

# **Security as a commodity**

## **The ethical dilemmas of private security services**

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International Peace Research Institute, Oslo

# SECURITY AS A COMMODITY

## THE ETHICAL DILEMMAS OF PRIVATE SECURITY SERVICES

*INEX POLICY BRIEF NO. 6 / MARCH 2009*

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Private security services are gaining importance in the general provision of security. Although it is difficult to exactly estimate the amount of private security in the total range of security services, the available figures all point in the same direction. Traditionally, private security has been symbolised by the private eye as reflected in American movies: a cynical, tough male, breaking laws and norms while holding a bottle of whisky in one hand and a blonde *femme fatale* in the other. This Hollywood image of private investigators seems outdated, however. Private security nowadays covers a multitude of industries, large and small, all related to the provision of security services, investigations, crime prevention, order maintenance, intelligence collection and military services (Van Steden and Sarre, 2007, p. 226). Whether the growing importance of private security is a seismic shift in the provision of security is a topic of debate. Viewed historically, it may be true that the symbolic monopoly on security asserted by the modern, criminal justice state may just be a ‘historical blip’ in a longer-term pattern of multiple policing providers and markets in security (Zedner, 2006a, p. 78). Different theoretical strands can be found in academic literature for explaining the growing importance of private security. Yet most authors agree that changes in security trends typically emerge as manifestations of broader social movements (Forst, 2000, p. 38). As Reiner (1992, p. 770) states, the “deeper social changes of post-modernity” are transforming the role of the public security institutions within the whole array of security processes, because the rise of public security organisations itself is a paradigm of modernism, defined by Reiner as the project of organising society around a central, cohesive notion of order.

### “Responsibilisation”

As private security covers a multitude of industries, it makes little sense trying to find a one-size-fits-all explanation for the rise of the sector. Still, the shifting relationship between the state and the market seems to be a recurrent theme in the literature. Garland for example (1996, pp. 448-452) states that the “myth of sovereign crime control” proved unsustainable as the limitations of the state’s ability to govern social life became ever more apparent. This resulted in a new orientation, which Garland calls the “responsibilisation strategy”. This new mode of governing crime has involved the central government seeking to act upon crime not in a direct way through state agencies, but by indirectly activating non-state agencies, organisations and civilians. Yet responsibilisation should not be considered the ‘off-loading’ of state functions or simply the privatisation of crime control. On the contrary, where the strategy works, it leaves the state machine more powerful than before, with an extended capacity for action and influence. Looking at the international level, and drawing on Saskia Sassens’ notion of state “disassembly”, Abrahamsen and Williams (2009, p. 3) situate the growth of private security within broader shifts in global governance. What we are witnessing, they argue, is the rise of new “global security assemblages” in which a range of different security agents and normativities interact, cooperate and compete, to produce new institutions, practices and forms of security governance. New networks of “entrepreneurial” public and private actors have emerged (Gerspracher and Dupont, 2007, p. 362).

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## Customised justice

The word 'privatisation' hence does not seem to be the right term to grab the essence of what is going on. What we are seeing is not simply the transfer of security functions or responsibilities from the public sector to the private sector, as the number of public police officers, for instance, has increased largely in recent years and both the economic and political capital allocated to public policing is growing (Zedner, 2006b, p. 269). We see an expansion in both private security and public security. Therefore, it seems more accurate to speak of the commodification of security, which can give rise to different ethical dilemmas, all relating to some of the basic principles and values underlying modern Western democracies. One of the ethical problems noticed by scholars is that of purchasing power on the private security market. If private security and justice are administered through the market, they will not result in the social goal of uniform justice for all, as those lacking in purchasing power will be systematically excluded from participation (Kempa et al., 1999, p. 205). Some scholars argue that private security practices actually establish a system of private justice that runs parallel to the state judicial system. It is typical for the private sector to settle internal problems quietly (Dorn and Levi, 2007, p. 224). This way, in the shadow of the law, private orders take place as forms of 'customised justice'.

Another ethical problem is one that can be termed a 'democratic dilemma'. The private security market, according to Loader (1999, pp. 384-385), offers an "institutionalised exit from politics". It enables individuals, organisations and communities to pursue their particularistic and self-defined security requirements without reference to any conception of the common good or the obligations associated with democratic citizenship. Individuals become customers to obtain some private security for themselves, rather than citizens seeking to use their voice to secure a piece of the public police cake. Argued to the extreme, private security is serving to "project, anticipate and bring forth a tribalized, neo-feudal world of private orders in which social cohesion and common citizenship have collapsed" (1999, p. 384).

## *Éminence grise*

In addition, there are questions concerning accountability, transparency and other 'good governance' issues. Scholars plea for the adoption of a concept of 'nodal governance of security', understood as a complex of interlaced systems of agencies that work together to produce order. At the same time, empirical research shows that relations between public and private security organisations range along a spectrum from co-production, coordination, indifference and competition to hostility. Using the concept of the 'extended policing family', scholars have identified highly different models of cooperation/competition, reflecting the diverse nature of such relations. Each model is to be found to some degree in the "current patchwork" of plural policing and security practices and policy initiatives (Crawford and Lister, 2004, p. 60). As Stenning (2009, pp. 22-23) comments, like most families, the extended policing family is not always a very harmonious one, and it is frequently beset by jealousies, enmity, competition, conflict and lack of mutual respect and common goals. Some authors thus doubt the relevance of the nodal governance approach. According to Brodeur (2007, p. 31), concepts like nodal security are "long on concepts and short on facts". The empirical evidence is generally selective, spotty and anecdotal. There is little evidence of networked models of security practices as dominant or prevailing realities. Some argue strongly that it would be foolish to "throw out the state with the governance bath water"; in governing security, the state is a kind of *éminence grise*, a "shadow entity lurking off-stage" (Crawford, 2006, p. 458). Consequently, the exact nature of the nodal governance of security should be regarded as an empirically open question, taking note that the specific way in which governmental and private nodes relate to each other will vary across time, space and context (Shearing and Wood, 2003, p. 404). Empirical research questions should be developed to test the assumption that there is a difference between private guards performing public security functions under close direction and scrutiny from municipality councils, and private military companies securing industrial

premises of large multinational corporations in countries where the central government is lacking the capacity or the will to perform this security function. Along the same lines, we should test the assumption that there may be a difference between the owner of a small shop selling burglar alarms and a huge military company striving for the best seat in the 'espionage-industrial complex'. They have a common denominator: they all sell security as a commodity. Yet their relationship with the public security sector, public authorities and the public will vary greatly, as will the level of influence they have in deciding, directing and defining security practices.

### **Feeling of affinity**

Criticism of the private security industry is generally based on its for-profit nature, which has been blamed for placing results and efficiency over ethics, and for pursuit of the private interests of clients at the expense of the greater public good. Nevertheless, what seems to be missing is empirical evidence on the value assumptions and ethical framework of private security. Where scholars have identified potential ethical dilemmas that can arise because of the phenomenon of private security, less attention is being paid to the actual value orientations and ethical assumptions within the private security sector. Many scholars seem to assume that ethical values within private security services are lacking or less developed than among public security provision, but the evidence is not conclusive. Furthermore, few studies have been devoted to the self-image of private security officers. The research that is available suggests that many private investigators have felt that their role within society, the value of their services and the problems they face have been overlooked and undervalued for too long (Gill and Hart, 1999, p. 246). Many private security officials have also felt a sense of grievance that no matter how diligently they observe both the law and voluntary codes of professional ethics, all private investigators are associated with devious behaviour and malpractice by default. Notably, however, the public's perception of private security is also under-researched. Despite the large number of security professionals, very little is known about what the public thinks of private police organisations and their personnel. As Loyens (2008, p. 2) states, despite the significance of the issue, systematic comparative research between police values and private security values is still absent. The expanding cooperation between the private security sector and the public security sector could lead to a "growing feeling of affinity between the two sectors", and could thus facilitate a "transfer of norms in either direction", in which it is believed to be more likely that public security forces will copy the "strategies, rhetoric, and self-conception of the private sector" (Loyens, 2008, p. 3).

### **Strengths and risks**

In this context the duty of academics should be to illuminate the strengths of nodal and hybrid security practices as well as the risks they pose, to map the ramifications of the various spontaneous and coordinated networked initiatives and to examine their democratic and ethical implications, as well as to recommend possible improvements and adjustments (Gerspracher and Dupont, 2007, p. 362). Policy-makers, for their part, would be well advised to come to terms with the inherent messiness and ambiguity of these new arrangements and to start looking for ways of addressing the ethical dilemmas embedded in the rise of private security practices. Therefore, a research and policy agenda comprising at least the following tracks should be encouraged and executed.

- 1) There seems to be an American bias in most of the literature and research. There is a pressing need to focus more on the European context and differences among EU member states in the regulation of private security. How can differences in national regulation strategies be explained? How can differences in the level of private security practices be explained? What kinds of policies are being developed to respond to the emerging private security complex?

- 2) There is a need for more concrete empirical research in hybrid security practices at different levels. The research that has been done chiefly focuses on private guards in shopping malls or residential areas. Little research has been conducted on the sectors of high-level private policing and private intelligence. More research is needed on the global security assemblages, the security networks that are developing on a European and global scale. Attention should be paid to the complex and conflicting tendencies in the changing relationships between public and private security in these global assemblages.
- 3) When it comes to the organisational and personal values embedded within private security organisations, we have established an academic void. What is the ethical framework for private security organisations? Are there any? What attention has been given to ethics in the training and education of private security officers? Are ethical questions being addressed by the top executives of private security organisations? How are commercial interests and ethical considerations reconciled? Is there a convergence between dominant values in the public security sector and the private security sector? And what are the public perceptions of private security practices?
- 4) Furthermore, issues of good governance deserve more attention. What kinds of governance of nodal security can be conceptualised? What are the experiences with different forms of plural policing, and what are the strategies, interests and mentalities that exist within hybrid security networks and practices? Is it possible to engage in a form of nodal governance in which private security practices are embedded within a conception of security as a public good? And how – and by whom – can essential democratic values such as transparency, accountability, social justice and citizenship be guaranteed when a range of public and private actors is engaged in security practices?

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