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Amy E. Eckert. *Outsourcing War: The Just War Tradition in the Age of Military Privatization*. Ithaca: Cornell University Press, 2016. 200 pp. \$39.95 (cloth), ISBN 978-0-8014-5420-2.

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Commercial providers of armed security and military support services like logistics, training, and intelligence—usually referred to as private military and security companies (PMSCs)—have become increasingly important players on today’s international security stage. The growing privatization of military support raises important empirical, theoretical, and normative issues. *Outsourcing War*, by Amy Eckert, provides an important contribution to the scholarship on the ethics of military privatization by examining the role of just war theory in the regulation of conflicts where PMSCs play an increasingly important role. As Eckert argues, “the ability of the just war tradition to continue to form the basis of a moral critique of war depends on its ability to take account of the context of war as it changes” (p. 138). Consequently, *Outsourcing War* seeks to examine the challenges posed by the rise of PMSCs on just war theory and how these challenges can be addressed in order to preserve just war theory’s role in regulating both the resort to war and the conduct of hostilities.

As noted by several scholars, the rise of PMSCs may pose a fundamental challenge to our understanding of both war and international politics, grounded on well-known axioms such as the notion that states are the only entities that enjoy a monopoly of legitimate violence and war is the continuation of politics by other means.[1] Eckert’s claim is that just war theory—in spite of its often state-centric formulation—remains well equipped to regulate war even if this has been increasingly “reprivatized.” Once expanded and reformulated, the set of criteria referred to as *ius ad bellum*—which regulates the resort to war—and *ius in bellum*—which delimits admissible forms of military conduct—can continue shaping our moral assessment of conflict. As states preserve the right

to wage war—albeit conflict is increasingly waged with PMSCs’ support—the reprivatization of conflict does not require a fundamental reversion of *ius ad bellum* criteria such as the need for a just cause and the resort to war as a last resort only. As deployments of and casualties among contracted personnel are often much less visible than their military counterpart, however, decision-makers and the public need to be made aware of the increasing involvement of PMSCs on both sides of the conflict in order to be able to fully appraise whether the criteria of proportionality and reasonable chance of success have been met. A reformulation of *ius in bello* norms is a more fundamental part of the answer to the challenges posed by PMSCs. As private military contractors are civilian personnel who operate outside of a chain of command and a system of military justice, their presence in a combat theater impacts upon both *in bello*’s key principles, namely proportionality and discrimination. Eckert’s argument, however, is that *in bello* rules apply to individual fighters regardless of their military or civilian status, and that private military contractors can therefore be held responsible for violating them just as their military counterparts would be.

Max Weber’s notion of the state monopoly of violence—initially formulated as an empirical definition of statehood—soon turned into a normative prescription. Far from remaining a descriptive definition of what states are, Weber’s dictum has become a prescriptive tenet of how violence should be organized, as the state’s monopoly of coercion has been identified as the only way to regulate and ultimately minimize the resort to military force.[2] Whether explicitly or implicitly, most of the normative scholarship on PMSCs has embraced this belief. The assumption that states’ monopoly of violence

is the only way to rein in the resort to indiscriminate force—in combination with the timing of many publications on the subject, heavily influenced by the media coverage of private security contractors’ behavior in Iraq and Afghanistan—has caused most of the normative scholarship to take a strong bias stance against PMSCs. Unlike this scholarship, *Outsourcing War* has the merit of assessing PMSCs without such preconceptions, noting that a marketization of violence does not necessarily play against the moral imperative to minimize violence that lies at the heart of the just war theory tradition.

Eckert’s book, however, does not escape some of the key limitations of other military privatization scholarship. The first shortcoming of *Outsourcing War* lies in its inability to provide a precise, convincing, and sufficiently narrow definition of PMSCs and what exactly amounts to their involvement in combat. As a result, Eckert’s work does not always provide a fine-grained picture of the transnational market for military force. As most military contractors provide unarmed support services, not distinguishing between different types of firms may provide an overly inflated picture of the role played by PMSCs in today’s conflict and ultimately overestimate the normative challenge they pose. Relatedly, a limitation that *Outsourcing War* shares with most normative scholarship on PMSCs is that it sometimes fail to provide an empirically accurate picture of PMSCs’ role in today’s military operations. While Eckert quite frequently illustrates her argument by resorting to examples of PMSCs’ activities, the evidence provided is entirely derivative and largely anecdotal. The lack of firsthand empirical research is understandable in a book primarily dedicated to developing a normative argument. Appraising the influence of military privatization on just war principles, however, requires an accurate picture of the activities presently conducted by PMSCs, which would, in turn, necessitate greater engagement with existing empirical evidence, supported by a more extensive use of figures and primary sources.

Lastly, the bibliography of the volume is both dated and insufficiently comprehensive. As *Outsourcing War* relies on the evidence provided by existing scholarship on the privatization of war to support its normative argument, the fact that most of the sources used date back to the first decade of the 2000s is problematic, conveying the impression that the book is already out of touch with the latest developments in the field. Moreover, the book fails to engage with various important pieces of scholarship on PMSCs, such as Elke Krahnmann’s *States, Citizens and the Privatization of Security* (2010). The overlooking of scholarship that complements and resonates

with the argument made in the book is particularly underwhelming. The claim that the involvement of PMSCs increases the deadliness of conflict by boosting military effectiveness, made by Ulrich Petersohn in “Private Military and Security Companies (PMSCs), Military Effectiveness, and Conflict Severity in Weak States,” for instance, needs to be examined to make an empirically grounded assessment of the consequences of PMSCs’ involvement in conflict.[3] Likewise, a monograph focusing on the normative implications of reprivatizing war should engage with the latest legal scholarship on the regulation of PMSCs, such as Francesco Francioni and Natalino Ronzitti’s *War by Contract* (2011) and Christine Bakker and Mirko Sossai’s *Multilevel Regulation of Private Military and Security Contractors* (2012). As these two edited volumes extensively cover the legal liability of individual contractors under international humanitarian law and national criminal law, including them in the analysis would have brought more accuracy and fine-grainedness to Eckert’s argument that individual contractors can be held accountable for *ius in bello* violations. The absence of references to key scholarship on the ethical implications of military privatization, like James Pattison’s *The Morality of Private War* (2014), is even more regrettable. Engaging in a dialogue with all these bodies of scholarship would have provided Eckert’s book—now somewhat disjointed from the existing scholarship—with much greater sophistication. These limitations notwithstanding, however, *Outsourcing War* remains a meaningful addition to the scholarship on private military and security companies and just war theory alike, providing an important contribution to the ongoing scholarly debate on the ethics of privatizing security and military support.

Notes

[1]. Max Weber, “Politics as a Vocation,” in *Max Weber: The Vocation Lectures*, ed. David Owen and Tracy B. Strong and trans. Rodney Livingstone (Indianapolis/Cambridge: Hackett Publishing, 2004 [1919]); Carl von Clausewitz, *On War*, ed. and trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1989 [1832]).

[2]. Norbert Elias, *The Civilising Process: State Formation and Civilisation* (Oxford: Blackwell, 1982 [1939]).

[3]. Ulrich Petersohn, “Private Military and Security Companies (PMSCs), Military Effectiveness, and Conflict Severity in Weak States, 1990-2007,” *Journal of Conflict Resolution* (August 2015), doi:10.1177/0022002715600758; see also Ulrich Petersohn, “The Effectiveness of Contracted Coalitions,” *Armed Forces and Society* 39, no. 3 (2013): 467-488.

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