D.3.2. The Ethical Challenges of Security Privatization

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INEX WP2 D.3.2.

THE ETHICAL CHALLENGES OF SECURITY PRIVATIZATION

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Table of Contents

Introduction

In his introduction to a recent report on *Private Security and its Role in European Security*, the President of the European Union, French President Nicolas Sarkozy, observed that 'examining the role of private security in overall security in Europe is a way of looking after the everyday security of European citizens'…since 'private security firms are being called upon more and more to assist states in providing this protection'.[1] President Sarkozy's comments acknowledge a trend of increasing importance: the growth and increasingly global scale of commercial security. While in the study of international relations the majority of attention toward the privatization of security has been devoted to the privatized military, commercial security companies have quietly become significant actors across the globe. In almost every country in the world, private security plays a significant and growing role in security provision. The private security industry is estimated to have a world-wide market value of over $165 billion, and growth rates of over 8%. In many countries, private security employees now outnumber their public counterparts, often by considerable amounts.

This growth has been accompanied by the evolution of commercial security companies with extensive resources and geographic reach. Intriguingly, the largest of these firms are based in Europe. The world's largest private security company, Group4Securicor (G4S), is one of the UK's 100 largest corporations by capitalization, and the largest employer listed on the London Stock Exchange. With operations in 115 countries, it employs over half a million people. Following a similar pattern of expansion, the Swedish-based Securitas has also become a significant provider of security services across Europe and beyond. The world's second-largest PSC, Securitas has implemented more than 60 acquisitions over the past two decades, employs more than 240,000 people in thirty-seven countries, and now has 12% of the global outsourced security market. The company's total sales in 2007 amounted to approximately $6.9 billion, with an organic sales growth of 5%.[2],[3] The third largest PSC in the world, the Spanish company Prosegur, also mirrors the trend. Founded in 1976, the firm employs more than 75,000 people, and has extensive operations in Europe and Central and South America.

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[1] 'Preface from Nicolas Sarkozy, President of the French Republic', in CoESS and Institut National de Haute Etude de Securite, *Private security and its role in European security*, White Paper, December 2008, 5. Available at http://www.coess.org/pdf/CoESS-INHES_White-Paper_Security/pdf.

[2] Securitas, *Annual report 2006*, p.5.

[3] Securitas, *Annual report 2008*, p.3 and p.6.

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The increasing role of private security challenges some of modern society's most fundamental political assumptions. The idea that security is a quintessentially *public* good is at the heart of modern conceptions of sovereignty, so much so that an increasing monopoly of public force was long seen as a mark of movement toward modernity. As David Slansky has nicely put it:

> For most people, the police are the government incarnate: the street-level embodiment of the state's monopolization of legitimate force. That is why it seemed so natural, in the middle decades of the twentieth century, for Pinkerton's guards, private eyes, and the whole old-fashioned apparatus of private peacekeeping and criminal apprehension to be dwindling away. By the end of the 1960s public law enforcement already employed more people than private security, and it appeared that the disparity would soon be two to one. The socialization of order maintenance and crime control seemed almost foreordained, part and parcel of the gradual triumph of the rule of law.[4]

The stunning growth of private security over the past three decades thus challenges deeply held political beliefs, including the assumption that modernity and development are marked (or even defined) by the increasing monopolization of security in the hands of the state, and that this process provides the stable benchmark for ethical evaluation. This Working Paper seeks to explore some of the ethical and political implications of the 'rebirth' of private security, focusing particularly on its transnational dimensions.[5] We do so in a different manner from many treatments of security privatization in International Relations. First, we do not concentrate on the private military. Developments in this arena have received a great deal of attention, ranging from debates about whether it is a legitimate form of activity, or a simply a form of modern mercenarism, to questions about its relationship to military ethics and the just war tradition.[6] While these are important debates, we focus here on the less analyzed but more pervasive forms of security transformation at work in the realm of commercial security. It is in this domain that private security is having some of its most extensive effects – effects that require empirical scrutiny and that raise ethical issues often quite different from those posed by military privatization.

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[4] David Slansky, 'Private police and democracy', *American Criminal Law Review* 43:89 (2006), 89.
[5] Les Johnston, *The rebirth of private security* (London: Routledge, 1992).
[6] In an expansive and ever-growing literature, see Andrew Alexandra, Deane-Peter Baker and Marina Caparini (eds.), *Private military and security companies: Ethics, policies and civil-military* relations (London: Routledge, 2008), and J. Pattison, 'Just war theory and the privatization of military force', *Ethics and International Affairs* 22(2), 143-162

Second, our analytic standpoint differs from many existing treatments in that in the bulk of this paper we propose to treat the ethical less as a category of purely moral assessment or abstract philosophic reflection, and more as a domain of social power. The ethical implications of security privatization cannot be considered in isolation from the social conditions that have given rise to its rebirth. These social structures condition the terms of ethical debate. By locating ethical questions in context of social shifts and transformations in state structures, we will be in a better position to provide ethical appraisal and political judgement.

I. Security and the state

The idea of security as a public good is at heart of modern sovereignty and ethics, and the relationship between the public and the private is intimately connected to the symbolic relationship between security and the state. At one level, the very origins of the modern (and later liberal-democratic) state were defined by its opposition to the notion of 'private' security. In the modern state, security was not to be decided on or provided by private individuals, nor was violence to be wielded differently by different classes (as exemplified by the aristocratic privilege of duelling). Instead, security was to be a public function, applying equally to all subjects, a process which became further intensified when those subjects became recast as citizens. The consolidation of modern sovereign power, the creation of a 'public' political sphere separated in principle from 'private' interests - and especially from the exercise of private violence – thus corresponded with a conception of security as a 'public' good, and was an essential element in liberal (and later democratic) visions of individual liberty and proper governance.

These transformations had extensive social roots, and the evolution of liberal capitalism provide a further illustration of the historical processes involved. The constitution of a 'private' economic sphere was, for instance, in important ways made possible by removing the control of violence and coercion – what we today call 'security' – from private hands into the 'public' or political domain. This was a key feature of the move from feudalism to absolutism, and in the shift of social power from a landed aristocracy that wielded violence as part of its socio-economic position and dominance, towards the rising commercial classes whose position and property was underpinned by liberal conceptions of rights and an increasingly formalized and centralized monopoly of state violence that could enforce and

secure them. The subsequent development of nineteenth-century liberal capitalism was linked to the construction of individuals whose economic liberty was part and parcel of their freedom from violent coercion by other private individuals, and the corresponding location of these individuals within new forms of market discipline and coercion. The existence of a public sphere of security in principle applying uniformly to all subjects was thus a key element in the evolution of liberal capitalism and its specific articulation of the relationship between the economy and society.

In sum, the idea of security as a *public* good is historically a key component and reflection of the development of modern politics, and the progressive restriction of private actors in security long seemed almost pre-given. This is not of course to say that modern state formation was a rosy story, or that the notion of security as a public 'good' should be taken at face value. Historically, the concentration of security in the hands of state authorities and agencies was often far from consensual, with the initial phases of state-making often resembling, in Charles Tilly's well-known and evocative phrase, a form of 'organized crime'.[7] The agents and agencies of state security always possess the potential to pose dangers to the very citizens they claim to protect, and they continue to do so today, with the actions undertaken by public actors in the name of security all too frequently bearing at best a tenuous connection to the substantive promotion of the public good or the security of citizens. The publicness of security should also not conceal the extent to which public force was, and often still is, wielded in support of 'private' or sectional interests under the guise of the public good – suffice to mention the history of the policing of labour disputes and other forms of social unrest, as well as the centuries long philosophical and legal disputes over the nature of the public interest.[8] Finally, but in a somewhat different vein, the imbrication of concepts of abstract citizenship with security also created a situation in which the invocation of external dangers or the presence of outsiders became a powerful political technology in the service of creating common identities or advancing particular interests through a politics of fear.[9]

For the purpose of our analysis here, however, the key point to note is that the idea that security *ought* to be a public good continues to inform and underpin many, if not all the

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[7] Charles Tilly, 'War making and state making as organized crime', in Peter B. Evans, Dietrich Reuschemeyer and Theda Skocpol (eds.), *Bringing the state back in* (Cambridge: Cambridge University Press, 1985), pp.169-91.
[8] As traced in the very revealing study by J.A.W Gunn, *Politics and the public interest in the seventeenth century* (London: Routledge and Keegan Paul, 1969).
[9] For example, David Campbell, *Writing security: United States foreign policy and the politics of identity* (Minneapolis: University of Minnesota Press, 1998); Jef Huysmans, *The politics of insecurity* (London: Routledge, 2006).

debates surrounding these issues. If, for example, the policing of a protest is seen as illegitimately handled, or the security services are accused of endangering those whom they are supposed to protect, criticisms generally arise from a conviction that security should be a good equally provided and applied to all. Disagreements about the correct relationship between security and liberty, or conflicting judgements about the nature of the public interest or greater good abound, but few reject the claim that security should be a public good in principle applying equally to all. The notion of security as a public good is thus an almost inescapable aspect of modern politics. Indeed one could claim that within the dominant traditions of modern political thought, it is almost impossible *not* to think of security in this way.

These lineages might seem to make privatization an ethically simple issue: private bad, public good. Certainly, the continuing suspicion that many feel toward private security reflects the continuing influence of this legacy, and the political and ethical principles with which it is entwined. However, there are at least two important reasons why such a response is inadequate. First, and most simply, it seems to make the resurgence and rapid growth of private security seem either inexplicable or almost necessarily illicit – the return to a form of 'neo-medieval' order, perhaps. Despite their powerful appeal, such images are of limited help in capturing current security dynamics or their ethical challenges.[10]

Second, and more importantly for our argument, assuming that security is synonymous with the state tends to make the privatization of security appear as the automatic *erosion* of the state and its 'public' ethos. Contemporary privatization, however, does not represent a straightforward erosion of the public monopoly of security by private actors, or the simple parcelling out of previously public functions to private contractors. It is instead part of a wider transformation in state structures, and a more complex rearticulation between public and private that has been underway for at least three decades. These processes have given rise to complex inter-weavings of public and private (and global and local) security actors

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[10]Moreover, it is necessary to recognize a core ambivalence of modern security, for while it is a public good, the public realm is defined in large part as the defence of the private. As Patricia Owens has pointed out, in modern politics a primary concern of the public is the defense of a 'private' sphere of activity. This is quite different from the ancient conception of the public as a domain uniquely focused on a collective good that was a more than a collection of private goods. In modern politics, therefore, security is already almost by definition engaged in the defence of the private, not in opposition to it, as the connections between political economy and security in the evolution of liberal capitalism discussed above illustrate. Aspects of this tension has always been at the core of liberal capitalism, where the relationship between the public good of security and the individual's right to provide, at least in part, for their own security has long been basis for political debate and practical negotiation. It is important to remember, for instance, that even at its nadir during the golden age of Keynesianism, private security did not go away completely, even if it operations were largely restricted to site-specific 'industrial security'. Patricia Owens, 'Distinctions, distinctions: "public" and "private" force?', *International Affairs* 84(5), 977-90.

that bring with them new challenges for ethical and political evaluation. We call these structures security assemblages.

II. State disassembly and reassembly

If the modern ethics of security involved its consolidation within concepts of a public good and a public monopoly, then understanding contemporary security privatization requires grasping how the relationship between the public, the private, and security has become to some extent 'unbundled' without being completely transformed. A good starting point for such an inquiry is Saskia Sassen's recent analysis of the shifting relationship between territory, authority, and rights.[11] For Sassen, the contemporary era does not involve the simple erosion of the position and power of the state, a stance often adopted in studies of security privatization. As she puts it: 'We generally use terms such as deregulation, financial and trade liberalization, and privatization to describe the changed authority of the state when it comes to the economy. The problem with such terms is that they only capture the withdrawal of the state from regulating its economy. They do not register all the ways in which the state participates in setting up the new frameworks through which globalization is furthered, nor do they capture the associated transformations inside the state...'.[12]

More specifically, Sassen suggests that we are witnessing a three-fold movement in contemporary political structures: a process of 'disassembly' in which previously public functions are increasingly transferred to private actors; the development of 'capacities' by private actors that allow them to act at a global level; and a process of 'reassembly' whereby these new actors and capabilities become part of 'global assemblages' that are embedded in national settings but operate at a global scale. In this way, the disassembly of the national becomes constitutive of the global, in that 'the territorial sovereign state, with its territorial fixity and exclusivity, represents a set of capabilities that eventually enable the formation or evolution of particular global systems'.[13]

Two important parameters of this process need to be stressed. First, the disassembly is partial – it does not mean the national state is disappearing, or that the state is fading away.

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[11] Saskia Sassen, *Territory, authority, rights: From medieval to global assemblages* (Princeton: Princeton University Press, 2006).
[12] Sassen, *Territory, authority, rights,* p.234.
[13] Sassen, *Territory, authority, rights,* p.21.

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Rather, particular components of the state are undergoing a process of 'denationalization' and re-articulation, and the disassembly of one part of the state may have implications for others, while at the same time changing the relations of power between different agencies or organizations within the state.[14] This is not a process whereby "outside" forces are eroding the state: it is entwined with a restructuring of institutions and power relations inside the state. In the field of security the interconnected processes of partial disassembly, development of private capacities, and reassembly can be captured through a focus on three shifts within security practices as they have evolved over the past three or four decades: neo-liberalism, commodification, and risk. These are in turn closely linked to shifting social and ethical dispositions and normativities, and as such provide a crucial background to an appreciation of the ethical challenges posed by contemporary security privatization and globalization.

Neo-liberalism and the responsible security consumer

It is impossible to understand the growth and pervasiveness of private security without consideration of the contemporary dominance of neo-liberal modes of governance.[15] As numerous analyses have stressed, since the late 1970s, privatization, outsourcing, and public-private partnerships have become commonplace, as governments have sought to streamline 'bloated' bureaucracies and tighten welfare budgets.[16] In almost any area previously dominated by public provision – from health care to education - a host of different actors and institutions are now involved. The result has been a general move away from the vertically-integrated, hierarchical, and state-centred structures of service provision characteristic of the welfare state, toward more diverse, horizontally-linked complexes of actors.[17] As its advocates argue, neo-liberalism promotes a form of networked governance, and involves a shift toward 'a new model of government in which executives' core responsibilities no longer center on managing people and programs, but on organizing resources, often belonging to others...Government agencies, bureaus, divisions, and offices

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[14] Sassen, *Territory, authority, rights, p.* 8; and from different perspectives, Edgar Grande and Louis Pauley, *Complex sovereignty* (Toronto: University of Toronto Press, 2005); Steven Gill, 'Globalization, market civilization and disciplinary neo-liberalism', in Steven Gill (ed.), *Power and resistance in the new world order* (Basingstoke, Macmillan, 2003), pp.116-142.

[15] These connections are explored in Les Johnston and Clifford Shearing, *Governing security* (London: Routledge, 2003), David Garland, *The Culture of Control* (Oxford: Oxford University Press, 2002); Pat O'Malley, 'Risk, power and crime prevention', *Economy and Society* 21:2 (1992), 252-275.

[16] See John D. Donahue, *The privatization decision: public ends, private means* (New York: Basic Books, 1989); Andrew Gamble, *The free economy and the strong state: The politics of Thatcherism* (Basingstoke: Macmillan, 1988).

[17] See Donahue, *The privatization decision*; Stephen Goldsmith and William D. Eggers, *Governing by network: The new shape of the public sector* (Washington, D.C.: Brookings, 1994); Donald F. Kettl, *Sharing power: Public governance and private markets* (Washington, D.C.: Brookings, 1993); Donald F. Kettl, *The global public management revolution: A report on the transformation of governance* (Washington, D.C.: Brookings, 2000); John M. Kamensy and Thomas J. Burlin, *Collaboration: Using networks and partnerships* (Lanham, MD.: Rowman and Littlefield, 2004).

are becoming less important as direct service providers, but more important as generators of public value within the web of multiorganizational, multigovernmental, and multisectoral relationships that increasingly constitute modern government'.[18] In a metaphor often cited by criminologists, the role of the state has shifted from 'rowing' towards 'steering'.[19]

While the security sector may initially have been more resistant to the neo-liberal ethos than other public sectors, it has in no way been immune to these pressures, and in recent years the delivery of security has been transformed by neo-liberal modes of governance. The police in many countries have had to adapt to the demands of the "new managerialism" and strategies of New Public Management for cost-efficiency, results, and effectiveness.[20] Public-private policing partnerships have proliferated, and the widespread adoption of community policing is in large part a response to such pressures. 'Post-Keynesian policing', as Pat O'Malley and Darren Palmer describe it, has moved away from imageries of public dependency on police expertise towards 'a more contractual neo-liberal imagery, with quite different implications for the government of crime and disorder. In this emergent discourse, the community appears as a network of agentive, expert and independent actors who enter *partnerships* with police'.[21] Similarly, a key tenet of community policing is the mobilization of private actors in policing. The strategy was clearly articulated in the British government's 2001 statement on *Criminal Justice: The Way Ahead:*

> There has always been a wide range of people contributing to community safety
> in various forms. These include park keepers (some with constabulary powers),
> security guards in shopping centres, car park attendants, neighbourhood
> wardens, night club bouncers and the private security industry. The issue for
> policing is how these various activities can be coordinated to make the most
> effective contribution to making safer communities.[22]

Community policing, with its emphasis on partnerships and community engagement, has been promoted and often implemented throughout the world as the most efficient form of policing. In a similar fashion, a widespread outsourcing of security functions and services previously regarded as the proper domain of the state, such as prisons, prisoner transport and airport security, to mention a few, has occurred across the globe and not only in "advanced" liberal democracies of the North. In South Africa, for example, the government

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[18] Goldsmith and Eggers, *Governing by network*, p.8.
[19] David Osborne and Ted Gaebler, *Reinventing government* (New York: Addison-Wesley, 1992).
[20] See, for example, Frank Leishman, Barry Loveday and Steven Savage, *Core issues in policing*. New York: Longman, 2000).
[21] Pat O'Malley and Darren Palmer, 'Post-Keynesian policing', *Economy and Society* 25:2 (1996), 137-55, 138.
[22] Quoted in Johnston and Shearing, *Governing security*; see also the British Crime and Disorder Act 1998.

has outsourced the protection of all the country's police stations to private security companies and private corporations have established important positions in correctional services.[23] The growth of private security is thus connected to the proliferation of market opportunities and the availability of substantial, longer-term contracts created at the national level, by privatization and government outsourcing.[24] This is particularly the case with the major security companies, which have significant contracts with governments and, to a lesser but increasing degree, have also established relationships with ministries of foreign affairs and development agencies.[25]

One powerful interpretation of the connections between neo-liberalism and security privatization stresses the fiscal crisis of the Keynesian state that gathered force in the late 1970s.[26] According to this argument, as the state's capacity to fund public services decreased (whether through economic necessity, political design, or both), the private sector expanded to fill various the "gaps" that ensued – including in the area of security. There is much to this argument, but there are also a number of areas where a purely economic focus, particularly on the fiscal crisis of the state, falls short. First and most importantly, while it is certainly the case that under neo-liberal policies many areas of public spending have decreased, it is difficult to make this case for the security sector. Indeed in many countries spending on the public security sector (both military and policing) has increased at the same time as the private security sector has grown. The idea of a gap filled by private security cannot therefore be understood as an automatic result of the retrenchment of public capacities. Secondly, the policies of outsourcing did not represent a simple retreat of the state from security provision, but rather were part of a crucial relocation of its place within such provision. A more complex process than mere fiscal restraint has been underway – one involving both the commodification of security and attempts by the state to make social actors of all kinds – individuals, corporations, communities – responsible for a greater involvement in their own security. The increased role of private security, in other words, is part of a general intensification of security activity across societies. This process has often been abetted by the state and, in many countries, draws power from an increasing demand

[23] Andrew Coyle, 'Prison Privatization in the African Context', *Review of African Political Economy* 35:118(2008), 660-665; See also Chidi Amuta, 'Nigeria: A Case for Private Prisons', *This Day,* 19 February 2009 (Lagos).
[24] Mark Button, *Private policing* (London: Willan, 2002); Alison Wakefield, *Selling security: The private policing of public space* (London: Willan, 2003).
[25] The major private prisons companies, as well as the main military 'logistical support' companies such as Brown and Root, rely heavily on government contracts.
[26] See Steven Spitzer and Andrew Scull, 'Privatization and capitalist development: The case of the private police', *Social Problems* 25 (1977), 18-29; Nigel South, 'Private security, the division of policing labour and the commercial compromise of the state', *Research in Law, Deviance and Social Control* 6 (1984), 171-198 and *Policing for profit* (London: Sage, 1988). For a wider perspective, see O'Malley and Palmer, 'Post-Keynesian policing'; and for an overview, Jones and Newburn, *Private security and public policing* (Oxford: Clarendon Press, 1998).

for security from other sectors of society. Importantly for our concerns here, it is also connected to wider normative developments in those societies.

These shifts render many conventional readings of the relationship between power, governance, and privatization inadequate. In fact, as Nikolas Rose and Peter Miller have suggested, 'the political vocabulary structured by opposition between state and civil society, public and private, government and market, coercion and consent, sovereignty and autonomy and the like, does not adequately characterize the diverse ways in which rule is exercised in advanced liberal democracies…individuals are not merely subjects of power but play a part in its operations'.[27] Seen in this way, governance is no longer merely about decision-making, or in the case of security, about direct social control, coercion and discipline, it is also about the production and constitution of social subjects through systems of knowledge and discursive practices. In Foucault's well-known formulation, the subject is not only power's intended target, but also its effect, and the modern state is increasingly focused on the 'conduct of conduct', enlisting the powers of private actors in strategies of rule at a distance.[28] In this context, David Garland has characterized private actors as a 'third sector' of security provision, operating alongside the policing and punitive institutions of the state. The result is a more governmental approach to security where:

> Instead of addressing crime in a direct fashion by means of the police, the courts and the prisons, this approach promotes a new kind of indirect action, in which state agencies activate action by non-state organizations and actors. The intended result is an enhanced network of more or less directed, more or less informal crime control, complementing and extending the formal controls of the criminal justice state. Instead of imagining that they can monopolize crime control, or exercising their sovereign powers in complete disregard of the powers of other actors, state agencies now adopt a strategic relation to other forces of social control. They seek to build broader alliances, enlisting the 'governmental' powers of private actors, and shaping them to the ends of crime control.[29]

This more devolved approach to security has implications for the ethics and self-perceptions of individuals and the social and institutional pressures to which they are subjected. One

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[27] Nikolas Rose and Peter Miller, 'Political power beyond the state: problematics of government', *British Journal of Sociology* 43:2 (1992), 174.

[28] Michel Foucault, *The order of things: An archeology of the human sciences.* (New York: Pantheon, 1970), p.170.

[29] David Garland, *The culture of control* (Oxford: Oxford University Press, 2001), p.124; Jonathan Simon, *Governing through crime* (New York: Oxford University Press, 2006).

result is a growing 'responsibilization' whereby individuals, communities, businesses and other actors come to accept substantial responsibility for their own safety and security. Within this more individualized and market-oriented view, consumers of security - be they home owners, parents, travellers, women, business owners and every conceivable population 'at risk' - are provided with advice on how to minimize their chance of 'victimization'. Thus, responsible individual and corporate behaviour entails installing burglar alarms and surveillance systems, engaging the services of a security company, participating in neighbourhood watches, and other forms of non- or quasi- state-related security behaviour. The rational consumer of market-provided security services becomes the norm of responsible action undertaken by security-conscious individuals. Choice becomes transformed into an imperative, as the choice to participate in these opportunities becomes a mark of responsible behaviour: individuals and communities are imagined as getting the degree of security against crime that they deserve – whether by making their own arrangements, through their ability to pay for enhanced protection, or both. Those who participate in community policing programmes, purchase security-enhancing commodities, and learn crime prevention skills and habits will be protected from crime by market and quasi-market processes as well as by the police. By contrast, those who relinquish their responsibility and rely totally on the social and the state might will face heightened levels of risk and potential victimization. Contemporary security policies thus encourage prudent, rational and knowledgeable individuals who accept responsibility for their own security by contracting security services, or by living in 'gated' communities.[30] The ethical implications are numerous, and as Ericson and Haggerty note, neighbourhood watches and the like can be seen as means to security, but they are also policies in which the 'idea is to make a community by creating a communality of fear…In risk society, negativity and fear must be kept alive in order to mobilize the population and sustain reflexivity'.[31] Inevitably, these policies expand the market opportunities for private security companies, both domestically and globally.

Seen in this light, it is clear that the growth of security privatization is not reducible to the reassertion by individuals of their (moral) right to provide for their own security, or a randomly individualized response to greater insecurity. There is also a push from social and political forces to get individuals and organizations to take on such roles. The ethical-moral

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[30] On gated communities, see Setha Low, *Behind the gates: Life, security and the pursuit of happiness in fortress America* (London: Routledge, 2004), and Mike Davis, Davis, Mike. 1990. *City of quartz: Excavating the future in Los Angeles* (London: Verso, 1990).

[31] Richard V. Ericson and Kevin D. Haggerty, *Policing the risk society* (Oxford: Clarendon Press, 1997), p.157.

dimensions of this process – the creation of responsible subjectivity and citizenship – are an important part of public pressures and public policy initiatives. In the United States, neoconservatives have cast this in the starkest terms[32], but it can be observed at work far more widely. There is thus a form of *public ethics* that is part of the push toward security privatization – something that even its critics need to recognize in order to understand its power and pervasiveness.

A key analytical issue raised by viewing these processes at a transnational level, however, is the varying capacities of states to actually 'govern' or 'steer' within such devolved networks. While the numerous processes associated with neo-liberal governance have resulted in a pluralization of actors involved in security delivery and governance, this development cannot be read as a simple extension of state power. Even in the most powerful states, with efficient and well-functioning bureaucracies, private actors once empowered are often able to set agendas, and to influence them and act according to their own interests. Moreover, private security initiatives have emerged not only at the instigation or encouragement of the state, but also in situations where the state has, or is perceived to have, a reduced capacity to provide protection. This is particularly the case in many poor countries, where economic liberalization (often in the form of structural adjustment programmes) has resulted in declining public expenditure and a loss of vital state capacities for governance. Thus, although neo-liberal processes and policies lead to a proliferation of security actors, and these actors do not exist in separation from the state, we cannot assume *a priori* that the state is in a position of controlling and directing them. The transformations associated with the neo-liberal approach to security do not simply replace public levers of power with private ones. Instead, they reconfigure the relations of power operating in a given field of practice.

Security, crime, and punishment in risk society
Neo-liberal transformations in public policy have been accompanied by changes in the socially dominant attitudes, norms and practices underpinning the provision of security. In particular, two seemingly divergent and yet paradoxically related shifts in attitudes towards crime and punishment are crucial. On the one hand, crime and the provision of security has been de-politicized and transformed from a problem to be solved by the welfare

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[32] See James Q. Wilson and George L. Kelling, 'Broken windows: The police and neighbourhood safety'. In Irwin Stelzer (ed.), *Neoconservatism* (New York: Atlantic Books, 2004), pp.51-166.

interventions of the state to a technical problem. Social responsibility and direct state intervention have thus been supplemented and to some degree supplanted by techniques of crime control based on efficiency, surveillance, and spatial design. On the other hand, there has been an intensified politicization as concerns over crime and security have heightened and responses hardened at the level of both political rhetoric and concrete policy. The consequence of both these developments has been an increase in the role played by private security across contemporary societies.

Again, there are important ethical dimensions to these developments, and the broad context for these new attitudes and policies can be traced to the early 1970s and the beginning of what Garland has termed the 'crisis of penal modernism': a widespread scepticism toward rehabilitative approaches to criminality, accompanied by the rise of more punitive approaches stressing the importance of incarceration and the tightening of parole provisions.[33] Whereas previous "welfarist" understandings stressed the social origins of crime, the last three decades have seen an increasing ascription of criminal behaviour to individual calculations and choices. The explanatory categories of deprivation, inequality and deviance have been eclipsed by the ascendance of "economic" explanations that stress rational-calculation and opportunity structures as key variables of criminal behaviour. As a result, the idea that the state itself can solve the problem of crime has waned, and instead strategies for countering crime have been individualized and justice has in important respects been configured as the strict application of the law separated from social policy. In the perhaps extreme, but telling words of one of the most vocal advocates of this position: 'A lawful system has only a minor interest in the reasons why someone commits the crime. The criminal justice system is there to punish the guilty, exonerate the innocent, and serve the interests of the law-abiding.[34]

By viewing crime as to some degree a consequence of opportunistic rational-action, contemporary security policy downgrades responses rooted in public welfare and reform interventions tied to political rights and the purview public agents, and facilitates a specific form of de-politicization that stresses technical, managerial, and technological responses. It focuses on designing-in security: on prevention in the sense of spatial control, the monitoring and regulation of flows and access, the acquisitions of information and its

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[33] Garland, *Culture of control.*
[34] Quoted in Loic Wacquant, 'The great penal leap backward: Incarceration in America from Nixon to Clinton. In John Pratt, et.al. (eds.), *The new punitiveness: Current trends, theories, perspectives* (London: Willan, 2005), p.169.

dissemination across a range of "security" actors, and the identification of risk behaviours and the development of risk profiles.[35] These techniques narrow the gap between public policing and the activities of private security providers, encouraging and legitimating an increased role for private companies, and allowing the two sectors to be seen as complementary if not parallel endeavours. In some settings (particularly but by no means exclusively in the developing world) the private sector may even possess expertise and resources (in surveillance technologies and techniques, for example) that exceed those of the public police. In many urban areas, private resources are mobilized in integrated public-private structures. The Lower Manhattan Security Initiative, for example, is inspired by systems in London, and proposes installing more then 100 license plate readers in the area. According to one report, the resulting system 'will include not only license plate readers but also 3,000 public and private security cameras below Canal Street, as well as a center staffed by the police and private security officers', where the 'police and corporate security agents will work together'.[36] In London, the integration of public policing and private surveillance has been demonstrated by the extensive use of CCTV footage in the wake of the July 7, 2007 bombings, and in the investigation of a series of high-profile murders.

Alongside processes of depoliticization and rationalization, a related yet in many ways contradictory trend has seen the increasing political moralization of criminality and a heightened concern with victimization. In this domain, the shift away from penal-welfarism has been accompanied by a move toward treating crime as a question of individualized *moral* responsibility rather than as a consequence of social disadvantage or deprivation. This has further shifted the politics of security from a public-welfare issue toward an intensely punitive populism. When placed in a moral register, the representation of criminals as rational actors not only enables their placement as calculating agents with a matrix of risk management, but also allows them be represented as wilfully recalcitrant individuals wholly responsible and morally culpable for their own actions, and deserving retributive justice and/or requiring removal from society. The result has been a populist moral politics of crime, now cast in the language of security, that heightens awareness of (in)security, and that has also had important impacts on the growth and roles of private security.

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[35] For an early treatment of surveillance, see Christopher Dandeker, *Surveillance, power and modernity* (Oxford: Polity Press, 1990). Interesting studies in a rapidly expanding literature include David Lyon (ed.), *Surveillance as social sorting* (London: Routledge, 2002); Louise Amoore and Marika De Goede, 'Governance, risk and dataveillance in the war on terror', *Crime, Law and Social Change* 43 (2005), 149-173; Elia Zureik and Mark B. Salter (eds.), *Global surveillance and policing* (London: Willan, 2005).

[36] Cara Buckley, 'New York plans surveillance veil for downtown' *New York Times*, July 9 2007, 3. There are already 4,200 public and private security cameras below 14th Street, a fivefold increase since 1998.

In one sense, individual and community declarations of moral outrage have devalued the expert knowledge previously claimed by penal reformism, and made crime and responses to it part of more populist agendas.[37] But this notion of vicitimization and the fear of becoming a victim have also come to play a key part in the politics of knowledge surrounding security. As Garland points out, 'Government sponsored research now regularly investigates the levels and character of this fear, categorizing and measuring the emotional reactions prompted by crime – concrete fears, inchoate fears, generalized insecurity, anger, resentment – and correlating these with actual patterns of risk and victimization'.[38] This process is by no means limited to rich industrialized countries. Across the developing world, victimization surveys are now regularly undertaken by numerous NGOs, institutes of security studies, and perhaps most prominently by UN HABITAT.[39] In this way 'risk society' comes to developing countries in large part through global development actors. While the collection and publication of data about fear of crime, victims of crime, and crime 'hotspots' may be valuable in terms of policy and planning, such knowledge simultaneously becomes an important element in debates over security – new structures of social knowledge that exert effects upon the social field.

These effects can be seen in the development of a new 'cultural theme' in contemporary societies, one illustrated by public opinion research that 'finds that there is a settled assumption on the part of a large majority of the public in the US and the UK that crime rates are getting worse, whatever the actual patterns, and that there is little public confidence in the ability of the criminal justice system to do anything about this'.[40] The rhetoric of political actors and media representations of crime and insecurity have played an important role in these perceptions. In addition to the popularity of police dramas and "reality" crime shows, violent crime became increasingly prominent in the news media. According to one analysis of the United States, 'Between 1989 and 1993, the number of such reports on the nightly news of the three major national networks (ABC, CBS, and NBC) quadrupled to reach 1,632, or nearly five per evening, despite the drop in offending rates….Crime rates continued to decrease rapidly for six years; yet in 1999 the three leading

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[37] See David C. Anderson, *Crime and the politics of hysteria* (New York: Times Books, 1995); Hans Boutellier, *Crime and morality* (Amsterdam: Kluwer Academic Publishers, 2000).
[38] Garland, Culture of control, p.12.
[39] See, for example, the initiatives taken under the Safer Cities programme, available at www.unhabitat.org
[40] Garland, *Culture of control*, p.10.

news outlets still broadcast an astounding 1,613 crime reports, keeping crime the first news topic (tied with the raging war in Kosovo at 1,615)'.[41]

The most obvious result of the heightened sense of insecurity and political punitiveness has been an increase in police personnel dedicated to crime-fighting and a stress on incarceration and a general stiffening of punitive sentencing.[42] The rise in incarceration has been particularly striking in the United States, leading one observer to claim that it is 'without precedent in the history of democratic societies'.[43] The proportion of Americans behind bars started escalating in the mid-1970s, and has increased every year since. In 1975, the US prison and jail population counted 380,000. Today it is 2.2 million.[44] While the proportion of the population in prison in the US is nearly seven times higher than in most of Western Europe, here too incarceration has grown.[45] In England and Wales, the prison population has shot up from 45,000 to 80,000 since 1993, and there are now more people in prison than at any time in history.[46] The Home Office predicts a rise to 90,000 and possibly to 106,500 by 2013.[47]

The impact of these developments on private security has been two-fold. First, the cultural themes of crime and victimization, along with policies of responsibilization, have contributed to the perception that individuals should (and must) contribute to their own security. The growth in private security services, from alarms to gated communities, has been a consequence. Second, private prisons and prisoner-management services have expanded rapidly, responding to both a lack of public prison capacity and financing. Six and half percent of federal and state prisoners in the US are now in private facilities, nine percent in the UK, and eighteen percent in Australia.[48] Private security providers also play a key role in the electronic monitoring of offenders, or so-called electronic tagging. In the UK, Group4Securicor's Justice Service unit receives approximately £36 million a year from the

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[41] Loic Wacquant, 'Penal truth comes to Europe: Think tanks and the "Washington consensus" on crime and punishment'. In George Gilligan and John Pratt (eds.), *Crime, truth and justice: Official inquiry, discourse, knowledge* (London: Willan Publishing, 2004), p. 18; for an earlier treatment see Richard Sparks, *Television and the drama of crime: Moral tales and the place of crime in public life* (Milton Keynes: Open University Press, 1992).

[42] On how this insecurity was mobilized politically in the United States, see Katherine Beckett, *Making crime pay: Law and order in contemporary American politics* (Oxford: Oxford University Press, 1997).
[43] Wacquant, 'Great penal leap backward', p. 5.
[44] Jason De Parle, 'The American prison nightmare', *New York Review of Books*, April 12, 2007, 33-36.
[45] For an analysis tracing the transmission of American ideas about crime and imprisonment to Europe over recent decades, see Wacquant, 'Penal truth'.
[46] De Parle, 'American prison nightmare'; National Offender Management Service, 'Prison Population and Accommodation Briefing for 15 June, 2007', (www.hmprisonservice.gov.uk).
[47] Nisha de Silva, Paul Cowell, Terence Chow, and Paul Worthington, 'Prison population projection 2006-2013, England and Wales', *Home Office Statistical Bulletin*, July 2006 (www.homeoffice.gov.uk).
[48] Les Johnston, 'Transnational security governance'. In Jennifer Wood and Benoit Dupont (eds.), *Democracy, society and the governance of security* (Cambridge: Cambridge University Press, 2006), p.38.

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European Commission 7th Framework Programme

government for offender monitoring and tagging. The company also monitors offenders in the US and Israel, and on a daily basis monitors more than 35,000 people. In Scotland, electronic monitoring has been outsourced to the private firm Serco, where it monitors curfews and offender movements.

The creation of an extensive private security and prison industry with close links to criminal justice systems, and the massive expansion of the state's concern with crime has led some analysts to draw explicitly upon analogies from the world of international security, with Garland proposing that what has emerged is a new 'penal-industrial complex'.[49] Others have suggested that as the national and international aspects of crime and insecurity are increasingly interacting, we have witnessed the 'rise of the American crimefare state'.[50] What is clear, from the point of view of this Working Paper, is that the rise of private security actors is closely connected to these social and political shifts in contemporary modern societies. Indeed, transformations in the politics of security at the level of public policy and popular discourse have played an important part in the increased acceptance and legitimacy of security privatization, its incorporation into everyday practices, and the commercial opportunities behind the emergence of today's global security companies.

Commodification and risk

The processes described above are also connected to the increasing commodification of security, whereby security becomes a 'service' to be bought and sold in the marketplace, and a commodity capable of being globally exported as a set of technical capabilities and skills. In short, security ceases in part – but in an important part - to be a quintessentially social and public concern. As a technique partially severed from local conceptions of justice, security becomes distinguishable in principle from the sensitive political issues of security that governments have usually reserved for themselves under the claim of state sovereignty.[51] While security remains the prerogative of the state in many areas of policing, the capacity to cast security as a politically neutral service legitimately provided by the

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[49] David Garland, 'Limits of the sovereign state: Strategies of crime contol in contemporary society', *British Journal of Criminology* 36:4 (1996), 463; see also Steven Donziger, *The real war on crime* (New York: Basic Books, 1996), pp.63-68.

[50] Peter Andreas and Richard Price, 'From war fighting to crime fighting: Transforming the American national security state', *International Studies Review* 3;3 (2001), 31-52; and Peter Andreas and Ethan Nadelmann, *Policing the globe* (Oxford: Oxford University Press, 2006).

[51] It is less clear that this is the case with companies operating in the private military sector, especially those involved in combat-active roles; for a systematic discussion see Deborah Avant, *The Market for force* (Cambridge: Cambridge University Press, 2005). In relation to PSCs, by contrast, the treatment of both Securitas and Group4Falck as exemplary models of 'service' companies in Waldemar Schmitt, Gordon Adler and Els van Weering, *Winning at service* (New York: Wiley, 2003), and the discussion in John Stees, *Outsourcing security: A guide for contracting services* (Woburn, MA: Butterworth-Heinemann, 1998), are indicative of the extent to which this view is accepted.

private sector allows private security firms to draw upon logics of free trade to facilitate its entry into new markets, even where these are resisted by the host state. The World Trade Organization (WTO) includes private security in the General Agreement on Trade in Services and thus encourages member countries to allow free and fair competition in security services. Indeed, China's decision to open its security market to foreign investment in advance of the 2008 Olympic Games was partly in response to WTO requirements. The EU has also sought to promote free trade of security services across Europe as part of its Services Directive, although the Europe-wide security industry association COESS has contested this, arguing that with over 20 different criminal justices systems a genuine internal market is not possible and that a lack of regulation in some member states will give companies originating there an unfair competitive advantage in member states imposing more regulation. Nonetheless, the security sector's exclusion from the Services Directive is to be reviewed by the EU Commission at the end of 2010.

The commodification of security is closely connected to the growing prevalence of logics, technologies, or mentalities of 'risk' in the security field. Risk is of course a complex concept, but in the broadest sense, it conveys the idea that individuals and organizations exist in ever more complex environments characterized by what Anthony Giddens usefully termed 'distanciation', where their security is increasingly affected by factors beyond their immediate knowledge and control, both spatially and temporally.[52] In such a setting, face-to-face relationships are replaced by dependence on abstract systems and institutions, which through their ability to span space and time beyond the capabilities of individuals or single organizations provide actors with the means of collecting knowledge, exerting control, and allowing effective agency. Risk, in this sense, is not simply a synonym for danger; it is a particular way of thinking about and responding to potential dangers.[53] Risk is preventative, not restorative; it is primarily actuarial and calculative and works by designing and controlling spaces, by the collection of statistics and the production of categories of danger, and through surveillance. In the words of Ericson and Haggerty:

> Rationalities of risk are designed to reduce uncertainty to the point where the
> actor feels confident in taking action. Grounded in probabilistic thinking and
> predictions, they allow deselection of specific factors and thereby point to

[52] Anthony Giddens, *Consequences of modernity* (Oxford: Polity Press, 1990).
[53] The relevant literatures on risk across several fields are now enormous; for an important historical and philosophical treatment, see Ian Hacking, *The taming of chance* (Cambridge: Cambridge University Press, 1990); in sociology, Mary Douglas, *Risk and blame* (London: Routledge, 1994); in IR, Rasmussen, *The risk society at war* (Cambridge: Cambridge University Press, 2005).

preferable courses of action. They are hyper-rational and deeply pragmatic, always scanning for technical solutions to problems that incapacitate action. They eschew causality in favour of laws of regularity that establish standards of objective fact and the basis of objective knowledge.[54]

Whereas the public police have traditionally been primarily concerned with criminal justice and the punishment of past crimes, commercial security, as Les Johnston and Clifford Shearing observe, tends towards anticipatory strategies and risk-management. In recent decades, however, risk-based technologies become increasingly prominent in security field as a whole, playing a key part in the practices of public security agents.[55] This in turn has facilitated interaction between public and private security actors, and has also contributed to the legitimation of the latter, allowing private security companies to exercise claims to expert authority in both the technical and managerial dimensions of security provision, as well as in broader forms of risk analysis and intelligence.[56] Security can thus be seen as operating increasingly within a web of what Ericson and Haggerty have usefully termed 'risk institutions'. In this view, policing is not only, or even primarily, about crime-fighting in a direct sense. It is about the management of risks – about the collection of data and the production of knowledge about risks, and the interaction between multiple risk-agencies, including private security companies.

Importantly for our argument here, the techniques of risk are in principle applicable across social and geographical settings. Allowing, of course, for local modifications, at its core risk-oriented thinking is neutral and universalizable, de-linked from particular political strategies and welfarist understandings of crime and insecurity. Risk-based security techniques and technologies are thus another element underpinning the growth of the international private security market. Global corporations rely extensively on political risk analysis to safeguard their operations, and while some companies have 'in-house' security divisions, many also look to the services of a range of companies such as Control Risks, Kroll or Eurasia Group, to provide comprehensive risk management services and business intelligence about

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[54] Ericson and Haggerty, *Policing the risk society* p.87.

[55] Johnston and Shearing, *Governing Security*. Importantly, there is an increasing emphasis on 'intelligence-led policing', focused of generating and analysing information on crime patterns, known offenders, and crime 'hot spots'. In this way, the police become knowledge workers, generating and distributing authoritative information to other actors. See Ericson and Haggerty, *Policing the risk society*.

[56] For analyses of private military companies in these regard, see Anna Leander, 'The power to construct international security: On the significance of private military companies', *Millennium: Journal of International Studies* 33:3(2005):803-826; Anna Leander and Rens van Munster, 'Private security contractors in the debate about Darfur: Reflecting and reinforcing neo-liberal governmentality', *International Relations* 21:2(2007): 201-16; as well as the Special Issue on risk technologies in *Security Dialogue* 39:2-3 (2008).

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European Commission 7th Framework Programme

international threats affecting their interests or compromising the safety of their operations and personnel.[57] The lucrative nature of this part of the private security sector is attested by G4S's launch of its own separate political risk section as part of their Global Risks division, promising an 'integrated' security service to its customers. Indeed, the capacity to provide integrated risk analysis for agents who operate in multiple geographic settings is one of the selling points of transnational security firms, a capacity that in turn drives them to further global extension.

Perceiving security as a field of risk, and private security as a risk institution within it, draws attention to the important relationship between risk and trust. As individuals and organizations come to rely on distanced organizations and abstract systems to provide security against a range of putative risks, they need to trust organizations staffed by individuals they in all likelihood do not know personally, and that deal with areas of activity and expertise that they as clients or consumers do not understand. In this setting, a reputation for expertise and trustworthiness become a key asset for private security companies to acquire, and a crucial marketing device when achieved.[58] As the CEO of G4S argues, 'because of our international brand and expertise, a lot of multi-nationals are keen to use our services'.[59] Like the police, private security firms are also increasingly 'knowledge' organizations. Thus the large international companies emphasize their global reputations and their multi-faceted global capacities as providers of a wide spectrum of risk analysis and consultation services – and they are keen to stress that they are not just "guarding companies". Securitas' corporate slogan - 'a knowledge leader in security' - is particularly telling in this regard.

III. The Ethics of Security Assemblages

The various processes associated with partial state disassembly have thus been crucial to the rise of private security. For a wide variety of reasons – the rise of neo-liberalism and strategies of New Public Management, shifting attitudes toward crime and punishment, and the pervasiveness of various mentalities of risk, to mention but a few – national states have often accepted and even facilitated the parcelling out of previously state-run security

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[58] On the function of trust in such situations, see Giddens, *Consequences of modernity*; in terms of private security, see the insightful discussion in Ian Loader, 'Consumer culture and the commodification of policing and security. *Sociology* 33(1999): 373-92.
[59] Quoted in J. O'Doherty, 'G4S hopes to push the boat out more', *Financial Times*, 28 August, 2008.

functions to private actors, and have tolerated or encouraged the expansion of private security as a whole. One of the consequences has been the emergence of private security firms that, like many global actors in other domains, possess a new set of 'capacities' that enable them to act at a global level. Most obviously, partial state disassembly has been part of creating private security firms with extensive material capacities, either directly through outsourcing of previously public functions, or indirectly through processes of responsibilization. Secondly, it has provided private security actors with ideational 'capacities': socially recognized forms of legitimation and recognized expertise that, when linked to processes of commodification, risk, and responsibilization allow them to move effectively in the security field.

At the same time, these processes have supported institutional transformations within states that legitimate the increased roles of private actors. Particularly revealing here is the role of regulation, a process clearly illustrated in the private security sector. Over the past decade, agencies regulating PSCs have emerged in many countries. In South Africa, for example, an enhanced and expanded Private Security Industry Regulatory Authority (PSIRA) replaced a more limited Security Officers Board in 2001. In the United Kingdom, the creation of the Security Industry Authority (SIA) in 2001 brought regulation where it was previously almost completely absent. In both their formation and operation, these two regulatory bodies include extensive participation by the private security industry itself, and have often become models for regulation in other countries.

Tellingly, there are also attempts towards regional and global regulation. Representatives of the British Association of Private Security Companies (BAPSC) have argued that the drafting of a regulatory framework for the private security industry should be part of the British agenda on the African continent, and also that the African Union could provide a regional framework for regulation.[60] At the pan-European level, the private security association and lobby group CoESS (Confederation of European Security Services) has been heavily involved in pursuing region-wide recognition and regulation, aiming to construct a European legislative framework that is 'balanced, harmonised, efficient and conducive to the expansion of the private security industry'.[61] Europe, CoESS argues, can only achieve its security objectives by taking a global and integrated approach. Representing close to 50,000

[60] Andy Bearpark and Sabrina Schultz, 'The private security challenge in Africa: problems and options for regulation', in Sabelo Gumedze (ed.), *Private security in Africa: Manifestations, challenges and regulation,* ISS Monograph 139, (Pretoria: Institute of Security Studies, 2007), pp.73-88.
[61] CoESS, *Private security.*

security companies and 1.7 million employees, the association claims that it 'can and should play a key role in defining this global approach as an advisor, a central player and, ultimately, as the driving force behind policy implementation'.[62]

In addition to testifying to the increasing prominence of the sector and the interest of the state in attempting to manage its dynamics and impact, regulation performs a subtle legitimating function, reinforcing the accepted status of the sector. Moreover, regulation almost inevitably involves the active participation of the private security industry through consultation, standard-setting, self-regulation, and best practice guidelines. In the process, the private sector attains a role within the institutions that govern the public sphere, while the logic of market efficiency inevitably gains influence in public policy and in the calculations this involves. In this way, as Sassen notes, regulation functions to reshape the idea of the public interest, and illustrates yet another of the ways in which the public and the private have been rearticulated. In Sassen's words, 'Private logics circulate through public institutional domains'.[63] In the case of commercial security, this often involves not just regulatory agencies, but also those actors concerned with relations to the global economy, particularly trade and finance ministries.

The assembled nature of the contemporary security field, consisting of a multitude of public/private, global/local actors, provides a different view of security politics and ethics. Perhaps most importantly, it shows how the rise of private security does not represent a straightforward retreat of 'public' ethics in the face of 'private' interests; it is instead in part attributable to shifts in the ethics of security and the wider moral registers of crime and security, ranging from visions of criminal agency, to the politics of punishment, to the social construction of risk and responsible citizen behaviour. Put differently, the state by no means disappears as an actor or a locus of politics, but it is now located within assemblages that cut across and through it, reconfiguring the public and the private at institutional and practical levels. A clear public/private opposition cannot therefore capture practices in the contemporary security field where these actors are often connected in structures of formal partnership, or in looser patterns of co-existence, collaboration, and competition. At the same time, the idea that security is a public good, and the capacities of public security forces that arise from this principle, remain key parameters of security practices, and crucial elements in the political and organizational debates and struggles over how security should

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[62] CoESS, *Private security*, p.13.
[63] Sassen, *Territory, authority, rights,* p.19.

be provided, and by whom. The challenges involved in assessing the ethical and political implications of security privatization thus require negotiating the complex new terrain carved out by the shifting social practices of security and marked by a multiplicity of complex and differently legitimated structures that cross both the public/private and, increasingly, the global/national divide. These are not issues that lend themselves easily to abstract generalizations or clear-cut ethical delineations. Nonetheless, it is possible to begin to frame some of the ethical issues they entail.

At one level, the emergence of (global) security assemblages marks a narrowing of politics, the empowerment of certain actors, and a constriction of the space for ethical engagement. These assemblages represent a particular constellation of actors who generally regard security as a depoliticized service, which in turn empowers both PSCs and their clients. Such specialized assemblages, as Sassen points out, 'constitute particularized "normative" orders internal to each assembly which easily amount to mere utility logics'.[64] Within security assemblages actors may seek to mobilize private resources and technified security logics to secure private interests, in ways that are potentially beyond the purview of wider normative debates and political procedures. Ethical elements are by no means absent in these processes: legal and moral claims about the rights of private property play crucial roles, as do the linkages between technified logics and responsibilized agency. The incorporation of these logics within the state via public-private collaboration and regulation furthers the tendency of these assemblages to insulate themselves (to varying degrees) from wider political considerations and influences.

The 'utility logics' internal to security assemblages – i.e. particular visions of crime and insecurity, and strategies for countering them – can be powerful and effective concentrations of resources. The outcomes are by no means necessarily undesirable, and may in many situations verge on the mundane.[65] Nonetheless, it is also important to enquire into how the mundane can hide important, subtle developments connected to commodification, such as the possibility that security privatization negatively impacts the 'structure of feeling' – the common ethos – that some analysts see as the most positive moral and social aspect of the public good of security.[66] Other trajectories are more immediately striking. Almost on PRIO's doorstep, Oslo's local city council has hired

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[64] Saskia Sassen, 'Neither global nor national: novel assemblages of territory, authority and rights', *Ethics and Global Politics* 1:1-2 (2008), 62.
[65] PRIO, where this working paper was drafted, for instance, has extensive private security provided by Securitas.
[66] For a strong and extended articulation of this argument, see Ian Loader and Neil Walker, *Civilizing security* (Cambridge: Cambridge University Press, 2007).

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European Commission 7th Framework Programme

Group4Securicor to patrol the public parks and streets in an effort to counter the perceived rise in drug dealing and abuse. From the council's point of view, the public police are over-stretched and hiring a private company provides an immediate response to an acute political issue of crime and insecurity. Critical voices have pointed to the decline in public responsibility that ensues from this arrangement, arguing that security on the streets of the capital city should be the exclusive domain of the Norwegian welfare state.

This is by no means an unusual debate, as the use of private security to patrol public spaces in partnership with cities and private business organizations is growing in popularity, with prominent examples in New York, Toronto and Cape Town.[67] Clearly, such arrangements raise a series of difficult moral questions about control in these assemblages and about access to public space: one of the traditionally core aspects of citizenship and democratic values. The public and the political are not excluded from these assemblages, but the question necessarily arises as to both distributions of power within them, and the domination of logics of expertise and technification that reduce them to utility logics. Whatever the merits of their ability to provide security, it cannot be gainsaid that these are also structures that systematically empower some actors and disempower others. This raises the question of whether they also marginalize wider considerations and constituencies, while simultaneously making political debate over security both difficult and unlikely. As these assemblages expand in the security field, penetrating areas as diverse as resource enclaves in the South and border control in advanced liberal democracies, their dominant utility logics need to become the focus of ethical scrutiny as well as political oversight. As we discuss subsequently, they also raise complex questions about the responsibility of transnational private security providers and the location of legitimate authority.

Yet the assembled and increasingly global nature of security assemblages also provides opportunities for different forms of engagement by a broader array of actors. Security assemblages are not hermetically sealed. Their internal logic is always susceptible to challenges from the "outside". Actors thus continually struggle to maintain a security assemblage reduced to narrow security logics in the face of others who challenge it, with greater or lesser success. Normative narrowing, in other words, is a continual practical achievement and a practice of power, not a fixed characteristic of security assemblages. The

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[67] For a discussion of Cape Town, see Rita Abrahamsen and Michael C. Williams, 'Securing the city: private security companies and non-state authority in global governance', *International Relations* 21:2(2007):237-253.

various trajectories of these assemblages cannot therefore be predicted a priori, but require a careful investigation of the structures underpinning their likely stability or fragility.

As a wide variety of appraisals have demonstrated, the global era is changing the conditions and possibilities of political struggles and ethical engagements. Whereas in the past, broad-based demands for rights, equality, welfare and security were targeted at and achieved primarily through the national state, the shrinking welfare state and changing conceptions of what is public not only limits the range of citizens entitlements and interactions with their state, but also means that to be effective, political struggles must be broader. Thus, today interest groups, activists and individuals increasingly find that their demands require engagement with more distant organizations, institutions, and discourses of rights. The global era has also to a certain extent altered the politics of identification, leading to translocal loyalties and global solidarities where people establish and maintain affective and political connections in the context of a growing transnational civil society or global public. Not exclusively the preserve of the rich and the educated, transnational networks can also include more disadvantaged and marginalized groups who can acquire political voice and presence though political processes that escape the boundaries of the nation state. Since security has long been held as the domain of the sovereign state, it seems at first glance a unpromising area for such ethical interventions. However, the privatization of security and its increasingly global operations provides reasons for thinking that the situation is today more fluid.

Transnational enterprises, as John Ruggie observes in his report as the Special Representative of the UN Secretary-General on the issue of human rights and transnational corporations and other business enterprises, have become objects of significant public and political concern for three reasons: first, because they are increasingly powerful, and power encourages reactions against it; second, because their activities have in a number of circumstances caused harm; and finally, because as powerful actors they have the capacity to *do* something, and so are attractive targets as agents of change.[68] Global private security companies fit into this scheme in intriguing ways: their scale and global scope give them the capacity to do things, in Ruggie's sense, for better or worse; and, importantly, the report found that the majority of human rights abuses by transnational corporations were

[68] John Ruggie, 'Promotion and protection of human rights', Interim report of the Special Representative of the UN Secretary General on the issue of human rights and transnational corporations and other business enterprises', February 2006. http://www.globalpolicy.org/reform/business/2006/02srsgreport.htm

committed by extractive industries, typically by public and private security forces protecting company assets and property. Similarly, the very size and impact of the global private security sector has begun to make it a target of criticism and a cause of concern.

These pressures have begun to have impacts on the field of security. For example, in a setting where participation in the Voluntary Principles on Security and Human Rights and the UN Global Compact has become a mark of a socially responsible firm, some organizations are seeking new strategies in response to the failure of past security policies.[69] These developments potentially go beyond attempts to influence the actions of PSCs alone. In fact, one of the advantages of seeing private security as part of wider assemblages is that it opens up the possibility that PSCs may become important actors in attempts to transform security governance more broadly.

In many settings, global PSCs have become expert agents directly involved in day-to-day security practices with state forces. While such cooperation may strengthen the security forces of the state, it may also provide a site for the 'exporting' of security practices and technologies that are more respectful of human rights. This is particularly pertinent in countries where the public police have a record of human rights abuses, and where transnational companies are under close global scrutiny for their relationship to these security forces. Through their incorporation into global security assemblages, PSCs may in certain settings be capable of influencing the behaviour of those forces by embedding them in norms, and routines of internationally sanctioned standards and guidelines. In such cases, the power of private actors to influence security practices may go beyond the "external" pressure that private firms might be able to bring to bear (or be forced to bring to bear) on sovereign states, extending their ability to influence practices along a continuum from input to strategic planning, to the provision of certain kinds of material capabilities, to efforts to influence the subjectivities of state security actors, and how they and other security actors 'see what is possible and desirable'.[70]

Importantly, however, the power of corporate social responsibility in global security governance should not be exaggerated, and it is crucial to keep in mind that it does not

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[69] On changing corporate strategies, including those in the oil industry, see Deborah Avant and Virginia Haufler, 'Private security strategies and their public consequences: Transnational organizations in historical perspective', paper presented at the workshop on 'Public/private interaction and the transformation of global governance'. University of Ottawa, Canada. June 5-6, 2009; and Deborah Avant, 'NGOs, corporations and security transformations in Africa' *International Relations* 21:2(2007), 143-161.
[70] They thus possess power, in Michael Barnett and Raymond Duval's formulation. 'Power in international politics', *International Organization* 59:1(2005), 39-75.

change or challenge the underlying economic and political order (and may in fact serve to secure it), and that the adoption of such international standards and guidelines can simultaneously make possible and legitimate certain forms of coercion and exclusionary practices. [71] At the same time, global security assemblages draw attention to the possibility that private security actors may in certain settings contribute towards a less directly coercive environment.

Security privatization also raises important ethical questions about equality, state stability and governmental legitimacy, particularly in the developing world. The idea of the state's monopoly of legitimate violence, and of security as a quintessentially public good, is deeply ingrained in the modern political imagination and its eventual achievement has become part of almost teleological visions of state formation and development in the West and beyond.[72] Against this backdrop, the contemporary resurgence of private security can seem inescapably fragmenting, an intrinsic erosion of social and political order leading to increased polarization between rich and poor. This is a powerful narrative in current debate, where the power of concepts and categories tightly tied to the symbolic power of the modern state support the seemingly obvious view that since security is a - if not the - core function of the state, security privatization is both a symbol and a cause of decreased social cohesion and governmental legitimacy. Increasing security privatization is thus presented as part of a 'downward spiral', and even an indication (or cause) of incipient state failure.[73]

These are important concerns, and they are not to be dismissed lightly. The security implications of predatory 'warlord politics' or the 'violent entrepreneurship' of mafias and gangs provide clear warnings of the dangerous possibilities, and the ease with which initiatives of order and crime control can transmogrify into new forms of violence and predation cannot be ignored. Nor should it be forgotten that private security follows the lines of wealth and can solidify and produced socio-economic divisions. Recognizing the assembled nature of the security field, however, complicates any straightforward causal logic from privatization to fragmentation and social disintegration, and requires instead a nuanced and careful analysis of the relationship between security and the state, as well as recognizing that the social and the public may be differently assembled in different settings.

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[71] For a cautionary note on the limits of corporate social responsibility as a means of fundamental change, see Ronnie Lipschutz, *Globalization, governmentality, and global politics*, (London: Routledge, 2005), pp.130-170.
[72] David Slansky, 'Private police and democracy', *American Criminal Law Review* 43:89 (2006), 89-105.
[73] For an instructive example, see Canada, Department of Foreign Affairs and International Trade. 2007. *Human Security for an urban century*, p.26. http://humansecurity-cities.rog//sites/hscities/files/HumanSecurityforanUrbanCentury.pdf

In countries where the state is often predatory and/or ineffective, the symbolic position of the public and its relationship to security is necessarily part of a complex field whose functioning cannot be posited a priori. The anchoring role of public security actors is premised upon their symbolic power – upon their *recognized* status as agents of a non-discriminatory public good. Yet in some settings public security actors may not be recognized as agents of the public good: in countries where state security has often been very limited in its reach, and often oppressive in its actions, people may not see the 'public' provision of security, or lack thereof, in the way suggested by an ideal-typical model of state/sovereignty/security. Moreover, where the state is ineffective or predatory, non-state security can provide communities with an alternative, and in this context, insisting on the paramountcy of *state* security may do little to further the interests of the poor and marginalized, and may in fact contribute to their continuing insecurity.[74]

This is not to say that many people might not wish that public provision was better, or that they might not prefer it to privatized solutions - if such an ideal state existed.[75] It does however indicate the possibility of different relationships between security, the social, and public and private security, and different 'structures of feeling'. As Bruno Latour has forcefully argued, 'the social' is not something that we can assume to exist, either as a cause or as some pre-existing entity to be solidified or eroded.[76] Instead, the social is assembled through practices – including security practices, and the challenge is to see how this takes place in specific settings, and how these settings are connected to broader assemblages that may be in part global.

Rather than furthering fragmentation and being part of an inevitable 'downward spiral' towards competing groups and classes, private security may play a stabilizing and conservative role. In settings where the legitimacy of the state in the security field is already under question, the provision of security by private actors need not be socially corrosive, and it is worth stressing here that in Africa, as elsewhere in the south, private security is pervasive throughout society. It is not confined to resource enclaves, nor is it the preserve of the very affluent. Clearly, this stability is far from an unmitigated blessing. While it may provide security to some otherwise vulnerable parts of the population, private security can

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[74] For a strong defence of non-state security in these terms, see Johnston and Shearing, *Governing security*.
[75] Although, for a different suggestion, see Bruce Baker, *Multi-choice policing in Africa* (Uppsala: Nordic Africa Institute, 2007).
[76] Bruno Latour, *Reassembling the social* (Oxford: Oxford University Press, 2005); for an interesting discussion of the relationship between Latour's form of network theory and different approaches to global governmentality, see Gavin Kendall, 'Global networks, international networks, actor networks' in Wendy Larner and William Walters (eds.) *Global governmentality* (London: Routledge. 2005), pp. 59-75.

also contribute directly and indirectly to continuing inequality and exploitation, allowing elites to continue to disregard the provision of public security in part because their own security and economic reproduction is bolstered by private force, and because the lack of effective public security does not yield rampant insecurity in society as a whole, its inadequacies being to some degree compensated for by private provision.[77] Deeply entrenched social divisions, however politically troubling, need not lead automatically to ever-increasing state delegitimation and social fragmentation, and social forces can be balanced in such a way as to prevent a downward spiral from privatization to fragmentation and state collapse. Ethically, this raises the spectre of difficult choices and complex trade-offs, where there is no single policy option or moral position that can adequately encompass situations where inequality and stability, privatization and security and insecurity are woven into structures that cut across the tradition moral politics of security as a public good.

This places security privatization at the centre of emerging debates in global ethics. The publicness of security, as we discussed earlier, is a core dimension of sovereignty, and in developing countries it is also a key issues in debates about independence and decolonization. The complex imbrication of global and local, public and private in contemporary security assemblages does not only raise difficult questions about equality, legitimacy, and public oversight, but also about North-South relations. The moral issue of PSCs is not only one of a powerful actor in a 'weak' state, as much of the early literature on 'mercenarism' in the 1990s focused on. It is also one where private security is integrated into legal structures, and may even operate in coordination with state forces. How, for instance, do we think about a PSC that provides logistical support, expert capacities, and material capabilities in coordination with state forces, but does not itself control the exercise of armed force (wielded by state agents) facilitated by these activities?[78]

The issue here is thus not that PSCs operate in weak states that lack effective coercion, or that this is an area with strong norms but weak laws.[79] Instead, the difficulty is that they operate under national legal structures and in relations with public authorities that may

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[77] It is frequently assumed that the increased presence of private security will lead to a decrease in support for public policing (and taxation to fund it). As a general empirical claim this requires further investigation. In our wider research, we have encountered no clear and unequivocal signs of decreased pressure to strengthen and improve the police. Within these global assemblages, both civil society and international development donors and human rights activists continue to demand a more effective and democratic police, and if anything, with the merger of development and security these pressures have escalated in recent years.

[78] See, for instance, the discussion of the role of G4S in the Niger Delta in Rita Abrahamsen and Michael C. Williams, 'Security beyond the state: Global security assemblages in international politics', *International Political Sociology* 3:1 (2009), 9-13.

[79] For an assessment of the private military in these terms, see Sarah Percy, 'Mercenaries: Strong norm, weak law', *International Organization*, 61 (2007), 367-397.

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European Commission 7th Framework Programme

involve them in activities that are legal in a particular jurisdiction (and even encouraged by specific states), but that are ethically questionable (or worse). These are not questions that arise from private security standing 'outside the law'. They involve more complex questions of which standards (legal or otherwise) apply to transnational PSCs; those of the state in which they operate, or those of a wider ethical constituency, be this their 'home' state or wider transnational norms such as corporate social responsibility or human rights law. The issue thus spills over into wider debates about ethics and transnational corporate actors, their responsibilities to different moral and political constituencies and institutions, and the most effective ways to affect their practices and control their impacts.[80] In the case of security, these issues are made more complex because of the close connection between security and the symbolic and coercive centrality of the state.

Conclusion

Effective ethical and political engagement demand practical awareness as well as philosophic erudition. Nowhere is this more clearly illustrated than in contemporary security privatization. The legitimated nature of commercial security, its integration into structures of everyday life, tends to render it invisible. It has gained much less attention than the private military, even though it is far larger and more pervasive, and its effects - while less spectacular - perhaps even more significant. Many of the ethical issues it raises are also importantly different, and link contemporary security to wider debates over the ethical obligations of transnational corporations, the effectiveness of campaigns concerning corporate social responsibility, or the links between business and human rights.[81] The increasingly complex relationships between public and private actors in the security domain, and the growing prevalence of private security around the world make a consideration of the connections between social structures (and power), ethical evaluation, and practical political strategies an issue of paramount importance. Only by recognizing the structure of (global) security assemblages, and their resistance to easy categorization within traditional debates over public/private, national and international, and moral delineations, can we being the crucial task of engaging these issues ethically and politically.

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[80] See the revealing treatment in David Jason Karp, 'Transnational corporations in "bad" states: human rights duties, legitimate authority and the rule of law in international political theory', *International Theory* 1:1 (2009), 87-118.
[81] Again, see Karp for a helpful orientation.