsfeld and Vice-President Dick Cheney, the United States would have been able to claim victory in a few months. The Iraqi's were believed to have a "poorly equipped and poorly led military" and their defeat would have been a "prelude to an outpouring of gratitude for the

American liberators by the vast majority of Iraqis" (Bassil, 2012). But this war lasted for longer than anticipated. The United States' Iraq War proved unpopular both abroad and at-home. After the United States Military invaded Iraq, worldwide protests emerged in a frenzied response to oppose United States interference in the region. The response was particularly strong in Europe where polls showed that between 70% and 90% of people opposed this war. Meanwhile, in the United States George Bush invoked the CIA to wire tap phones to monitor citizens who opposed OIF (Bassil, 2012).

Ironically, the presidential candidate George Bush who urged America to act as a "humble nation" to earn international respect, led the charge to squelch the threat that Saddam's regime imposed. This presidential candidate who criticized the previous Clinton administration for its numerous military interventions, utilized similar aggressive military action himself (Gill, 2017). Bush contrasted his own decisions to those of his father. In regard to Iraq, he said "my father wasn't quite tough enough in how he handled something, and I'm going to handle it in a tougher and more aggressive way" (Woodward et al., 2004).

Impacts of the War

Operation Iraqi Freedom, like most military operations, had devastating consequences for all of the parties involved. These consequences include a tremendous loss of money and a devastating loss of human lives. It is projected that $20.6 billion were spent on helicopter production and maintenance alone between 2001 and 2012 (Bassil, 2012). Tragically, between March 20, 2003 and November 7, 2011 nearly five thousand American soldiers lost their lives (Figure 3), and another 32,219 soldiers were wounded. Of those soldiers wounded, 9,137 were

injured with serious permanent disabilities. Moreover, a study found that soldiers that served in

Iraq were two times more likely to need psychological counseling than other professionals

(Bassil, 2012). Soldiers on both sides of the war dealt with the tragic outcomes of armed combat.
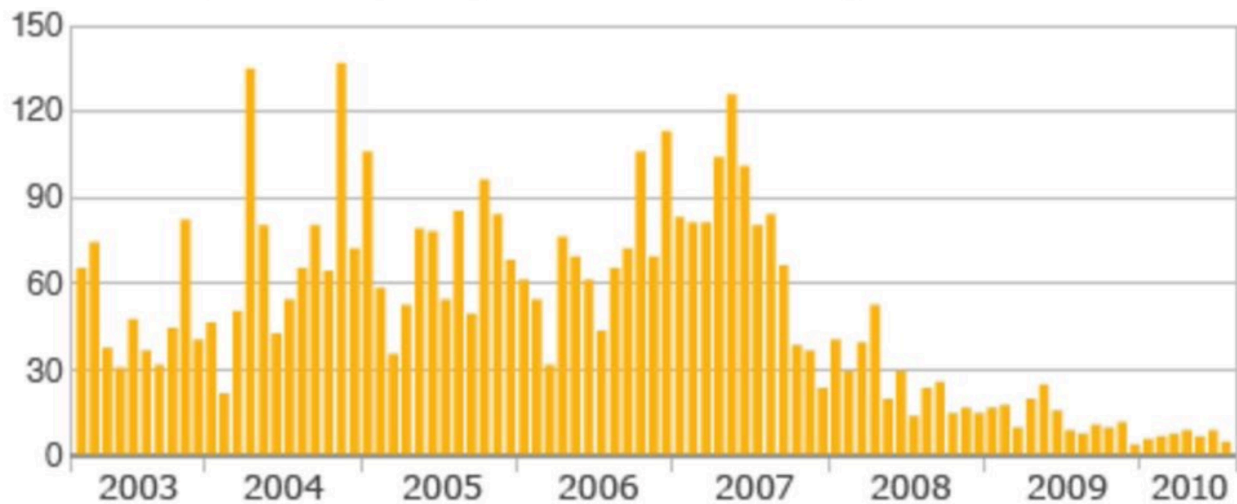
Figure 3. United States Military deaths, Iraq, March 2003 - July 2010 (per month)

Retrieved from https://www.bbc.com/news/world-middle-east-11107739. Copyright (2011) by BBC
News.

The consequences of the conflict were more pronounced for the Iraqi people. Estimates

of the total number of Iraqi civilian deaths between March 2003 to December of 2011 range from

655,000 to 1 million depending on the source (Figure 4) (Bassil 2012). The number of wounded

civilians nears 250,000. Many of those wounded were Sunni people of which there are only 5

million in Iraq (Sauerbrey, 2007).
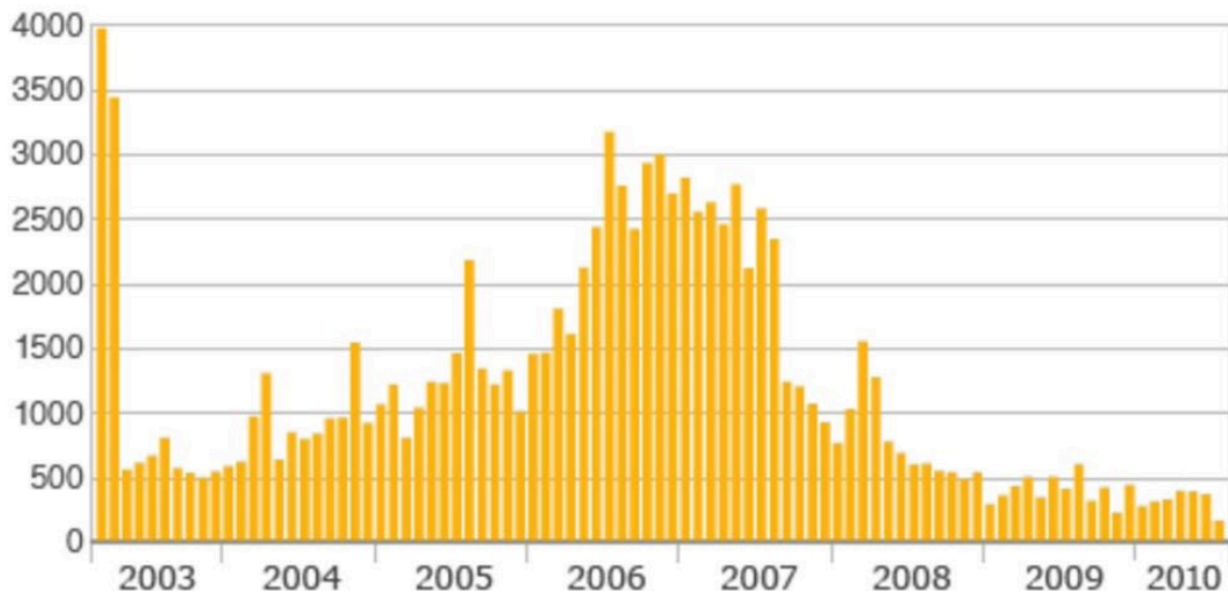
Figure 4. Iraqi civilian deaths March 2003 - July 2010 (per month)

Retrieved from https://www.bbc.com/news/world-middle-east-11107739. Copyright (2011) by BBC
News.

The War has also caused a mass displacement of Iraqi civilians. According to estimates

from the UN, in April 2006, almost 2.5 million Iraqis have fled their country as a result of

violence. Another statistic showed that by 2012, 1.8 million Iraqis had been displaced inside their

own country. Nearly one-fifth of Iraqi civilians had been upended and forced to relocate as a

result of the war (Sauerbrey, 2007).

Conclusion

In Iraq, PMSCs were employed to provide security protection to American citizens.

They were specifically employed to defend against the threat of another terrorist attack. But

during OIF, in their attempt to provide safety for Americans by eliminating a foreign threat,

PMSCs became a threat to Iraqi populations. PMSCs served one party as a protector and by the

other they were viewed as a threat. The Blackwater incident shows that contractors are poorly trained to operate in the sensitive environment which interactions in a war torn, socially polarized country necessitate.

Moreover, the United States stormed Iraq for several publicly stated reasons which did not adequately justify massive military action. The pretense of Iraq building weapons of mass destruction, Iraq directing funds to Al Qaeda, and the United States wanting to provide the Iraqi people with democracy did not justify the massive undertaking of OIF. Further, at the time information was available that Iraq posed a minimal threat to the United States (Hinnebusch, 2007). This invasion appears to have been motivated by other factors.

The United States was only able to carry out this invasion, death and displacement included, with the help of PMSCs. This endeavor was launched out of fear- based on suspicions that turned out to be incorrect. In the process hundreds of thousands of civilians and soldiers have lost their lives! This war in Iraq was a humanitarian crisis. PMSCs encouraged and facilitated the decision to invade Iraq. The scale of the operational disaster in Iraq would not have been feasible without the presence of eager PMSCs offering to help American forces (Verkuil, 2007). This was a one-sided precautionary measure to avoid the possibility of death and destruction at home, by engaging in death and demolition abroad.

Chapter 3: The Rise of Private Military and Security Companies and their Deficiencies

This chapter delves into the private military and security industry and details the rise of PMSCs within this industry. This chapter then cites the evolution of warfare as a reason for the shift to rely increasingly on contractors. PMSCs offer efficiency benefits which include the speed of deployment, the reduction of military personnel, the reduction of military casualties, and the continuity of deployment, but these come with their own respective deficiencies. Moreover these efficiency benefits are offset by security disadvantages which include the rise of PMSCs as an influential pro-war lobbying power and cases of excessive corporatized waste. Waste results from excessive costs reported on contracts, and the over dependance of the United States on contractors.

Private Military and Security Companies have emerged as a key military resource of the twenty-first century. The principal argument for employing private organizations over government-led military functions is that private companies are theoretically more efficient and cheaper, but on the ground this is not always the case. Despite the increased efficiencies that PMSCs are said to provide the United States government, they also bring about many disadvantages. PMSCs exhibit several key deficiencies which should make the United States leery of contracting them to the extent that they do.

The private military industry has grown and now exerts a greater influence in the United States government than ever before. These influences should be closely monitored and if possible limited. PMSCs promote warfare through lobbying, and waste tax-payer money through overcharging on contracts. In some cases the Untied States has become so dependent on

contractors that it has lost its ability to negotiate prices. PMSCs provide a broad range of military functions, but in OIF the privatization of military operations did not necessarily improve overall military efficiency, nor did it cut costs. In fact in some cases the use of PMSCs made operations more expensive.

Private Military and Security Companies

A private military and security company (PMSC) is a private firm that provides logistical support, security services, and armed combat for monetary profit. The private security industry is global and has recently risen to prominence in the United States. PMSCs offer a wide range of functions including military support and logistical services, intelligence gathering and training troops, and the protection of assets and personnel. PMSCs typically recruit from a labor pool of young veterans and law enforcement officers. The services that PMSCs offer today were historically provided by the United States Department of Defense.

The market for PMSCs continues to grow. In the last decade of the twentieth century, over one hundred PMSCs have operated in over one-hundred different countries, amassing an estimated $55.6 Billion US in total revenues (Holmqvist, 2005). A 2010 estimate of the security market reported that it is worth about $100-165 billion per year and that it has grown at an annual rate of six to seven percent (Florquin, 2011). Data from fiscal year 2017 shows that while the United States spent only thirteen percent of its budget on external contractual obligations, most of the expenses were contracted within the Department of Defense (Figure 5) with a total of $320 billion spent in 2017. In addition, from FY2000 to FY2017, adjusted for inflation (FY2017 dollars), the Department of Defense contract obligations increased from $189 billion to $320

billion. (Schwartz, Sargent, & Mann, 2018).
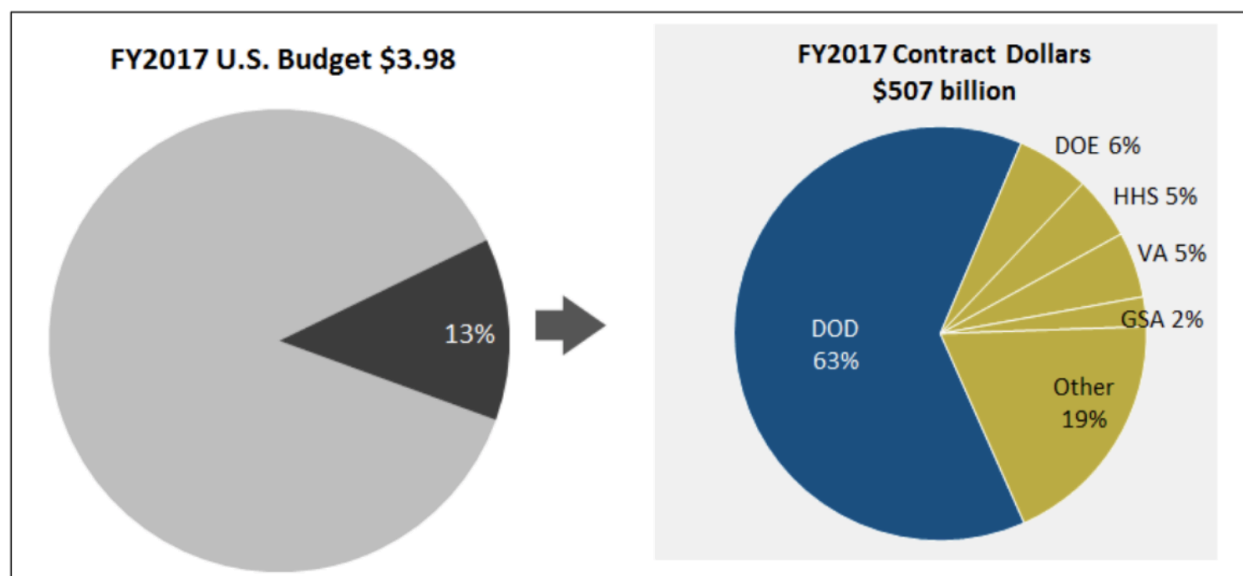
Figure 5. Contract Obligation by Agency

(U.S. Budget Dollars in Trillions, Contract Dollars in Billions)

Retrieved from the Office of Management and Budget, Budget of the U.S. Government Fiscal Year 2019, Supplemental Materials, Public Budget Database (Outlays); Federal Procurement Data System-Next Generation, January 2018. Figure created by CRS.

Federal procurement Data shows that the Department of Defense contracted PMSCs in Iraq and

Afghanistan for amounts ranging from $10 billion to $30 billion each year from 2003 to 2017

(Figure 6).

Billions
$40
$30
$20
$10
$0
1999   2001   2003   2005   2007   2009   2011   2013   2015   2017
Fiscal year
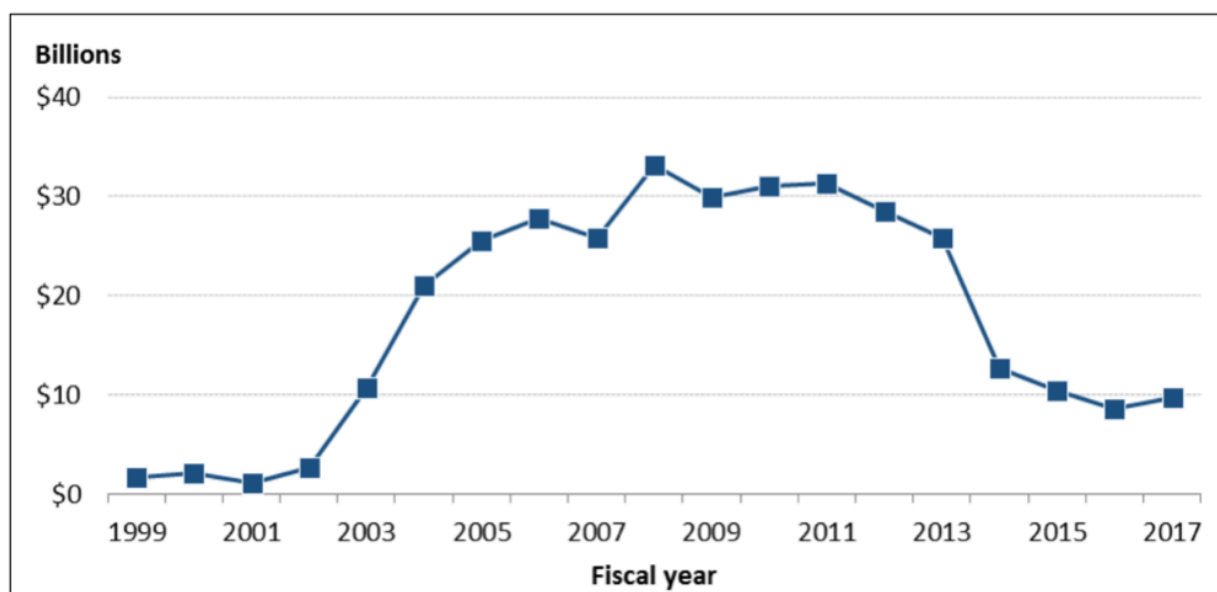
Figure 6. Contract Obligations in Iraq and Afghanistan Theaters

(FY2017 Dollars)

Retrieved from CRS analysis of Federal Procurement Data System-Next Generation, January 2018.

The government has a long history of contracting PMSCs, and has relied increasingly on PMSC operations. PMSCs have become more integral to the United States in the wars in Iraq and Afghanistan. The use of contracting private security rose from one contractor for every fifty-five military personnel in Vietnam to one contractor for every one military personnel in Iraq (Hammes, 2011). On March 31st, 2010 the United States had stationed 175,000 troops and 207,000 contractors in war zones. At the time, contractors made up fifty percent of the DOD workforce in Iraq and fifty-nine percent in Afghanistan (Schwartz & Swain, 2013). Most of the contractors involved in OIF did not engage in military action. Oftentimes, they served in supporting roles. "In Iraq, private firms known as private security contractors [served] to protect

individuals, transport convoys, forward operating bases, buildings, and other economic

infrastructure, and [trained] Iraqi police and military personnel" (Elsea et al., 2005).

The conflict in Iraq was referred to as 'the first privatized war' ("Military-Industrial

Complexities", 2003). It was estimated in March 2003 that 15,000 to 20,000 private security

contractors were employed in Iraq, and in an updated report for Congress in 2005 it was

estimated that fifty PMSCs employing more than 30,000 employees were working in Iraq (Elsea

et al., 2005). Moreover, the Brookings Institute estimated that PMSCs employed citizens of

nearly thirty different countries in Iraq (Singer, n.d., as cited in Elsea et al., 2005). More research

on this topic showed that the personnel employed by PMSCs exceeds the number of police

officers at the global level. The research showed that there were 19,545,000 military personnel

contracted by PMSCs across the globe versus a mere 10,799,000 employed police officers by

states (Florquin, 2011). In short, the use of private military and security contractors has

ballooned. Many PMSC employees are security professionals from developed countries, such as

the United States, with experience in the military or law enforcement. But even contracted

individuals from developing countries often have extensive training and military experience

(Elsea et al., 2005).

Evolution of Warfare

Many scholars cite the change in warfare as a major cause for the rise of PMSCs and the

reduction of standing armies (Macías, 2012; Axelrod, 2014; Hansen, 2012). The change in

warfare is largely responsible for the emergence of PMSCs. Throughout history, in the majority

of battles, the "preponderance of numbers has determined the outcome" (Axelrod, 2014). But a

larger army no longer secures victory as it once did. Warfare has changed. The changes in

warfare have made PMSCs more desirable, and large standing armies less convenient (Deptula &

Operations, 2001). In the past, the development of military prowess required the creation of large

burdensome armies. In contrast, today military prowess can be achieved with relatively few

highly skilled individuals. There are several key reasons for the change in the nature of warfare

which augment the value of PMSCs. These include a multipolar geopolitical environment, a

reduction in the military might of large armies, and enhanced weapon systems (Axelrod, 2014).

  First, there exists a multipolar geopolitical environment in which international relations

have become more like an interconnected web than a two-pronged race. More actors have

developed the military capacity to deliver devastating attacks to any location on Earth (Deptula

et al., 2001). So, post Cold War both the United States and the Soviet Union slowed the

production of weapons and decreased the size of their armed forces. Also, there has been an

increase in the number of smaller congregations of nefarious actors, such as terrorists. In recent

years, small groups of domestic terrorists have raised more potent and pressing national security

concerns than have larger, developed states (Axelrod, 2014). Today most conflicts are fought on

a relatively small scale (Axelrod, 2014; Deptula et al., 2001).

  In addition, large armies no longer offer the same military prowess that they once did.

There has been a rise of asymmetrical warfare, where few actors have access to powerful

weapons that yield significant power. Large armies are inefficient in preventing the actions of

nefarious actors who offer only subtle, discrete warnings before an attack, like a suicide bombing

or other similar act of asymmetrical warfare. Nor are large armies necessary to create the threat of annihilation and destruction. Instead, advantages in today's warfare rely increasingly on intelligence. With the use of sophisticated surveillance systems, a few people can command a great deal of power (Axelrod, 2014).

State of the art military technology, including high tech computers and destructive weapons, was extraordinarily expensive during the Cold War. But today, these weapons are available for cheap (Axelrod, 2014). The chief counter to the threat of nuclear bombs continues to be intelligence gathering. There has been a surge in the acquisition of intelligence and a marked reduction in the number of foot soldiers over the past several decades (Deptula et al., 2001) In Summary the benefits of maintaining a large standing army have diminished, and the importance of intelligence gathering, and digital manipulation and vigilance has risen.

Private Military and Security Companies in the United States

After the end of the Cold War the United States government reduced the size of its military operations. For the United States, the frame of warfare had evolved. The worry of having too few forces in a battlefield skirmish lost its significance. As a result the United States Army cut its number of divisions from 18 to 10 which led to corresponding cuts in related, supporting services. Soon thereafter, major world powers removed troops from certain regions of the world (Schreier and Caparini, 2005). This led to the United States involvement in the Balkans in the 1990's which required a sizable deployment of troops. At this point the United States had a reduced military personnel, and relied heavily on PMSCs. Even with the rise of

Neoliberalism, few would have predicted the extent to which private security companies would

be contracted.

This recent change in warfare has created a surge in the demand for contracted personnel.

Contractors can be hired in small groups for jobs that include protecting a high-ranking United

States military officer, providing data protection, or offering military consultation. Many private

contractors are poised to counter the threats of the modern world. The threats of the modern

world are less visible than they ever have been. Consequently, the United States military has

contracted PMSCs who are best equipped at handling them. PMSCs have filled the void created

by the decline of military forces.

In removing Saddam Hussein from power, the United States created instability in the

region, and became stuck in OIF. The unanticipated disorder that ensued Saddam's removal from

power left the United States with an urgent need to deploy troops to the Iraqi region. And since

many United States troops were already stationed in Afghanistan, the United States relied heavily

on PMSCs. Luckily for the United States, the collapse of the Soviet block, accompanied a

change in the nature of warfare. There were massive lay-offs of troops who banded together after

the service for their country was complete. Many experienced veterans found employment for

PMSCs which were then contracted by the United States for use in OIF (Schreier & Caparini,

2005). The state also had less money tied to military budgets and were therefore able to spend

more on contracting security for the state (Schreier & Caparini, 2005).

In Iraq, the United States relied to an unprecedented level on PMSC contractors to

perform wartime services. PMSCs have become indispensable because regular military forces

are not enough to fulfill all of the government mandated responsibilities in Iraq. The permanent

use of PMSCs by states has made military forces reliant on the services that these companies

offer, without which the military would not be able to perform its own activities (Macías, 2012).

Paul Verkuil described the indispensability of PMSCs in the current armed conflict 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 that they have become indispensable. Now they even

negotiate directly with Iraqi and United States military forces" (Verkuil, 2007). Contractors have

taken a greater role in this conflict.

Lobbying

The rise of PMSCs could have adverse effects on the United States government and its

decision making processes. Through the exaggeration of a perceived threat, the United States

invaded Iraq. While the decision to invade Iraq was ultimately made by government officials in

Washington, PMSCs had financial incentives to encourage pro-war military policy. The decision

to engage in war was first promoted and later facilitated by PMSCs. Despite the poor reputation

for promoting warfare that many PMSCs had garnered, once OIF was launched, the PMSC

industry experienced tremendous growth (McCormick, 2020).

In regards to the provision of military security, oftentimes the market is inscrutable:

neither the buyer nor the seller can be sure of the quality of the service offered (Gambetta, 1994).

There is no way to determine the importance of any given threat. And since, the government

cannot provide protection for the infinite array of potential threats, it must choose which threats

are more significant than others (Leander & Van Munster, 2007).

> Moreover, it is difficult to imagine a common standard for evaluating which
>
> consequences are most serious. How would one compare material damage to a
>
> managing director's life? Relatedly, it is difficult to assess the centrality and the
>
> quality of the services offered by any one [PMSC]" (Leander, 2005, 10).

In the case of OIF, the United States government considered Saddam Hussein to be the

greatest threat to their security. PMSCs had monetary incentives for this to be the case.

In the market for force, the supply creates its own demand (Leander, 2005).

PMSCs must make their clients aware of the many threats that they need protection

against. PMSCs fulfill the definition of security of $S = f(A, P, T)$. In this definition,

security acts as a function of A, P, and T where 'A' represents the 'asset' in need of

protection, 'P' represents the 'protector' which offers the protection, and 'T' represents

the 'threat' which needs protection against. Without each of these variables, there would

be no need for security. In the context of this thesis, PMSCs must convince the United

States government that there exist threats to specific assets which give them value as a

protector. In many cases PMSCs must become security experts and shape the decisions

about contracting in order to stay relevant in their field.

> "The key to corporate survival resides increasingly in a political or even a cultural
>
> capacity; the ability to influence future customers and suppliers. . . . The leading

defence company of the future will be primarily a manipulator of opinions, in a

diversity of markets, rather than the familiar engineering enterprise of the past"

(Lovering, 2000, 167-8, 174).

PMSCs must convince their client, the United States government, that the threats they are

specialized in dealing with are the most imminent, the most real, and the most important.

The rise of PMSCs poses a new security threat to the sanctity and the sovereignty of

decision making within the United States government. PMSCs have the ability to promote war,

and influence political decisions through their lobbying power. With the rise of PMSCs, these

companies have more influence in Washington. It raises the question as to if lobbying " is of an

exclusively economic interest or if these lobbies have also geo-strategic and geopolitical interests

along with interests in the exploitation of the natural resources of countries in conflict" (Palou-

Loverdos et al., 2011). In the situation of OIF PMSCs contributed to the decision to engage in

war, and benefited from the prolonged conflict in Iraq.

Deficient Efficiencies

There are several purported efficiency advantages to employing PMSCs in Iraq. But these

efficiencies created a litany of other issues that were not there to begin with. PMSCs were

reported to improve with: the speed of deployment, the reduction of military personnel, the

reduction of military casualties, and the continuity of deployment (Hammes, 2011). But many of

these reported efficiencies benefit political actors and not the situation on the ground. Politicians

benefit from a muddled chain of accountability regarding war and deaths in the region, whereas

on the ground, the death or hardship of a United States militant is simply substituted for that of a

private contractor. These PMSC advantages did not advance the United States agenda to secure

peace in Iraq.

One said advantage of employing PMSCs is their ability to deploy large numbers of

personnel and with speed (Hammes, 2011). This advantage was particularly useful in Iraq, given

that many American troops were strapped to their military roles in Afghanistan. On the other

hand, the ease and ability to marshal a large number of troops can have detrimental effects on

global security. In OIF, even if Iraq was in possession of the weapons of mass destruction that the

United States had claimed that it was, the threat that Iraq posed to the American people was

minimal (Hinnebusch, 2007). But with the ease and ability to deploy troops, PMSCs enabled war

hawks in Washington to engage in OIF with greater ease. The ability to deploy large numbers of

troops with speed may not benefit national interests.

Naturally, employing PMSCs also decreased the need to employ United States troops.

Contractors in the United States reduce the military and accompanying political resources that

must be dedicated to war efforts. Instead of sending 320,000 needed personnel in the Afghanistan

and Iraq regions, the United States only needs to justify sending 160,000 troops in Iraq with an

accompanying 163,900 military contractors ("Wising Up, Moving Out", 2009). However, the

ability to deploy large numbers of personnel at a time when the United States army was already

engaged in Afghanistan, did not contribute to international security. Both inside and outside Iraq

and Afghanistan, contractors replaced tens of thousands of soldiers normally required to move,

stage, marshal, and transport personnel and supplies into conflict zones (Baum, 2003). While the

vast majority of these personnel were unarmed, the Department of Defense estimates that over

20,000 armed contractors were in Iraq during 2007. Other organizations have much higher

estimates. Even using the low estimates from the Pentagon, the number of US military

contractors deployed in Iraq tripled the number of armed soldiers from Britain (Hammes, 2011).

Most of these situations could represent "a situation marked by widespread agreement around the

necessity of outside intervention, but an equally widespread unwillingness to provide troops."

(Adams, 1999; Gantz, 2003; Leander, 2005), but instead, with contractors, these regions engage

in armed conflict. PMSCs are quick to respond to this call. They willingly offer their support to

help countries engage in war.

PMSCs are also reported to ease the burden of military deaths, but these deaths still

occur, just now by contractors! Over 25 percent of military deaths in Iraq have been of private

contractors. The media and political implications for the United States at home made it so that

the death of an enlisted United States soldier weighs more on the hearts of the people than the

death of an employed contractor (Hammes, 2011). By the end of 2009, there had been 1,800

dead and 40,000 wounded contractors in Iraq and Afghanistan. Since 2010, more contractors

have died in Iraq and Afghanistan than have military soldiers (Schooner & Swan, 2010). These

deaths went largely unnoticed by the American people. As Peter Singer noted:

> "there was no outcry whenever contractors were called up and deployed, or even
>
> killed. If the gradual death toll among American troops threatened to slowly wear
>
> down public support, contractor casualties were not counted in official death tolls
>
> and had no impact on these ratings. . . . These figures mean that the private
>
> military industry has suffered more losses in Iraq than the rest of the coalition of

allied nations combined. The losses are also far more than any single United

States Army division has experienced" (Singer, 2017, para. 22).

PMSCs also provide continuity in their operations. The United States military is limited

in that the vast majority of their deployments are for 6 to 12 month periods. Contractors, on the

other hand, often stay for longer periods of time (Chakrabarti, 2014). PMSCs pay contractors to

stay longer which counteracts the cost of servicing, training, and deploying new personnel

(Hammes, 2011). But the longer time frames that a service member is stationed in Iraq could

hinder the development of more positive relationships between people that are further removed

from the invasion and more focused on reconstruction efforts.

Excessive Charges and Waste

One argument in support of PMSCs is that they are a cheaper alternative to 'in-theatre'

personnel, and as such are better for taxpayers. Theoretically, as free market theory would

suggest, PMSCs should be efficient operators. A look-back at Operation Iraqi Freedom shows

however that PMSCs took advantage of the war for their own profit. PMSCs, particularly during

war times, may actually not be a lower cost solution. During OIF, PMSCs were prone to waste,

benefited from cost-plus contractual agreements and took advantage of the fact that the US

Government became dependent on their support for on-the-ground operations.

PMSCs are prone to waste public funds. Waste, according to General David Walker of the

government accountability office "occurs when taxpayers do not receive reasonable value for

their money in connection with any government-funded activity due to inappropriate acts or

omissions by officials with control over or access to government resources" (Hutton & Solis, 2009). During OIF, waste generally resulted from the mismanagement of PMSCs or actions that were performed inefficiently, nonetheless much of this waste was still considered legal (Hutton & Solis, 2009). There were several cases of institutionalized waste in several military contracted operations.

PMSCs provided logistical support for the Iraqi Army through Global Maintenance and Supply Services (GMASS) contracts. By 2009, at least $683 million had been put towards GMASS contracts in OIF. Despite the United States government permitting PMSCs to up-charge 18.3-22.3% for every part that they ordered, contractors still overcharged the United States government for their expenses (Inspector General for Iraq Reconstruction, 2009). In one specific example, the Special Interest Group on Information Retrieval estimated that $4.3 million out of the $30.6 million contract awarded to the company AECOM was questionable. In this contract, AECOM invoiced the United States government with charges that exceeded agreed upon, market-values for items. For example, coolant was billed at $25.0 per liter even though it only costs $2.2 per liter. The total billing of coolant accounted for $1.7 million, of which a large portion became AECOM profit. Additionally, the invoices also contained duplicate and triplicate work items (Inspector General for Iraq Reconstruction, 2009).

PMSCs have also failed to fulfill multiple contracts. The Special Interest Group on Information Retrieval reported that at least 15-20% of the $21 billion in Iraqi Relief and Reconstruction Fund investments have been squandered. The group cites inappropriate United States contract policies and procedures as the cause of the billions of dollars that disappeared as

waste ("United States House, Committee on Armed Services", 2009). In total, billions of dollars

have been wasted because of improper planning and action taken during the invasion,

occupation, and reconstruction of Iraq ("The Final Report of the Commission on Wartime

Contracting in Iraq and Afghanistan", 2011).

Profiting from Cost-Plus Contracts

Cost-plus contracts were another example of a legal but inefficient contracting practice

during OIF which resulted in tax-payers not receiving a reasonable return for the value of their

money. In cost-plus-a-percentage contracts, the recipient of a contract was reimbursed for the

project construction costs and was paid a percentage of the costs as a profit. Contractors had

financial incentives to spend more of the government's money because they would in turn

receive a larger paycheck. Under these contracts, the government assumed the bulk of the risk.

The contracts were usually awarded "in risky situations when the United States government

[was] unable to provide sufficient information for offerers to accurately determine a competitive

price" (Commission on Wartime Contracting in Iraq and Afghanistan, 2009).

The military also utilized build and design, cost-plus contracts where the recipient of a

contract was given the responsibility to both model and build the reconstruction project. The

models that contractors produced were more likely to reflect the constraints of their abilities as

builders and utilize cheap construction material. PMSCs often designed and built projects that

maximized profit at the expense of the structure, "taking root in Iraq's soil, as well as its social

and governmental institutions" (Commission on Wartime Contracting in Iraq and Afghanistan,

2009). Even though cost-plus contracts were notorious for generating excessive costs, during

OIF, the Coalition Provisional Authority awarded 12 build and design cost-plus contracts for a

combined $10 billion. The PMSCs that were employed to perform these functions had no

incentives to control costs, but rather had incentives to inflate them. (Commission on Wartime

Contracting in Iraq and Afghanistan, 2009; Halpin, 2011).

The United States government unsuccessfully justified the distribution of cost-plus

contracts by arguing that they encouraged companies to shift their production towards war efforts

without risk. Former Senator David Walsh reprimanded this decision in his statement "not only

did cost-plus-a-percentage-of-cost contracts fail to curb war-profiteering; they aggravated it"

(Walsh, 1994). Paul Hinks, the CEO and Co-Founder of Symbion Power, responsible for $18

billion in reconstruction efforts, worked on multiple contracts for the United States government

both as a contractor and a subcontractor. He testified before Congress, explaining that in his 30

years of construction work, including his time spent in developing and conflict zones, he had

never known about cost-plus contracts until the United States used them in Iraq (Shays &

Thibault, 2010). He continued to bash the inefficient use of cost-plus contracts by explaining that

many cost-plus contractors employ subcontractors at a fixed fee. In this scenario, subcontractors

incur risks that contractors themselves do not. Hinks states that "cost plus construction contracts

in the contingency environments are not essential, nor are they in the public interest" (Shays &

Thibault, 2010). Cost-plus contracts resulted in billions of dollars in lost revenue. They were one

example of PMSC waste in which tax-payers do not receive a reasonable return for the value of

their money.

Conclusion

  The response to the emergence of more actors threatening global destruction was to de-escalate standing armies and outsource military functions. With the development of powerful weapons, the global dominance that large military forces once held has declined. Instead, military prowess in today's environment is garnered by more discrete methods which require fewer people. Accordingly, there has been a surge in the United States military's utilization of PMSCs, particularly in the regions of Iraq and Afghanistan.

  The privatization of military operations offers powerful benefits, but it also exposes the United States to material risks. Privatizing military and security functions during OIF opened the United States up to many disadvantages. The disadvantages included an increase in pro-war lobbying powers, a decrease in accountability for politicians making decisions about war, and the waste of taxpayer money.

  With many benefits of PMSCs in question, this thesis analyzed the main argument in support of PMSCs which is their supposed cost effectiveness. Operation Iraqi Freedom exposed a lack of transparency and a lacking incentive structure which led PMSCs to provide services with little concern for program expenses. Operation Iraqi Freedom demonstrated that PMSCs can be wasteful. PSMCs can take advantage of unsophisticated government oversight and basic contractual practices. PMCSs are also in a position to take advantage of their monopolistic situation to extract maximum value, in particular during times of war.

Chapter 4: Private Military and Security Companies as the Mercenaries of Today

This chapter compares the utilization of PMSCs today with that of mercenary units of the past. It explores past mercenary forces, and the lessons that can be learned from history to explain that PMSCs are primed to repeat some of the negative tendencies of mercenary forces. This section concludes that the vices of PMSCs today are similar to those of mercenaries of the past. PMSCs in OIF became involved in fraud and corruption.

The international community questions the legitimacy of current military outsourcing. Some dismiss PMSCs as "war dogs" or "guns for hire", others view them as guarantors of security (Herbst, 2013; Mitchell, 2018; Pattison, J. 2012). While this debate is relatively nascent, military outsourcing is not. Mercenary armies have been utilized since the earliest records of war. Records show that mercenary armies were used as long as 3500 years ago. Mercenaries, motivated by money, earned a reputation for being ruthless and disloyal. PMSCs present the risk to be equally individualistic. Specifically, in OIF, there were several detailed cases of PMSC fraud and corruption reminiscent of the self-serving actions of mercenary armies of the past. It is well documented that United States private contractors have engaged in corrupt and fraudulent practices in Iraq.

Private Military and Security Company as Modern Mercenary Units

The term mercenary is defined as an armed combatant that was employed to serve for profit, sometimes at the expense of ethics (Reilly, n.d.; Noone, 2000). Although mercenaries sometimes fought cleanly, many times these soldiers were responsible for atrocities, which were difficult to link back to any specific state. Mercenaries were deemed unlawful by the

international community; they were banned by the United Nations in 1989. Under international

law, mercenary forces do not qualify for international prisoner of war treatment, neither are they

entitled to combat immunity laws. Mercenaries can even be punished for actions that are lawful

for military soldiers ("Protocol Additional to the Geneva Conventions", 1977).

 The distinctions between mercenary units and corporate contractors are blurred.

Axelrod states that the only difference between the two, on the ground, is organization (Axelrod,

2014). International law and media outlets, however, handle PMSCs and mercenaries differently.

International law treats mercenaries with repercussions, but rewards PMSC employees with

civilian status (Hansen, 2011). PMSCs should not be outlawed, because their interests differ from

that of their employer. They must however be monitored and reduced to ensure that the United

States does not repeat the vices of mercenary armies of the past.

 That said, PMSCs do have incentives to conduct their operations in ethical ways.

PMSCs rely on contracts from the United States government to stay in business, and as an

industry, PMSCs cannot afford to be viewed as immoral . In order to continue receiving

contracts, PMSCs must present themselves as stable and ethical partners to the United States

government. While PMSC employees may not feel loyal towards the country they serve, they

must show commitment and loyalty to the company for which they work (Axelrod, 2014). While

PMSCs have incentives to appear moral, these are profit-driven corporations who utilize

marketing and advertising strategies to position themselves as security providers, distancing

them from the vestiges of their mercenary history.

The debate as to whether PMSCs are similar to mercenary units of the past has implications that are relevant to the use of PMSC in OIF. While the international community views the two labels as distinct, they exhibit many similarities. For example, PMSCs and mercenaries both engage in unnecessary violence that are not easily linked back to any nation state (Singer, 2008). PMSCs and mercenary units have also provided both combat and non-combat military support services.

Historical Precedents

There are parallels between PMSCs and mercenary forces. Since ancient times, states have utilized outside military forces, mercenaries, as supplements to their state armies. Many people picture mercenary armies as frightening. They think of troops like the Landsknechts of the Roman empire who had a reputation for being disciplined and skilled, but ruthless in combat (Axelrod, 2014). However, third party contractors, also provided non-combat services. For example, in the early middle ages, in an attempt to avoid possible mutinies and rebellions inside the military, sovereigns and proprietary officers would rely on private military providers to supply food, clothing, weapons, and ammunition to the front lines. The private entities turned out to be more flexible on payment deadlines than troops with direct access to means of violence (Corvisier, 1979; Axelrod, 2014). Although mercenaries largely fought alongside military troops, they have served different purposes over time. Naturally their influence has surged and declined throughout recorded history (Axelrod, 2014). There are several themes that will be examined throughout history which can serve the United States today in avoiding the military mistakes of the past.

Mercenaries have shown the need to be vigilantly supervised. In 525 BCE, mercenaries were employed to fight in the Battle of Pelusium where the Greek mercenaries from Cario and Inonia defected just before combat began. The consequences for the Egyptian army were catastrophic (Axelrod, 2014). This defeat, caused in part due to a lack of loyalty from hired mercenaries, reduced the dependence of nation-states on foreign military powers. Another example of when mercenaries were given free rein, was towards the end of the reign of the Roman Empire. Both the East and the West were under attack, and neither force could adequately defend their country through the use of internal forces alone. So they both employed mercenary armies. Interestingly, while the West employed mercenary armies operating independently from Roman rule, the East kept these military forces directly under their command. The West proceeded to collapse, while the East endured for the following millennium (Axelrod, 2014). Similar to the failure of the Western Roma empire, the United States has employed PMSCs to operate with independence, freedom, and a lack of oversight.

The PMSCs lacked oversight in Iraq. Unsupervised PMSCs, motivated by profits, did found loopholes to exploit the contracting system. For example, PMSCs have failed to fulfill multiple contracts. The Special Interest Group on Information Retrieval reported that at least 15-20% of the $21 billion in Iraqi Relief and Reconstruction Fund investments have been squandered. The group cites inappropriate United States contract policies and procedures as the cause of the billions of dollars that 'disappeared' ("United States House, Committee on Armed Services", 2009). In total, billions of dollars have been lost because of improper planning and

action taken during the invasion, occupation, and reconstruction of Iraq ("The Final Report of the

Commission on Wartime Contracting in Iraq and Afghanistan", 2011).

The vices of mercenary armies of the past are similar to those of PMSCs today. One

mercenary vice was the lack of allegiance and to the state which contracted them. Similarly

PMSCs in OIF did not always act in the best interest of the state that contracted them as

exemplified by the numerous uncovered cases of corruption and fraud. The use of PMSCs

requires further analysis to ascertain the companies' net benefit to the United States military

given the poor contracting record of PMSCs. Too often they overcharged for tasks and under-

delivered on services, resulting in a loss of public funds.

There is a parallel to be drawn between PMSCs and mercenaries armies. Nation states

employ PMSCs as private entities with self-serving interests, just like Kingdoms and Empires

employed mercenary units of the past. However, with the mask of a corporate seal (Axelrod,

2014), PMSCs are able to operate with less international supervision and media scrutiny.

Mercenary armies are banned for their history of disregarding the rules of engagement. PMSCs

have shown in OIF that they are also prone to serving their own interest over that of the state.

This was exemplified by the cases of corruption and fraud in Iraq.

Corruption

Reducing occurrences of local corruption was central to the United States agenda to

rebuild Iraq. Corruption has been identified as an impediment to reconstruction efforts. Post-war

corruption reduces foreign investment and deters participation in government institutions by the

domestic population (Rose-Ackerman, 2008). Corruption impedes the return to normalized

economic activity as economic growth further delegitimizes the standing regime (Halpin, 2011).

Corrupt practices negate the social impact of economic progress in Iraq. As people observe the

many occurrences of corruption, their confidence in the reconstruction effort drops, resulting in

less trust in the Iraqi government, less participation in the Iraqi institutions, and less growth in

the Iraqi economy. Corruption in Iraq was prevalent during Saddam Hussein's regime, and

intensified once he fell from power. Many took advantage of the power vacuum, once Saddam's

regime fell. And corruption had been identified as one of the main obstacles to freedom and

security in the region (Le Billon, 2005).

PMSCs involved in OIF are responsible for multiple cases of outright corruption.

Individual private military employees have been accused of taking bribes from companies

seeking subcontractors (Le Billon, 2005). Translators are alleged to have asked for 10-50 percent

of the value of a subcontract for making the connection with the main contractor (Le Billon,

2005). Corruption concerns have been expressed over the selection of contracts, too. The Bush

administration has been criticized for awarding contracts to companies with connections to

United States government officials. These suspicions were reinforced because of the no-bid

competition process under which these contracts are awarded. Sometimes these awarded

contracts had an unspecified future amount of work or end date (Halpin, 2011), eliminating the

possibility of future contract competition.

At times, the United States has depended too heavily on PMSCs during OIF. The

company KBR, Kellogg Brown and Root, offers consulting, engineering, training, and

construction services, and were able to exploit this over dependence (Halpin, 2011). Federal

regulations state that the government should withhold 15% of subcontract costs billed for contracts without a clear end date. The government instituted this policy to incentivize contractors to provide accurate and timely cost proposals (Beardall, 2010). This 15% reimbursement restriction policy was not enforced by the United States until August, 2004 when it was reported that KBR had requested reimbursements for costs which were deemed 'inappropriate'(Halpin, 2011). At this point, the United States army tried to enforce their policy, but to no avail. KBR threatened to delay payments to subcontractors which would have created a severe disruption in the supply chain of troop provisions (Beardall, 2010). The United States, with no other option, gave in to the PMSC because they were dependent, and therefore powerless to defend its position. Even though the Department of Defense acquisition regulations require contingency plans for the delivery of vital support services, the United States military had only limited options with regard to this contract.

PMSCs have accentuated previous levels of corruption, and as such PMSCs have undermined the United States in the effort to clean the country from local corruption. The Iraqi perceptions of corruption were higher in 2010 than it was in 2003 ("Transparency International Annual Report 2003", 2004; "Transparency International Annual Report 2010", 2011). The United States directly contracted PMSCs who then engaged in corrupt practices that were detrimental to Iraqi reconstruction efforts. The United States has a strong record of verbally condemning corruption and emphasizing good governance, but its actions have shown otherwise. Prior to launching OIF, the United States had allocated the most aid of any nation to the most corrupt governments (Le Billon, 2005). Inadequate contracting practices and poor contract

management led to unsupervised PMSCs engaging in fraud, and corruption. Oftentimes the United States relied too heavily on PMSCs and were therefore unable to reprimand private security misdeeds. The United States government continued to employ companies, even after learning that PMSCs engaged in corrupt practices (Halpin, 2011).

More cases of fraud were suspected in Iraq. In fact, Coalition Provisional Authority officials, PMSC employees, and high-ranking ministry officials have all admitted to witnessing corruption and bribery between United States contracted PMSCs and subcontractors (Le Billon, 2005). But detailed cases of these events never came to light as people in Iraq were unlikely to denounce corruption as this could potentially undermine future support, political stability, or programs benefiting underserved populations (Le Billon, 2005).

Fraud

In Iraq, there were cases of fraud where U.S. contractors underperformed on their contracts because, in the chaos of war, the United States government did not oversee the work performances of contractors. The United States government continued to pay contractors regardless of the quality standards of the contracted work (The Final Report of the Commission on Wartime Contracting in Iraq and Afghanistan, 2011). Certain PMSCs took advantage of the lack of oversight to reduce their output and increase their profit margins (Halpin, 2011). PMSCs engaged in fraud towards the United States government by neglecting their side of the contract for monetary incentives. An anonymous letter sent to Colonel Wethusing, the then sitting director of Counter Terrorism and Special Operations activities in Iraq, explains the government's lack of oversight which led to fraud by PMSCs.

Every day that they don't have an instructor on the ground means more profit for them.

They know that you and the COR [Contracting Officer Representative] are not going to

check their numbers against what they are supposed to have. USIS [US Investigative

Services] also thinks that even if you catch them, they will be able to argue their way out

of it because you did not Define Instructor numbers under your SOW [Statement of

Work] ... It is a safety problem... We are so short of instructors that we are not really

teaching anything out here... USIS still gets their money but you do not get your

training... don't take my word for it, actually come out here and ask!!! (as cited in Halpin,

2011, p. 94).

Contractors in Iraq operated with relative impunity. The letter highlights the lack of

accountability that PMSCs have to their employers. PMSCs were able to maximize their profits,

defrauding the United States government of public funds. Security concerns over contracts

complicated the issue of inadequate government oversight. In many cases "contractors had

poorly defined statements of work, and the government failed to take timely action to remedy

problems and in many cases was unaware of contractor progress and expenditures." (Bowen,

2010; Halpin, 2011).

Conclusion

The chapter established a historic parallel between PMSCs and mercenary units. The

chapter finds the vices of PMSCs today are similar to those of mercenaries of the past. The many

cases of PMSC corruption and fraud in OIF demonstrate PSMCs can not be trusted when left to

unregulated.

While the initial decision to employ PMSCs was made out of necessity, the continued reliance and growing dependence on these forces was not. As explained in the last chapter, PMSCs often claim to offer efficient services at competitive prices. Despite these benefits, PMSCs open the United States military up to the vices of waste, corruption, and fraud which hamper reconstruction efforts. In this context, one can understand the underlying concerns with regards to the potential over reliance on PMSCs and their growing influence in Washington.

PMSCs offer numerous benefits towards military efficiency, but these companies must be supervised. The people of Iraq hold the United States responsible for the actions of PMSCs even though, most of the time, the government does not control the quality of the contracted personnel and has little knowledge about daily interactions between contractors and the Iraqi people (Hammes 2011). In the next chapter, the thesis will argue that with increased vigilance regarding the use of PMSCs, the government can take a more active approach to suppress the occurrences of PMSCs acting with disregard for the rules of law or on interests different from that of the United States government.

Chapter 5: Conclusion

The United States has employed principled, values-centered leadership as a staple of its foreign policy strategy. In employing third party military contractors the United States becomes vulnerable to the negative publicity of PMSCs. The state has some control over PMSCs through the contracts that many companies have committed to respect, but these companies similar to Mercenary units of the past could fall by choosing to serve their own interests over that of the state. The image that the United States projects is critical to maintaining the security of the American people. Excessive reliance on corrupt, fraudulent, wasteful contractors who hold a growing influence in Washington may hamper attempts to keep the American people safe. The United States should limit the extent to which they employ PMSCs.

The government of the United States should reduce the extent to which PMSCs are contracted for several reasons. First, PMSC personnel are not trained to carry out federal political and military interests as effectively as a command-and-control United States military soldiers would. Contracted personnel lack the training to deal with sensitive cultural issues on the ground, such as interacting with different religious sects or people of ethnic differentiation. In addition, PMSCs muddle the accountability and reduce the transparency of national military actions, enabling military action such as OIF to occur with greater ease.

Second, the US Department of Defense spending on external contracts has risen dramatically in the new millennium. PMSCs have garnered more power, but remain private firms with their own interests. Their ability to lobby poses a potential threat to American democracy and the independence of the Washington defense strategy. Supporters of a privatized military

could make the principal argument that PMSCs offer a cheaper and more efficient solution to

military services. However, during Operation Iraqi Freedom, reported cases of over-charging,

waste and mismanagement raise questions about the true efficiency of PMSCs.

Third, PSMCs can be likened to modern-day mercenaries. Mercenaries fought for

money rather than for political interests, and their participation in wars was largely outlawed by

the international community. Just like mercenaries, PMSCs are motivated by their own concerns.

During Operation Iraqi Freedom, PMSCs have shown that their interests deviated from that of

their employers. In OIF, multiple cases of PMSC fraud and corruption were discovered and

reported. In sum, this thesis argues against the use of Private Military and Security Companies

because their purported efficiencies bring about dangers to the global security system that cannot

be ignored.

To ensure that PMSCs operate in a way that is most ethical and in line with United

States agendas, contractors must be better incentivized, tasks must be better supervised, and the

United States government necessitates stronger accountability standards. Ideally the United

States can learn from the shortcomings of PMSCs during OIF to enhance regulations that ensure

that PMSCs advance national security interests.

Enhanced Regulation

Relying on mercenary or auxiliary forces alone has been likened to relying on "good

fortune" alone, it is foolish (Machiavelli, 1995). But more subtle reliance on external forces has

been a deciding factor in many battles throughout history (Sun-tzu & Griffith, 1964). Private

military and security companies cannot be eliminated altogether, but their presence should be

reduced and their operations regulated.

The debate as to whether PMSCs should continue to be utilized can be reframed.

Instead of asking what security can be afforded to PMSCs, one should consider what PMSCs can

provide for the international community. The essential question does not concern whether

provisions of war services by contractors should continue to exist, but instead how the

emergence of PMSCs can add to international security. Private military and security companies

should not be eliminated altogether, but their presence should be reduced and their operations

regulated.

PMSC industry leaders recognize the need to regulate the industry and have taken

steps towards creating a more securitized world. On November 9, 2010, fifty-eight of the largest

PMSCs gathered in Geneva, Switzerland to sign the *International Code of Conduct for Private*

Security Services Providers. This code of conduct that many private military and security

companies have signed called for enhanced oversight and accountability to ensure that PMSC

added tangible benefits to security demands. This document also calls for PMSCs to operate with

enhanced oversight from the government agency that employs them in order to limit cases of

waste, fraud, and corruption as well as their influence as lobbyists to promote war.

The task of regulating PMSCs remains incomplete. While many PMSCs have signed

this document and agree to self-regulate, others have not and continue to be employed by the

United States government. The relationship between the United States government and PMSCs

has the potential to improve with enhanced regulation, but until then, the United States

government should limit the employment of companies in this industry.

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ACADEMIC VITA

EDUCATION

The Pennsylvania State University | Schreyer Honors College **University Park, PA**
College of Liberal Arts | Intended Bachelor of Science in Global and International Studies Class of *May 2021*

WORK EXPERIENCE

Teach for America **O'ahu, Hawaii**
Math Teacher, High School *Jun. 2021- May 2023*
- Committed two years to teaching high school math in an underfunded school district in O'ahu Hawaii

Consultant Training Program **University Park, PA**
Class Member, Smeal College of Business *Feb. 2020- May 2020*
- Selected from over 100 students to participate in a comprehensive training program that prepares graduates for careers in the consulting industry
- Strengthened core consulting skills through hands-on case study analysis with industry professionals
- Worked in teams to develop and present solutions to three business cases over the course of the semester

SAP SE **Newtown Square, PA**
Summer Intern, Operations Business Process *May 2019- Aug. 2019*
- Filed invoices through the US Mail, Email and Corporate Portals and activated third party user requests
- Worked with management consolidating excel spreadsheets, monitoring project financials, and creating PowerPoint presentations
- Created a Discounted Cash Flow model, and analyzed SAP stock for buy, hold, sell recommendation to management

LEADERSHIP AND SERVICE

Penn State Enactus **University Park, PA**
President, Social Entrepreneurship Club *Sept. 2018- Present*
- Led weekly meetings of a campus organization with over 35 members across three social entrepreneurship ventures tackling the 17 UN sustainability goals
- Established speaker events to educate our general members and promote social entrepreneurship and sustainability at Penn State
- Coordinated a weekend trip to the University of Pittsburg to benchmark our results with those of other Enactus teams
- Delivered on a vision to compete at the national Enactus competition and presented our projects to a panel of judges

Presidential Leadership Academy **University Park, PA**
Member, Smeal College of Business *Apr. 2019- Present*
- Selected with 30 Penn State freshmen to participate in a three-year honors academic and extracurricular program
- Tasked with proposing weekly financial, academic, and donor relation policies to President Barron of Penn State
- Traveled nationwide with university administrators to interact with U.S. industry and government leaders

University Park Undergraduate Association **University Park, PA**
Executive Member, Student Life *Jan. 2020- Present*
- Contributed to the largest committee in the UPUA focusing on sexual assault prevention and mental health
- Served underprivileged communities at Penn State by addressing issues from student poverty to international student acclimation

Penn State Club Soccer **University Park, PA**
Midfielder, Club Sports *Jan. 2020- Present*
- Chosen among 10 other members from a group of more than 350 competitive soccer players to join the student run organization
- Committed to 15+ hours per week to training and travelled regionally to compete against other collegiate club programs