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The Misunderstood Private Dynamic of Modern War

by Torie Rose DeGhett

The purpose of this article is to explore the use of private military contractors as a policy tool and their place in the context of rapidly changing ways of fighting wars. Its primary goal is to defy the conventional wisdom of contractors as overpaid, gun-toting mercenaries who wreak havoc in operations in Iraq, Afghanistan and elsewhere. The hope is that this article shows a bigger picture, correcting misinformation and highlighting the real problems with privatization, namely the lack of bureaucratic clarity and control, and offering solutions.

The conventional wisdom portrays private defense contractors in a caricature that Blackwater has created: an image of overpaid, gun-toting ex-G.I.s who wreak havoc in the name of defense policy. This proceeds from an inaccurate generalization about the nature of these contractors, one that has allowed us to ignore the wide scope of jobs they perform, the dangers they face, and the bureaucratic oversight that routinely fails to control or protect them. This view has created a false dilemma in the prevailing rhetoric, wrongly assuming that we are stuck between the two choices of ending the practice of private military contracting or continuing to use it in exactly the ways we have been. David Isenberg, the author of *Shadow Force: Private Security Contractors in Iraq*, told me in a phone interview: “Contractors are neither inherently good nor bad, they are a tool like anything else.”¹ While we should not tolerate the loss of billions in government money or the human casualties left in the wake of many high profile scandals, we need new management paradigms in place for their use. These new ways of managing contractors would have to be comprehensive responses to the issues that have arisen both in the bureaucracy and on the ground as a result of privatization. New reforms are necessary to give the oversight of contractors more clarity and power and to enable the system to more effectively prevent the kind of losses, both human and financial, that we have seen so far.

Defending the use of private military contractors is not a popular stance, and the detractors of this policy have much with which to fuel their arguments. By Pentagon estimates, ten billion dollars have gone missing in Iraq as a result of contractor waste and fraud. Weapons have gone missing as well, possibly ending up in insurgents’ delighted hands.² There has been high profile tragedies like the one in Nisour Square in Baghdad in 2007, where contractors killed seventeen civilians,³ and low-profile ones in which contractors failed to do their jobs and left soldiers waiting on needed supplies or electrical maintenance.⁴ The blame is often and mostly

¹ David Isenberg, phone interview with author, July 28, 2010.

² P.W. Singer, “The Regulation of New Warfare,” *The Politic*, February 2010, par. 5, http://www.brookings.edu/opinions/2010/0227_defense_regulations_singer.aspx.

³ Laura Dickinson, “Accountability of Private Security Contractors Under International and Domestic Law,” *ASIL Insights* 11, no. 31 (December 26, 2007): par. 1, <http://www.asil.org/insights071226.cfm>.

⁴ Lt. Col James Manker and Col. Kent Williams, “Contractors in Contingency Operations: Panacea or Pain?,” *Air Force Journal of Logistics* 28, no. 3 (2000): 19.

pointed at the contractors alone for these problems. But where was the oversight? Where was the system to prevent, to punish and to deter these incidents and behaviors? These issues serve to emphasize the need for reforms.

When I emailed Andrew Bacevich, professor at Boston University and author of *Washington Rules: America's Path to Permanent War*, he voiced the dubiousness and distrust that many would agree with. To the arguments for using contractors, he says, "I have my doubts."⁵ At the heart of this is that the government and its contractors have failed to prove themselves. As a result, military privatization is seen as an untrustworthy phenomenon.

Today, the word "mercenary" is nearly exclusively used in the pejorative sense, as if the idea of paying someone for wartime functions would somehow make war uglier or dirtier. There is a common belief that contractors are violations of standard practices, that the use of them upends the status quo in warfare, and that their use is wrong on a moral level. These negative perceptions of contractors are not undeserved. It is, however, important to recognize that this new trend need not be seen as antithetical to military standards, or as basically wrong, but as a necessary part of an evolution in military approaches. Adherence to military tradition is not a virtue, but an obstinacy that prevents success. This should be reflected in improvements made to the system.

The difficulties of contracting, and the transgressions of contractors, ranging from financial to fatal, are the terrible and costly symptoms of a flawed bureaucracy incapable of preventing the natural results of paying people to work in war zones and then failing to adequately control them, account for them or even keep them safe. Much of the true nature of private contracting is outshone by the events of Abu Gharaib and Nisour Square. David Isenberg told me, "You can't rely on contractors to operate properly, you know, unless you have a very clear contract and a very clear means of monitoring contractors." These public relations disasters belie the fact that most contractors are, as he was then quick to note, "ordinary, for the most part, fairly decent people, trying to do a difficult job in fairly dangerous circumstances."⁶

In order to make change the system that reflect what contractors do on today's battlefields and respond to the flaws in policy, it is important to understand the motivating forces behind their return to military policy and the subsequent problems brought by privatization. There are many arguments about why contractors have become so extensively used; there are probably equally as many truths.

It is, however, patently untrue that the Bush administration was the root cause of this trend. Contractors were already very much a part of military policy before that administration made its mark on this country. On the battlefield of the 1991 Gulf War, one person in fifty was a contractor. In the ensuing five years, contractors numbered one in ten in Bosnia.⁷ By the time Bush was sworn in, the trend was well under way. This is not to say that the administration did anything to hinder the process, but if we are to blame that particular administration for anything, it should be for not using the eight years it was given to make a better system for oversight and protection.

⁵ Andrew Bacevich, email interview with author, July 27, 2010.

⁶ David Isenberg, phone interview with author, July 28, 2010.

⁷ Leslie Wayne, "America's For-Profit Secret Army," *New York Times*, October 13, 2002, <http://www.nytimes.com/2002/10/13/business/america-s-for-profit-secret-army.html>.

In 1991, as the Cold War ended, the Department of Defense made serious reductions to both uniform forces and civilian workforces (a decrease of 700,000 and 300,000 personnel respectively). The alterations to the workforce and budget cuts came to be known collectively as the “peace dividend.” Despite these large reductions, the military was deployed at a rate of five times higher than before.⁸ The important concept at play here is the “tooth-to-tail” ratio: “tooth” refers to the military’s actual fighting forces, the soldiers on the ground who face active combat and “tail” refers to the support personnel, charged with supplies, maintenance and behind the scenes action, who, while integral to any operation, are not expected to see combat. The fundamental balance between the two is critical to military success, and the “tooth-to-tail” ratio was strained by the peace dividend. The use of contractors has become an answer to the diminished budget and reduced strained military. The trend is very much a private response to a public exigency. Erik Prince, the CEO of Xe Services, née Blackwater, likes to compare private defense firms to FedEx: “When you ship overnight, do you use the postal service or do you use FedEx? Our corporate goal is to do for the national security apparatus what FedEx did to the postal service.”⁹

When you place the privatization trend in a more abstract, theoretical context, it becomes part of a policy response to the world’s gradual shift away from the traditional state-centric system. This globalization emphasizes connections that span countries and groups whose memberships transcend borders over the singular, integrated unit of a nation-state, and this trend has extended to the battlefield. Contractors may simply be a natural resurgence in military affairs in a globalized world where the state is on the decline. In fact, a brief look at the historical dimension of the issue shows that contractors have an extensive place in military operations throughout the centuries. As borders and governments solidified and the world became more state-centric, war became a strictly public enterprise and standing, tax-funded state armies replaced mercenaries.¹⁰ Now, however, the public sector’s same claims on authority and responsibility are gradually diminishing with globalization. The state, and therefore the public sector, may have a looser hold on the sphere of military and defense issues in today’s system.

The US was only just becoming a sovereign nation when the ideas of nationality and statehood truly began to take hold. While mercenaries were used in fighting the Revolutionary War, private sector involvement in military action has been seen as taboo for most of the country’s existence. Military contracting began to reappear in the Vietnam War. In 1985, the Army implemented its first Logistics Civil Augmentation Program (LOGCAP), which, according to the relevant Army Regulation 700-137, was for “the use of civilian contractors to perform selected services in wartime to augment Army forces.”¹¹ LOGCAP was intended to give the Army “the additional means to adequately support the current and programmed force.”¹²

The US government is the biggest customer of these corporations. The firms Northrop Grumman and L-3 Communications state that ninety and eighty percent of sales, respectively, are to the government.¹³¹⁴ Other companies report similar percentages. In exchange for this,

⁸ Lt. Col James Manker and Col. Kent Williams, “Contractors in Contingency Operations,” 17.

⁹ Jeremy Scahill. *Blackwater: the Rise of the World’s Most Powerful Mercenary Army*, (New York: Nation Books, 2007), xxi.

¹⁰ P.W. Singer, *Corporate Warriors: The Rise of the Privatized Military Industry*, (Ithaca: Cornell UP, 2003), 19-29.

¹¹ U.S. Department of the Army, *AR 700-137: Logistics Civil Augmentation Program* (Washington, DC: GPO, 1985), 5.

¹² *Ibid.*, 5.

¹³ Hoover’s, Inc., *L-3 Communications Holdings Inc. In-Depth Report*, http://www.hoovers.com/company/L-3_Communications_Holdings_Inc/xscsyi-1.html.

private military firms provide a wide range of military services to governments, from manufacturing and maintaining weapons systems to doing laundry to escorting convoys, known to be one of the most dangerous jobs in U.S. operations in the Middle East because of ambushes and IEDs.¹⁵

Much of what they provide is in response to the exigency of modern warfare. War has never been simple, but it has become increasingly less so with the onward push of technology and society. In 1796, George Washington told Congress that “the art of war is at once comprehensive and complicated.”¹⁶ This has only become more accurate over the last two centuries, and now more than ever requires new approaches, new understandings and much re-evaluation of previously conceived standards in military policy. The fighting forces our military faces today have changed drastically from the conventional image of standing armies, trenches and facing off across no man’s land. The actors in warfare are often non-state actors battling each other or their own government in complicated rebellions and civil wars; they are largely interstate or civil wars that take place inside a state’s borders. The trend of military engagement leans toward asymmetric warfare, with one side markedly disadvantaged in terms of size, numbers or weapons. A world in which this type of war prevails is an ambiguous one. The response of the weaker side is to turn to tactics of insurgency, terrorism, and guerrilla warfare – ways of fighting that rely on surprise, improvisation, and unpredictability (like suicide terrorism). In a war like this, you don’t need a tank to succeed as long as you have a good Internet connection. In a war like this there is no front line, just scattered regions of danger that blotch across the map like hives across skin.

The improvised explosive devices that are responsible for two-thirds of coalition deaths in US operations in Iraq alone rely on simple and available technologies like cell phone parts, garage door openers and easily constructed contact detonators, are the tools of a poorer, smaller army.¹⁷ New tactics like this have created exigencies for new technologies, support systems and methods of fighting. One of the biggest needs is expertise and invention to create IED detection and safe detonation technologies with which to arm Hum-Vees and make them more resistant to damage.¹⁸ This is exactly the kind of expertise that private military firms who specialize in technologies, logistics and systems production and maintenance can provide. Modern military technology has become so complicated that contractors are now needed not simply to produce these technologies, but to maintain, repair, or even operate the complex systems on the field. Technological demands have resulted in more specialization on the battlefield. As an example, contractors manufacture and operate the CIA’s Predator drone program.¹⁹ Noncombat methods are also a large part of our current military involvements, tactics like the well-known hearts and minds, tactics that involve strengthening the civilian population and building psychological resistance to the enemy. These are reconstructive strategies that will allow the military to eventually leave without the country falling apart behind it. Towards this end, private military

¹⁴ Hoover’s, Inc., *Northrop Grumman Corporation*, http://www.hoovers.com/company/Northrop_Grumman_Corporation/rfysi-1.html.

¹⁵ Col. David Wallace, “The Future Use of Corporate Warriors with the U.S. Armed Forces: Legal, Policy and Practical Considerations and Concerns,” *Defense Acquisition Review Journal* 16, no. 2, (July 2009), 127.

¹⁶ George Washington, “Eighth Annual Message of George Washington,” *The Avalon Project*, Yale Law School, http://avalon.law.yale.edu/18th_century/washs08.asp.

¹⁷ “Bombs Away,” *The Economist*, March 6, 2010, 13.

¹⁸ *Ibid.*, 13.

¹⁹ Jane Mayer, “The Predator War: What Are the Risks of the C.I.A.’s Covert Drone Program?,” *The New Yorker*, October 26, 2009, 38.

firms are currently being used as tools to aid in preparations for a drawdown of actual combat forces, like DynCorp's controversial contract with the Department of State to help train the Afghan National Police.²⁰ They are also of significant assistance in Iraq, where combat Operation Iraqi Freedom has ended and support Operation New Dawn has begun.

These reconstruction efforts, an important part of counterinsurgency strategy, have been and will continue to be where contractors make some of their most important contributions. Tel Afar (sometimes referred to as Tall'afar, or some other transliteration of the Arabic) is a city in Nineveh, northwestern Iraq, a place that remains no stranger to the effects of warfare and insurgency. It played a key role in the 2005 Operation Restoring Rights and saw heavy fighting and sectarian violence and insurgency throughout the war. Iraqi Major General Najim Al-Jabouri was the city's chief of police and then its mayor. He worked with United States General McMaster on counterinsurgency in that city, which was the site of the first implementation of "clear, hold and build."²¹ When I asked him what his experiences with contractors in the war and in the reconstruction, he detailed to me their necessity in his war-torn city. He did not glorify them, but informed me that despite the imperfections and the "negatives," that reconstruction would not proceed apace without them.²²

Specifically referring to Tel Afar, which he said was "one of Iraq's most contested cities," he painted a picture of a city suffering from the war and the insurgency. "We desperately needed rebuilding."²³ He emphasized the need for stability in an Iraq emerging from a bloody, costly and transformative invasion and insurgency. "These companies were immensely vital and have to be recognized as fundamentally important in the rebuilding process."²⁴ General Al-Jabouri referenced the importance of contractors to the economy, particularly through the addition of infrastructure, which he says helped with unemployment.

He did not let contractors off the hook, and referred specifically to Blackwater, saying that it had "created great tensions between the US and the Iraqi people, as well as the Iraqi government."²⁵ He ended by making a distinction between contractors who helped with reconstruction and contractors who provided protection for individuals. The latter, he said, "played a negative."²⁶

If the crises of Wall Street and the Gulf oil spill have provided us with anything constructive, it has been slow motion, blow-by-blow evidence that business interests are not necessarily in sync with the interests of the government or of the public good. The private military firm Halliburton has been charged with pricing gasoline too high and charging for services that were never rendered. The disputed charges total 1.8 million dollars.²⁷ The firm Custer Battles has been accused of having a fraudulent subsidiaries system.²⁸ It is also of note that contractors are not a tool used exclusively by the United States or its allies. They have been

²⁰ T. Christian Miller, Mark Hosenball, and Ron Moreau, "The Gang that Couldn't Shoot Straight," *Newsweek*, March 29, 2010, 29.

²¹ "Major-General Najim Abed Al-Jabouri," *Near East South Asia Center for Strategic Studies*, U.S. Department of Defense/ National Defense University, <http://nesa-center.org/en/faculty/Abed>.

²² Major General Najim Abed Al-Jabouri, email interview with author, August 9, 2010.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ P.W. Singer, "Outsourcing War," *Foreign Affairs*, March/April 2005, par. 14, http://www.brookings.edu/articles/2005/0301usdepartmentofdefense_singer.aspx.

²⁸ Ibid., par. 15.

in the employment of drug cartels, dictatorships, and, prior to the events of September 11th, two al-Qaeda linked jihadist groups.

The legal areas into which contractors fall are complicated, ambiguous and fail to provide a uniform system of definition on an international level. Phillip Carter, in a 2004 *Slate* article, wrote that “Legally speaking, they [contractors] actually fall into the same gray area as the unlawful combatants detained at Guantanamo Bay, Cuba.”²⁹ TO paraphrase P.W. Singer, this essentially leaves the control in the hands of those who would have them dead. This is a particular problem in the situations of asymmetric warfare in which the U.S. finds itself in Iraq and Afghanistan. Contractors, as civilians, do not serve on front lines in combat duty, but find themselves in dangerous situations in which they become soft targets for kidnappings. One of the most famous examples of this occurred in Fallujah, Iraq on March 31, 2004. Four Blackwater employees in two jeeps were attacked, first by a grenade thrown at one of the jeeps, then by machine-guns, which killed the contractors in the rear jeep. As the two contractors in the lead jeep tried to escape, their car was torched. The crowd dragged the bodies through the street, eventually hanging the charred, mangled remains from a bridge.³⁰

When I asked Clark Ervin, a commissioner for the Commission on Wartime Contracting and a member of Aspen Institute, how the wars in Afghanistan and Iraq would have progressed without these contractors, he responded that they “could not have been conducted without large-scale contractor support.” This may be so, but their importance to our missions has not elevated the issues they face to an appropriate level of scrutiny. The threats to contractors often go unnoticed. This points to a serious problem with oversight: namely, a fundamental lack of knowledge regarding the contractors who are in our employ and a lack of consistence and attentiveness in tracking issues and trends with contracting.

The Disposable Army is a ProPublica investigation into these issues, shedding light on the civilians in our war zones. The titles alone of the stories and reports compiled there are very telling: “Defense Contractors’ Mental Health Neglected”; “Contractors in Iraq Are Hidden Casualties of War”; “Injured War Zone Contractors Fight to Get Care.”³¹ T. Christian Miller, who is responsible for most of the content of The Disposable Army, wrote in a 2009 article appearing in *The Washington Post*, “These workers have been wounded like soldiers. They have died like soldiers.”³² They have not, however, been cared for like soldiers. The Pentagon does not even track their casualties, that is left to the Labor Department, who tracks it for insurance purposes and according to ProPublica’s reporting, undercounts contractor fatalities.³³

There is, therefore a visible urgency for instituting methods of tracking contractors, because every moment wasted is more money and more lives lost. An important step might be to catalog all private military firms working for the Department of Defense and all the contracting personnel carrying out the contracts on the ground in one central database. It should be comprehensive, existing not simply as a glorified Rolodex, but compiling a great deal of specific

²⁹ Phillip Carter, “Hired Guns: What to Do About Military Contractors Run Amok,” *Slate*, April 9, 2004, <http://www.slate.com/id/2098571/>.

³⁰ Scahill, *Blackwater*, xi-xii.

³¹ “Disposable Army: Civilian Contractors in Iraq and Afghanistan,” *ProPublica*, Pro Publica Inc., <http://www.propublica.org/series/disposable-army>.

³² T. Christian Miller, “Sometimes It’s Not Your War, But You Sacrifice Anyway,” *New York Times*, August 16, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/08/14/AR2009081401665.html>.

³³ T. Christian Miller, “Civilian Contractor Toll in Iraq and Afghanistan Ignored by Defense Department,” *ProPublica*, October 13, 2009, <http://www.propublica.org/article/civilian-contractor-toll-in-iraq-and-afghanistan-ignored-by-pentagon-1009>.

and accumulating information in order to provide a complete and evolving image. Listed with each private military firm should be all current and past contracts, all the employed contractors and all their areas of operation, all contractor casualties (KIA, MIA, wounded and kidnapped), all disciplinary problems, the results of all audits of the contracts and the outcomes of all completed contracts. This is, perhaps, an onerous task, but one that would give the Department of Defense a more broad and expansive view of their contracting operations and would provide not only a record of contracts that would keep firms and their employees more accountable but would shed greater light on dangers faced by contractors, perhaps illuminating answers to problems.

The government isn't the only entity that ought to be better informed regarding the use of war zone contractors. The public is kept woefully in the dark on this issue, partly because the government itself knows so little, but also because lack of transparency and bureaucratic accountability are serious problems in the oversight system. For example, contracts are not subject to Freedom of Information Act requests.³⁴ Insufficient availability of this information allows foreign policy to be separated from public judgment. When actual troops are deployed, the effects are visible to the popular eye and come under close public scrutiny, having a bigger impact on election outcomes. The use of contractors goes largely unnoticed and occurs very much outside the scope of public awareness. The process needs to be more democratic. Democracy relies on the idea of public opinion as a motivating force behind policymaking and political action, keeping those in power in check. As James Madison wrote in *Universal Peace*, war ought to be "by the authority of the people, whose toils and treasures support its burdens."³⁵ The Department of Defense needs to have an equal incentive to stay within bounds when making these contracts for millions upon millions of dollars.

President Dwight Eisenhower, in his farewell speech in 1961, warned against the anti-democratic elements of the combination of the military and industry or private enterprise:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.³⁶

It is important to remember his words when addressing the issue of accountability and democratic values in government oversight of contractors.

One of the most significant problems with the current use of private military firms, however, rests not with the firms, the contractors or with international law, but with the basic oversight framework in the Department of Defense, which is inadequate in its ability to properly provide supervision of contracts and contractors on the bureaucratic level. The two main players in the Pentagon, when it comes to oversight of contractors are the Defense Contract Management

³⁴ P.W. Singer, "Outsourcing War," par. 19.

³⁵ James Madison, "Universal Peace," *The Online Library of Liberty*, Liberty Fund Inc., par. 8, http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=1941&chapter=124396&layout=html&Itemid=27.

³⁶ Dwight Eisenhower, "Farewell Address," *AmericanRhetoric.com*, American Rhetoric, http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=1941&chapter=124396&layout=html&Itemid=27.

Agency and the Defense Contract Auditing Agency (the DCMA and the DCAA). According to a report issued by the Commission on Wartime Contracting, these agencies are responsible for bureaucratic entanglement, mixed messages and inefficiencies. “DCMA’s and DCAA’s divergent and often contradictory behaviors send mixed messages to contractors.” The audit reports do not have enough information “to help contracting officers make effective decisions.”³⁷ Finally, the DCMA is not forceful in attempts to make private military firms improve and the two agencies are under-resourced to respond effectively to wartime needs.”³⁸

A brief look at the organizational chart of Defense Department agencies reveals a core flaw in the system. The agencies are in completely separate lines of authority, with the DCMA reporting to the Undersecretary of Defense for Acquisition, Technology and Logistics and the DCAA reporting to the Undersecretary of Defense Comptroller. It is no surprise that the Commission on Wartime Contracting reported in September of 2009 that unresolved conflicting messages and decisions by the two agencies was a leading problem in oversight.³⁹ A potential solution might be to incorporate the two into the same centralized framework under the same line of authority. Such a merger might save time wasted on inter-agency bickering and excessive double-checking and re-evaluating of audits. There might also be a financial savings, with less money going to work on these audits in a more streamlined process. Commissioner Ervin was skeptical about this, warning that “Shuffling boxes within or among organization charts doesn't necessarily improve outcomes, and may produce unintended consequences.”⁴⁰ He worried that this might homogenize any constructive debate within the system, which might provide the bureaucracy with natural oversight mechanisms. This all depends on whether or not those arguments and differences are indeed constructive.

In order to make the use of contractors truly cost-effective and to prevent certain firms from monopolizing the government’s business, there needs to be increased competition among PMFs for contracts. This prevents one or a handful of firms dominating and monopolizing their area of defense contracting. The idea of competition will also be more likely to give the government the opportunity for the best price and the best service. According to the hearing held on April 19, 2010 by the Commission on Wartime Contracting to discuss oversight of services contracts, the Army had a savings of forty-six percent on a recent 2.3 billion dollar contract with the firm Kellogg, Brown and Root by using competition. Officially, the spend rate per year was a billion dollars, and is now at five hundred and forty thousand dollars per year.⁴¹

The growth in contracting services in recent years is calculated as much as seven hundred percent. In the same amount of time the section of the Pentagon employed to oversee and audit the contracts has decreased by twenty-five percent. As the contracting continues to increase, this workforce will probably be cut in half in the next decade due to retirements. Currently, one Pentagon auditor is responsible for 2.02 billion dollars in contracts.⁴² There is a fairly simple solution for this: hire more auditors. This is so simple an answer, that the question must be asked, why hasn’t this been done before? Perhaps there is an unwillingness to float the extra

³⁷ *Special Report on Contractor Business Systems*, Commission on Wartime Contracting, September 21, 2009, 1, http://www.wartimecontracting.gov/docs/CWC_SR1_business-systems_2009-09-21.pdf.

³⁸ *Ibid.*, 1.

³⁹ *Special Report on Contractor Business Systems*, 1.

⁴⁰ Clark Ervin, email interview with the author, August 5, 2010.

⁴¹ “Federal Oversight of Billions in Services Contracts,” Hearing of the Commission on Wartime Contracting, April 19, 2010, 14, http://wartimecontracting.gov/docs/hearing2010-04-19_transcript.pdf.

⁴² P.W. Singer, “The Regulation of New Warfare,” par. 6.

money for salaries for at least a thousand new auditors. In May of 2009, the U.S. Bureau of Labor Statistics estimated a federal auditor's salary to average 88,190 dollars.⁴³ Following these estimates, one thousand more auditors might cost the federal government around eighty-eight million dollars, what would seem like a steep price if not juxtaposed with the aforementioned ten billion dollars lost to contracting in Iraq alone, or with the human cost associated with unregulated and unprotected contractors. The extra salaries would certainly be worth it if those auditors could prevent losses of such magnitude.

It is not simply the US Department of Defense that needs to improve, clarify or reorganize, but all the other departments who have contracts with private military firms (like the Department of State or Interior), and other countries, like Britain who has begun to similarly augment its military,⁴⁴ need to take note of what is necessary to properly make use of this policy tool. There needs to be international dialogue between governments and internal dialogue between agencies to create a more unified and uniform system. The more unified the response to contractors across the bureaucratic and governmental spectrum, the more oversight, accountability and efficacy are possible. The status of contractors as civilians is a tenuous and ambiguous one and their rights and protections in time of war are unclear, an issue that needs clarification on a multinational level.

The privatization of military function is one of the great contemporary issues in defense policy. The subject of much debate, it is the result of multiple and complex influences and exigencies and is an important element of modern warfare. The roles filled by private military firms are extensive and have expanded considerably in the past decade. Deep attention must be paid to this trend – which has been amplified by two current wars – and its effects and the ways in which it is being supervised. There is necessity for clear control and broad understanding of the use of private corporations as tools of defense policy. Private military firms provide important support for military operations and are particularly integral to today's counterinsurgency strategies. It is necessary that the government be able to use them to their full effectiveness and have the proper knowledge and control over their function. Without such attention paid to oversight, military contracting will never move past its flaws to become a worthwhile policy tool and the contractors who work for these companies will continue to fall victim to governmental inertia.

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⁴³ "Occupational Employment Wages, May 2009," *Bureau of Labor Statistics*, U.S. Department of Labor, <http://www.bls.gov/oes/current/oes132011.htm>.

⁴⁴ P.W. Singer, "Outsourcing War," par. 6.