

SCHOLARSHIP

Contracted Leadership: The Challenges of Military Command Within the Arena of Private Contractors

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ABSTRACT

The military's dramatically increased reliance on private contractors is creating an unanticipated set of unique challenges to military leaders operating in contingency operations. No longer relegated to support activities, contractors provide tasks in areas that were traditionally considered essential governmental activities. This article reviews the evolving contractor-military partnership and takes up the issue of how effective leadership is achieved in a world of contracted men. The argument advanced here is that effective leadership will depend on the extent to which contractors can be more fully integrated into the military mission without creating a degree of reliance that endangers the military's ability to stay innovative or threatens the contractors' civilian status.

Consider a simple puzzle. An officer is given the task of commanding an overseas base in a high threat environment. Essential tasks to be completed include providing local security and construction of basic infrastructure. To accomplish this task the officer will have to rely on a hybrid of uniformed soldiers and contracted workers. The contributions of both mission elements are essential. The officer, however, has only a limited sense



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of the contractors' prior background, training, and prior experiences. Command and control will be complicated by the Contracting Officer Representative (COR) management system that directly oversees the contracted services. At any given time, the officer may not know exactly how many contractors are operating at the base as the contractors' population constantly shifts. Moreover, composition of the contractors ranges from Americans to local to third party nationals who have varied sets of skills and motivations. How does the officer lead effectively?

To this point, most studies on the military-contractor relationship have sought to mitigate the unintended harmful effects of contracting, and research has focused on three categories of bad acts. First, the increased dependence on contracted services has been accompanied by concerns about fraud and waste (e.g. Commission on Wartime Contracting in Iraq and Afghanistan, 2011). Additionally, the presence of private security contractors (PSCs) on the battlefield has given rise to "blue on white" events, and incidents between contractors and military personal at check points are commonly reported (Dunigan, 2011, p. 59). Thirdly, uneven training and incongruent rules of engagement among PSCs has led many observers to worry that contractors pose a threat to local populations (e.g. Gómez del Prado, 2012).

Predictably there has been a call for better planning and management of contractors and some progress has been made (e.g. United States Government Accountability Office (GAO), 2012). For instance, even the briefest comparison of the *Army Field Manual 3-100.21* first published in 2003 that was titled "Contractors on the Battlfield [sic]" against the 2008 version "Operational Contract Support Tactics, Techniques, and Procedures" indicates a degree of maturation to the Army's approach to working with contractors. On the international level, best practices have been codified in the "International Management System for Quality of Private Security Company Operations Requirements with Guidance" or "PSC 1" (American Society for Industrial Security (ASIS), 2012) and numerous states, including the

United States, China, and much of Europe have agreed to the Montreux Document that sets out the principle obligations governments have in regulating private security and military companies (International Committee of the Red Cross (ICRC), 2008).

On one level, these are important developments and the U.S. government and the broader international community needs to continue to identify ways to better integrate private contractors into the overall battle plan. At a more fundamental level, however, successful leadership will only be possible if the public soldiers' mission is re-conceived as well. Effective leadership of contracted personnel is not simply a question of developing better command and control regimes. Rather, it requires the recognition that the private and public spheres have fundamentally changed. The dichotomy between the private and public realms has always been somewhat artificial, but what constitutes an "inherently governmental function" is no longer as obvious as it once was (LaPlaca, 2012). In this instance, America has opted to contract out part of the machinery—and therefore the cost—of war. The implications for the military are profound.

Testifying before the Committee of Armed Services, Alan Estevez, Assistant Secretary of Defense for Logistics and Material Readiness captured the resulting tension, "You know if you asked me where we are on operational contract support I would say...5 [sic] years ago we had a gaping wound, self-inflicted as it may be. We staunched the bleeding, we sutured it up, the scar tissue is healing, but what

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we haven't done is embedded it in the DNA and the muscle memory" (HASC, 2012, p. 26). Continuing with Estevez's analogy, this paper seeks to better understand what that new DNA looks like. How has the move towards privatization and the increasing reliance on private contractors changed

the battlefield? What new muscle memory does the modern military need to develop? That is, how does an officer lead among contractors?

The argument advanced here is that the military's reliance on contracted services has fundamentally changed the contractors' role on the battlefield. No longer relegated to support activities, contractors provide tasks in areas that were traditionally considered inherently governmental activities. Paradoxically, effective leadership will depend on the extent to which contractors can be more fully integrated into the military mission without creating a degree of reliance that endangers the military's ability to stay innovative, or threatens the contractors' civilian status under the laws of armed conflict.

The paper unfolds in the following steps. The next section reviews the growing role of contractors and their evolving relationship with the U.S. military. The third section examines three areas in which American military's reliance on contracting has created a new reality for the U.S. military. The paper concludes by examining how these new realities challenge a leader's ability to remain innovative and forward thinking.

The Rise of the Contractor

The United States' growing dependence on private contractors has been well documented (Baack & Ray, 1985; Ellington, 2011) and their work is generally categorized as theater, external, or systems contract support (U.S. Department of the Army, 2011, pp. 1-3). As the name suggests, theater support contracts are awarded to contractors who assist contingency operations and they are intended to meet the needs of operational forces. Systems contracts usually provide support for new weapons systems and are mostly filled by U.S. citizens. External support contracts provide the logistic and non-combat related services whose contracting authority does not derive directly from the theater support contracting head. Drawing upon the familiar analogy, these three contracting categories help support the tip of the spear and free the military to focus

more on conducting military operations than providing logistical support.

Researchers have uncovered numerous factors contributing to the growth of the defense contracting industry. One of the most fundamental drivers of this growth is the *belief* that privatization can produce efficiency (Riley & Gambone, 2010). As Douglas (2004, p. 131) notes, the "downsizing occurred not because the military was no longer necessary, but as an attempt to economize." More pragmatically, the complexity of weapon systems has risen while the ability of the military to organically support them has diminished. Moreover, since the end of the Cold War, military commitments have dramatically increased while the overall force structure has correspondingly decreased by thirty seven percent (Rostkey, 2013, p. 13). As Blizzard (2004, p. 7) concludes, "Contractors have been used to fill the void created by the drawdown in troop strength." There were, of course, also political considerations driving this transformation.

The U.S.-led invasion of Iraq in 2003 did not culminate with the anticipated "explosion of joy and relief" (Wolfowitz, Interview with BBC World Service, 2003). The expectations of a rapid drawdown of U.S. military forces after the liberation of Iraq were met with the reality of the Herculean task of post-conflict reconstruction in a country ripped apart by ongoing sectarian violence. The initial gap between U.S. military capabilities and the desire to stabilize Iraq was filled by private contractors who not only provided logistical services but also performed much needed security operations (Dunigan, 2011, p. 52). Moreover, as American support for the war dwindled and American military forces drew down, the number of contractors continuously ramped up. A tipping point was reached in February 2008 when 161,000 contractors supported 155,000 U.S. troops stationed in Iraq (Dunigan, 2011, p. 52). At the same time President Obama declared in his State of the Union Address in 2014 that "all of our troops are out of Iraq", the Defense Department reported that it was employing 3,234 private contractors in Iraq (of which 820 are U.S. citizens) to

assist with security cooperation and military sales (Central Command (CENTCOM), 2014).

A similar story has unfolded in Afghanistan. As of February 2014, the U.S. had 33,600 troops stationed in Afghanistan (total ISAF force levels were 55,686) (International Security Assistance Force (ISAF), 2014). In comparison, the U.S. Defense Department employed 78,136 contractors to work in Afghanistan (Central Command (CENTCOM), 2014). At the time this article was written, U.S. forces were scheduled to draw down to 5,500 by the end of the year and to reach zero by early 2017; however, policymakers were still debating about the timeline and tempo of withdrawing U.S. forces (Whitlock, 2015). As NATO and American forces are drawn down, however, the “private security industry will grow...as the United States and others in Afghanistan will [rely] on these firms increasingly as troops exit the country, leaving a security vacuum” (Auner, 2013).

As polls indicate that the American public has become increasingly war weary and reluctant to use military force around the world (Kille, 2014), policymakers have increasingly turned to private contractors to meet their foreign policy objectives. Employing contractors has become an increasingly attractive option to policymakers who can use contractors as a tool to meet American overseas commitments without incurring the political costs associated with high levels of troop deployments.

Employing contractors to assist the American military and attempting to avoid the political costs associated with war is hardly a new phenomenon. From the days of George Washington who employed Prussian soldiers to assist with training to Brown & Root who built airports and bases during the Vietnam War, contractors have been a constant presence alongside U.S. military forces. Modern contracting, however, is discernibly different. Not only has the number of contractors supporting the military rapidly risen, their relationship with the military has changed in at least two interrelated ways.

First, the depth and degree of integration has altered the

traditional contractor-military relationship. Traditionally, contractors worked in relatively defined areas and their relationship to their military counterparts was well understood. Contractors now work in all aspects of the combat zones, and as Ellington (2011, p. 137) puts it, their “roles now range from shooter to fry-cook.” Moreover, commanders supervise contractors but do not command them. Conversely, the military is dependent upon contractors’ services but “where contract terms specify” the military is also responsible for the contractors’ safety (U.S. Department of the Defense, 2014, p. i). An Afghanistan-based commander observed that he “used to worry exactly what to do with the contractors living on his base [in the event of] a dire emergency...Do I arm them?”

The question of arming contractors illustrates the emerging complexity between the contractor and the military. Contractors, who are “civilians accompanying the armed forces” may be armed for self-protection if the combatant commander gives consent, the company under contract agrees, and the individual contractor and their COR agrees (Hornstein, 2006, p. 15). The decision to arm a contractor is only allowed if civilian contractors and the military agree that the decision to arm advances the mission. Hierarchy and relationships are then further blurred. For instance, situations arise whereby the commander and a contractor both feel that it is in the contractors’ best interest to be armed but the contracting company refuses to give consent (Interview with Ado Machida, President of The International Stability Operations Association (ISOA), 2014). Consent may be denied because of the higher cost of insuring an armed contractor or because the company is concerned about negative publicity that might result if the armed contractor becomes involved in an incident. The traditional model of the military leading the war effort and the contractors operating in the rear, simply responding to the military needs, no longer neatly applies.

Second, the operational function of the contractor has changed. U.S. policy is clearly stated, “Core functions should not be outsourced (Chamberland, 2011, p. 18),”

but determining what constitutes a core function is highly problematic at best. For instance, Andrew Ilan (2013, p. 102) notes that commanders are increasingly relying on contractors for aerial reconnaissance images and situational analysis. Additionally, the provision of static or escort security in a high threat environment may not be the same as carrying out combat operations; however, the private security contractors who find their post under attack may fail to see the fine distinction. Stephen Blizzard (2004, p. 5) captures this dynamic when he notes “The impact of this [contractors’] expanding role has blurred the distinction between contractors performing as civilians accompanying the force and contractors engaging in hostilities.”

This new level of integration moves the question past the issue of whether contractors are simply force multipliers, and asks where contractors fit into the overall architecture of the armed forces. Are contractors a civilian wing attached to the armed forces? The British approach to managing contractors explicitly recognizes this new dynamic. The Sponsored Reserve Program (“JSP 516,” 2007) requires that British contractors hire a percentage of British reservists who can be activated during a contingency operation. In essence, soldiers can serve as private contractors but if necessary they can also be commanded by the British military as if they were soldiers. As U.S. policymakers consider how best to recalibrate the changing role of the contractor, they will need to consider how this new role plays out on evolving battlefield.

The Transformed Battlefield

The rapidly growing presence of contractors and their corresponding changing roles will continue to pose significant challenges to commanders and policymakers as they seek to identify better ways to integrate the contractors into overall mission accomplishment. The following section examines three different issues that will continually confront battlefield commanders as they adjust to the changing partnership with contractors on the battlefield.

“That Guy is a Patriot Too.”

In 1386 the forces of Padua and Venice clashed in the battle of Brentelle. The Doge of Venice, Antonio Vernier, had hoped that the battle would bring a decisive victory, but his *condottieri* troops had been bribed beforehand and retreated at the critical moment, leaving the field to the Paduans. (Murphy & Turner, 2007, p. 48)

It is easy to understand why some military personnel may have a certain sense of unease, distrust, or even resentment toward their contracted colleagues. Love of country is the primary motivator of the American military. In contrast, there are no illusions about the contractor’s motivation, money. Relations become even more polarized with the introduction of PSCs on the battlefield. For some, the PSC evokes the image of the mercenary who may or may not hold his ground when his or her life is truly threatened. The PSC will follow the rules of force which may, or may not, differ significantly from the rules of engagement governing the American soldier (U.S. Joint Forces Command, 2010, p. II-5), and incidents, such as the 2007 Blackwater shooting in Nisour Square Iraq, have the potential to endanger the military’s larger mission.

These are legitimate concerns. Although proper standards and codes of conduct for PSCs have been drafted (e.g. International Committee of the Red Cross (ICRC), 2008, and American Society for Industrial Security (ASIS), 2012), regulation is still uneven at best. Additionally, tactically effective accomplishment of the narrow mission of a PSC, such as escort security, may undermine the larger goal of the operation. For example, it is difficult to win the hearts and minds of a local population, if PSCs are using aggressive tactics to keep their clients or convoys safe. PSCs co-deployed with the American military on counter-insurgency missions raise a number of concerns (Dunigan, 2011, p. 59).

Additionally, resentment between the military and contractor can easily arise. Rep. Austin Scott, R-G.A. raised the issue at the Committee on Armed Services hearing on Operational Contract Support:

One of the things that sticks in my mind with a recent trip to Afghanistan is a young soldier who spoke to me. She was an air traffic control officer, and she spoke to me about what the contractor that sat literally next to her in the chair was paid versus her pay. And it was simple things like access to Internet anytime the contractor wanted it, when our soldiers didn't have some of those same conveniences (HASC, 2012, p. 26).

The fact that contractors are perceived to be motivated primarily by economic reasons needs to be recognized (and perhaps pay differences need to be reconciled), however, it should not be a source of derision. Many men and women serving across the armed forces do so for mixed motivations as well; love of country is more often than not intertwined with an appetite for adventure and the need for a steady salary. The economic motivation of the contractor does not necessarily diminish their patriotic credentials. Nor does it make them a lesser member of the mission element. What matters is the extent to which the contractor contributes to the success of the mission.

Regardless of motivation, the contractor operating in a combat theater is also risking their life to contribute to the mission. Contractor casualties are an issue that has been largely underreported and the levels are startlingly high. The U.S. Department of Labor tracks the number of contractor injuries and death claims made under the Defense Base Act (DBA). The DBA was initially passed by Congress in 1941 with the intent to ensure that civilians working overseas on government contracts received adequate insurance against injury and death that arise in the course of their employment. From 1 September 2001 through 30 September 2013,

102,190 new DBA cases involving a contractor injury were filed. Although almost half the cases did not involve loss in work time, 40,850 cases involved contractors reporting injuries that resulted in a loss of four or more days of work. An additional 3,430 cases involved contractor death (Department of Labor, 2014). As a means of comparison, as of 19 March 2014, 4,410 members of the U.S. military lost their lives in Operation Iraqi Freedom and 2,176 lost their lives in Operation Enduring Freedom (Department of Defense, 2014). In 2011, more contractors died in Afghanistan than U.S. military personnel (Norland, 2012, p. 1).

As ProPublica and RAND report, civilian contractors return home “with the same scars as soldiers, but without the support” (“Civilian Contractors: The Story So Far,” 2010; Dunigan, Farmer, Burns, Hawks, & Setodji, 2013). There is no contractor equivalent to Wounded Warrior, and *The Washington Post* does not publish the Faces of the Fallen Contractors. Rather, most of the contractors who die do so “unheralded and uncounted — and in some cases, leave their survivors uncompensated” (Norland, 2012, p. 1).

Contractor casualties should be an obvious concern to policymakers. As America increasingly relies upon contractors in contingency operations, the hidden costs will continue to escalate. However, contractor casualties should also matter to the commander in the field who is often responsible for providing contractors with a safe work environment. Creating a productive work environment will depend, at least in part, on the ability of the commander to create a cultural of respect and appreciation among military personnel and contractors.

Contractors serve alongside the American military. More often than not, they are compensated at a much higher per diem rate than their military counterpart. Moreover, contractors often enjoy amenities and a degree of freedom that their military brethren do not. However, resentment must be tempered against the realization that contractors sometimes make a comparable level of sacrifice and take on many of the same risks that face the military. The challenge for military leadership is to recognize the sacrifices that the

contractors are making. There should be no separation in the unity of effort among the contracted and military mission elements.

The Tooth Will Become the Tail.

Are contractors still simply force multipliers used to offset logistical burdens? Or have they become something more? Consider two ways in which the changing operational role of contractors is impacting the battlefield.

First, policymakers are increasingly using contractors as “substitution forces” for missions that might be too politically sensitive for the military to perform. Events during the early stages of the 2013 South Sudanese civil war provide a suggestive illustration. On 20 December 2013, a U.S.

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mission to evacuate American citizens was aborted. Three aircraft sustained damage and four U.S. servicemen were wounded as they attempted to evacuate American citizens from the South Sudanese city of Bor. Although the British and American governments continued to run emergency evacuation missions for their citizens, some of the most high threat missions were handled by the Veterans of South Sudan (VSS). VSS is a private security company operating in South Sudan and owned by Saladin Security, a British company based in London. As the word spread that VSS was providing emergency air evacuation services with a chartered Antonov 32, the demand for their services grew. “Eventually we took out three plane loads plus one light aircraft between 18 and 20 December amounting to some 250 people, mostly expats (“Interview with Simon Falkner, Managing Director Veterans of South Sudan Services Ltd,” 2014).” VSS’ long-term relationship with both the South Sudanese government and rebel groups allowed the company to operate in relative safety. None of the chartered planes were fired upon and they

suffered zero casualties as a result of the evacuation.

No one would suggest that the U.S. military lacked the capacity to carry out the evacuation missions. However, the sight of African rebels firing on U.S. forces quickly conjures up memories of Somalia and the infamous Blackhawk Down incident, and relying on contractors can be a more attractive option. In the South Sudanese case, not only were contractors more familiar with the area of operation, any contractor casualties would not generate the same level of American public scrutiny.

The contractor-military division is also becoming increasingly blurred as the two mission partners operate side-by-side. Contractors are generally prohibited from engaging in offensive military activities. However, the level, and changing type of contracted combat support is raising concerns over what constitutes an offensive activity. For instance, all the services have relied heavily on contractors to operate small unmanned aircraft systems (SUAS) (Clanahan, 2013, p. 70). SUAS have enhanced combat effectiveness by feeding information directly to combat troops. At what point would contractor coordination of the battlefield constitute participation in combat operations? For instance, should contractors operating SUAS be able to use laser targeting systems to paint the enemy so that the troops can more accurately fire at the enemy? The services appeared divided on the answer. The Army does not allow contractors to operate SUAS capable of painting targets but in Afghanistan, the Navy has permitted contractors to operate the GOCO Fire Scout, which has this capability (Clanahan, 2013, p. 70).

The logic behind prohibiting contractors from directly participating in combat activities is rooted in both international law and the American public expectation of what constitutes a governmental activity. As a matter of the Law of Armed Conflict (LOAC), contractors are neither civilians nor belligerents. Rather, they are civilians accompanying armed forces and they are afforded special rights and protections—most importantly—not to be deliberately targeted by the opposing armed forces. With

these rights come obligations, such as wearing clothes that are distinctive of the armed services and not participating directly in hostilities. Does a contractor wearing camouflage clothing similar to the Air Battle Uniform and operating a vital weapon system, such as Joint Surveillance Target Attack Radar System, forfeit these rights? By allowing contractors to participate in these roles, has America implicitly diminished the protections afforded to all civilians during times of war (Blizzard, 2004, p. 7)?

On the domestic front, there is an expectation that some activities should only be performed by the government, the so-called “inherently governmental functions.” “The DoD recognizes that there are specific security functions that are inherently governmental and cannot be contracted” (“Federal Register Vol. 76 No. 155: Proposed Rules Thursday, August 11, 2011,”). What constitutes an inherently governmental function is governed by four separate government documents and it is an exceptionally thorny topic. James Hughes, former Air Force Deputy General Counsel for Acquisitions, suggests that “the best tactic is to start with a simple question: ‘What does the average citizen expect the government to be doing’” (Clanahan, 2013, p. 70)? That simple question, however, only starts a complex discussion.

The globalized workplace, where outsourcing has become a common activity, has merged with a larger expectation that the government will maximize the American citizens’ tax dollars by relying on the private sector for commercial services (Executive Office of the President - Office of Budget and Management, 2003). A new and quickly changing reality is emerging where the classic distinction between the private and the public spheres are constantly being recast. As the U.S. Government Accountability Office (2011, p. 6) concluded, what constitutes an inherently governmental function is unclear and urgent reform of the use of contractors in warfare is needed.

In all probability the military will continue to lead the way in major combat operations. What Americans consider “major” and when they consider the mission to be “accomplished,” however, is certainly changing. There is a

danger that as America seeks to minimize the cost of war on American troops, it will outsource the cost to contractors.

“You’re My Bubba.”

As part of the research conducted in support of this article, numerous officers who served with contractors in Iraq, Afghanistan, and other theaters were interviewed. During the course of one of those interviews, an Army LTC recalled that one of his first tasks upon arriving in Afghanistan was to identify who was contracted to support his mission. Walking around different bases, he would ask to see the various contractors’ performance work statements (PWS) and once a contractor was determined to be part of his team, the LTC would grab the contractor by the arm and declare, “You’re my bubba.” Since December 2009, the bubbas have outnumbered the number of American military personnel in Afghanistan (Schwartz & Swain, 2011).

The ratio of contractors to troops in Afghanistan speaks to the degree of dependency that the U.S. military has on contractors, and it elevates the importance of the compatibility between the cultures. If there were only two cultures and each was relatively homogenous this would be a relatively tractable problem.

On the military side there is a defining ethos and a well understood chain of command. Operating procedures are embedded within larger doctrines that have been honed over centuries. Tremendous effort is put into transforming individuals into cohesive units, and troops are often as proud of being part of a particular unit or branch of military service, as they are of serving their country. In contrast, a contractor is an employee of a firm. This firm may be one of the largest employers in the world (e.g. G4S) or it may be a relatively new firm that has undergone numerous name and identity changes (e.g. Blackwater was renamed Xe and is now called Academi). Unlike American military personnel whom are recruited from a common population, contractors come from an amalgamation of cultures that color their view of the world and the mission at hand. Skill sets and prior training vary radically. For

instance, many contractors have considerable prior military experience and a select few hail from the most elite Special Forces. Others will arrive in theater after having undergone minimal survival training and cultural immersion courses. Most contractors, however, will have had only to pass a minimal health evaluation. For the contractor, the only common source of identity is the contract.

The data on military attitudes toward contractors is exceptionally sparse. The 2011 RAND report, “Hired Guns: Views About Armed Contractors in Operation Iraqi Freedom” (Cotton et al., 2010, p. xi) indicated that the U.S. military’s attitude toward armed private security contractors operating in Iraq was mixed. There were signs that the military was jealous of the contractors’ pay and more flexible schedule. However, the study rejects the thesis that the military saw the armed contractors as “running wild” in Iraq. Anecdotal evidence from interviews confirms this uneven perception. Interviewees would frequently laud the contractors’ service. In particular, a common comment was that contractors who were former U.S. servicemen were particularly dedicated. “Some would break their back for you.” Others saw contractors as a source of concern. Most alarmingly some asked, “Would contractors try to extend the conflict so that their profits would continue?” Numerous interviewees noted that contractors could be lazy and or “unreliable.” In one case, the concern revolved around a contractor who endlessly hid out in his trailer to avoid work.

For a military that has become “dependent on contractors on all stages of the operation (Douglas, 2004, p. 132),” the challenge to the commander is getting to know their bubbas. They are a diverse group and some can be counted upon even in the thickest situations. Other contractors may be valued but present a constant source of concern. As one former commander in Afghanistan recalled:

The Afghans accustomed to air conditioning. Even though they may have never experienced it prior to working with us, it became an absolute

necessity. If the generators went down and the air conditioning went out, I woke everyone up. If we didn’t get them fixed, they were going to riot.

The challenge for the military leader is to develop strategies to achieve the mission objective that not only factors in the capabilities, but the mixed motivations, of their public-private force. In January 2014, the Department of Defense employed 78,136 contractors to work in Afghanistan. 29,228 of the contractors were Afghans, 25,145 were third country nationals, and only 23,763 were U.S. citizens (Central Command (CENTCOM), 2014). The overwhelming number of contractors never met each other, let alone trained together, before coming to work for America, in Afghanistan.

Leading Contractors

Ideally, Greek citizens were land-holding soldiers who provided their own equipment and defended their state and their land from attack. Mercenaries challenged that ideal, and in Classical Greek society mercenaries were prolific (Trundle, 2004, p. 1).

The mercenary came to prominence in Greek society only after the Greeks had begun to reconceive their collective understanding of the ideal citizen. The new ideal included a need for a specialized warrior class, the mercenary. This new class of warrior profoundly changed how Greece, and, eventually much of the world, would fight its wars. Eventually the mercenaries’ greatest asset, success on the battlefield, became a liability. Over a thousand years after the introduction of the mercenary into the Greek military, the international community concluded that mercenaries were a threat to state sovereignty and democratic governance. The profession was outlawed.

Contractors, even the ones performing private security

details, are hardly mercenaries. Contractors are paid employees of the government attempting to earn a living. Their ubiquitous presence in American contingency operations, however, represents an important shift in the way America is defining the boundary between private and public activity; that is, whenever possible private companies should perform inherently non-government functions. For the American military, the increased presence of the contractor is creating temptations, dangers, and opportunities.

At a policy level there is a need to reconfigure the relationship between the contracted and uniformed military workforce. As it stands, military commanders cannot give orders to contractors. Consequently, commanders supervise, cajole, or perhaps suggest sets of instructions to contractors. This is nonsensical. As Douglas (2004, p. 136) asks, “How, then is a commander to protect civilian contractors in time of dire emergency if the contractors have no obligation to obey their orders?”

Leading contractors should not be an exercise in working with Contracting Officer Representatives (CORs) and Alternative Contracting Officer’s Representatives (ACORs) and aligning performance work statements (PWS) with overall mission objectives. Rather, policymakers ought to rework the contractor management system so that the military commander has more freedom to exercise leadership over contractors. As described in the section above, the British Sponsored Reserve system suggests there are alternative models worthy of consideration. For instance, the military could create a system that retains the COR’s authority to supervise contracts while giving the military the ability to command the contractor in inherently non-governmental activities. Commanders will offer greater leadership if they are given the authority to lead.

At the operational level, there is a danger in institutionalizing the cultural divide between contractors and the military. At the most basic level, the more effective leaders will listen to their contractors. As retired Master Sergeant Harris (2010) observed, “Much time, money, and manpower were wasted when military leaders refused

to listen to their contractors [in Iraq].” That is, leadership is a characteristic that we ought to expect out of both the military and contractors. Retired Lt Col Paul Christopher’s experiences as a contractor serving in Iraq in August 2004 speak directly to this dynamic (Christopher, 2010, p. 117).

As a PSC, Christopher’s company was providing escort security for a convoy that was struck by an improvised explosive device. For days Christopher and his team traveled back and forth on a 500-kilometer stretch of highway in an attempt to locate the survivors and recover the remains of those killed. The breakdown between the military and the contractors trying to aid their fallen comrades was maddening. Rather, then being a source of support, as the contractors’ mission was to the military, the military became

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a principal obstacle in the recovery mission. Five months after the ambush, Christopher was still trying to recover the remains of his employees.

As Christopher notes, his story is not told as an indictment of anyone—“it is a description of events from which we can extract lessons.” One of the lessons is that leadership can come from the private sector. The fidelity and dedication that Christopher displays to his fallen colleagues and their families is inspiring. Money is clearly not the only thing that can motivate a contractor.

A running theme in Christopher’s saga is a failure of the military to adapt to the contractor. In one instance, contractors were denied access to a base because they were in a non-military vehicle. They were denied access despite the fact that they were delivering requested ammunition, they displayed a military ID and they were taking on live mortar fire. Later contracts to guard oil pipelines were never filled because no one in Iraq could procure the three-ringed binders required for submission. There is a danger of

outsourcing flexibility and commonsense.

Ideally, the contractor-military relationship liberates the military so that it can better perform its core function, combat. Privatization, however, can easily lead to dependence and as the Commission on Wartime Contracting (2011, p. 19) warned, “Relying on contractors for so much professional and technical expertise eventually leads to the government losing much of its mission-essential organic capability.”

As America increasingly turns to the private sector to perform traditional public sector tasks, overcoming the trap described by the Commission--overdependence leading to atrophy--will be increasingly difficult. At the policy level, this translates into policymakers drafting regulation that simultaneously clarifies what constitutes an inherently governmental function and empowering the military on the battlefield so that they have the ability to command contractors in accordance with the LOAC. In the field, an innovative leader will conservatively partner with contractors and resist the temptation to turn to a contractor to perform a task simply because a contractor is available to perform the task. The challenge will be for the commander to fold the contractors’ idiosyncratic backgrounds into the unique American military culture so that both the private and public see each other as valued mission partners. In sum: As America increasingly looks to privatize tasks traditionally performed by the military, the military must consistently reevaluate—and evolve--its relationship with its newly contracted partners.



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