

Assessing the Accountability of Private Security Provision

A Study of Business Ethics in the Realm of Peace and Stability Operations



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THE ACCOUNTABILITY of security contractors, or the apparent lack of it, is an issue commonly raised in the debate about the privatization of security. Yet what precisely is implied by accountability and how best to approach it are problematic.

Accountability is a wide notion, or a notion with multiple meanings depending on the particular discipline and approach from which it unfolds. Its philosophical underpinnings and history are best discussed in the field of ethics, which largely examines and theorizes about moral choices and values in human activity.

An applied approach to business ethics examines theoretical ethics alongside its application to spheres of economic activity. There is often a focus on particular issues such as corporate social responsibility, transparency, responsible business, ethical investment, environmental protection, and respect for employee rights. Accountability often becomes interchangeable with particular issues, or is defined by the aggregated meaning of a set of them. Hitherto, business ethics as a scholarly discipline has yet to make deep inroads into the study of the privatization of security.

In politics, accountability tends to focus on the actions of elected representatives and public officials, who ought to answer for the disposal of their duties, responsibilities, and authority. Questions are raised about why to opt for the private security alternative, how to privatize and how far to go, contracting processes, costs, and oversight. To some extent, this has resulted in the apportioning of governmental accountability wrongs to the security industry. Indeed, there are some unsavory apples in the barrel, but in fairness blanket judgments tend to display some bias and over-generalization, and are therefore counterproductive. Narrowing the regulatory gap would contribute to a more coherent accountability exercise and to more clearly delineated boundaries between political and corporate accountability.

At the same time, it needs to be acknowledged that accountability is culturally and spatially variable, reflecting different moral codes across cultures, boundaries, and agencies. Thus, accountability comes to be understood differently by different people, whether approached from a business ethics or a

politics perspective.

For the security industry, perhaps the most challenging arena of accountability is that involving the undertakings of its employees in conflict zones, especially in wars. People die. Not only are combatants and innocent civilians maimed or killed, but security personnel too. According to a recent report, nearly 700 of them have died in the Iraq conflict so far. At a basic level, one's innate sense of right and wrong, the essence of ethical thinking, may drive one to condemn any human undertaking in which

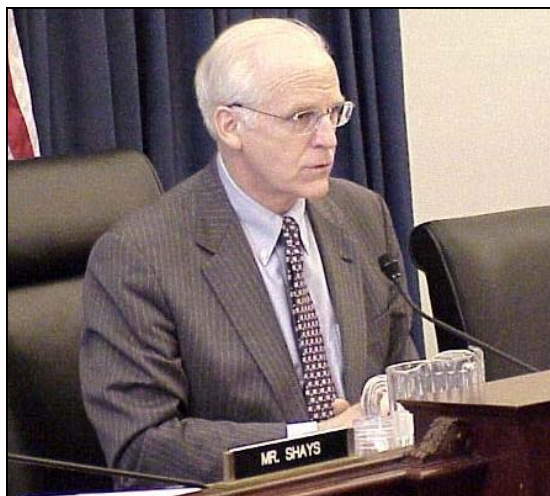


Photo: U.S. House of Representatives
Rep. Christopher Shays (R-Conn.) has led hearings into the accountability of U.S. contractors in Iraq.

the direct or remote possibility of maiming or killing becomes part of the job. Even more if a profit motive is involved. However, assessing accountability in this arena is much more complex than an exercise of right and wrong; particularly considering the blurring between civilians and combatants characteristic of new conflicts and between foes and friends as a result of the growing threat posed by fundamentalist terrorism.

I would like to propose that the problem involves at least updating theories of just war to reflect the realities of new conflicts vis-à-vis the more regular participation of private personnel in them. In turn, this new understanding would need to merge with new business ethics paradigms applied in particular to the international provision of security. This approach might initially result in certain ambiguities and overlaps between public and private responsibilities in the provision of security. On the other hand, these ambiguities might ultimately reflect that security on many occasions is now satisfied through public-private and multilateral-private partnerships.

Therefore, alongside other aspects of the

privatization of security that remain under-researched, the study of the accountability of the international provision of security is in need of crisscrossing disciplinary boundaries and developing its own guiding principles and vocabulary. This is not to imply that the points raised by many authors are not valid enough or do not reflect genuine concerns, but rather the desirability of establishing the study of the accountability of security provision as a research project in its own right.

This project would involve engaging in an ongoing dialogue with the international security industry in order to establish general boundaries to apply to the critical study of accountability. Yet, at the same time, these boundaries should also acknowledge the aspirations of an industry in search of public awareness and respectability. While the quest for analytical objectivity might persuade some of the opposite, it is my view that a constructive dialogue is needed to reach balanced and informed conclusions. Debating the codes of practice promoted by professional associations representing security firms, such as IPOA, may be the basis of this dialogue.

IPOA reflects the collective aspirations of its membership, conceptualized around the notion of a peace and stability industry. This industry comprises specialized and multi-task enterprises engaged in a variety of support activities in reconstruction environments and not just security provision. IPOA's Code of Conduct has an ethical dimension. It encourages service delivery consistent with international laws governing conflict and values purporting the respect of human rights.

Although skepticism might move some to dismiss codes of practice as merely wishful thinking or PR tools, their examination is necessary for the accountability exercise. Codes respond to public concerns and expectations for service delivery in a particular sector. As statements of 'best practice', companies need to answer for divergences and transgressions from stated rules and values. Moreover, the systematic assessment of codes facilitates tracking the evolution of the accountability record of a particular company, association, or industry. The codes of ethics literature is well established, offering valuable insights that have not yet been applied to the study of the privatization of security. This substantive aim should be a part of the accountability project here proposed. It is hoped some other fruitful avenues for research will follow this proposal.

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