
1. Security and the responsibilities of the public and private sectors

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I. Introduction

The 21st century began with an event in the United States that signalled the end of an historic era. The aircraft that destroyed the New York World Trade Center and a part of the Pentagon demonstrated that the cold war era, and even the post-cold war era, has come to an end; that old concepts of security no longer apply; that new threats have emerged which are much more realistic and no less devastating than those of the cold war; and that defence against them has proved to be extremely difficult.

The cold war era was characterized by threats that threatened to destroy much of humankind, if not all life on earth. However, those threats were relatively remote. There were one or two moments in history when the threats became imminent and tangible for a few days, but rationality always prevailed: states have never resorted to violence that threatens their very existence. Deterrence based on mutual assured destruction worked because retaliation was both credible and unacceptable.¹

The post-cold war era did not last long. For little more than a decade, the world lived in a self-invented illusion. People believed that a new age had emerged—one in which violence and wars would become less and less probable and less and less frequent. They believed that negotiations would become the major, if not the only, way to prevent—or manage and resolve—armed conflicts. The fact that devastating wars were fought in the 1990s, even in Europe, did not disturb this illusion. People did not want to let it be disturbed. Rather, they insisted that those conflicts were the exception: that the rule would become the absence of violence and wars, and that the reign of international law and ‘universal values’ would be accepted by all and rule the world forever.

The signs which signalled that this ‘wonderful, wonderful world’ might be an illusion or, in the best case, a temporary situation were ignored. Although the general trend in the number of conflicts was one of decline² and most of the conflicts in Europe were no longer violent, there was also evidence point-

¹ The nuclear stalemate in US–Soviet relations in the 1960s led to the adoption of the doctrine of mutual assured destruction (MAD), according to which no country would attack another if it knew that the attacked side had the capability to inflict unacceptable damage on the attacker.

² For data on major armed conflicts see Eriksson, M., Sollenberg, M. and Wallensteen, ‘Patterns of major armed conflicts, 1990–2002’, *SIPRI Yearbook 2003: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2003), pp. 109–21. These data show a decline in the number of conflicts over the period except for the 3 years 1991, 1993 and 1998.

ing the other way. None of the post-cold war conflicts in the wider European area has yet been completely resolved, and several of them have been merely ‘frozen’, with the risk of revival at any time if a solution is not found. There has also been an increase in organized crime, failed states and terrorist activities, especially in preparations for or actual large-scale attacks. In 1999 the North Atlantic Treaty Organization (NATO) Washington Summit stated that terrorism would be one of the most serious threats in the future,³ but NATO and others still failed to take this seriously into account. Significant steps were not taken to prepare for the eventuality of terrorist attacks, let alone to prevent them. A few indecisive steps were taken, such as the US attacks ordered in 1998 by President Bill Clinton against the network of radical groups affiliated with and funded by Osama bin Laden in Afghanistan and Sudan.⁴ However, not even the United States took the challenge seriously then, and the European states did not devote real thought to steps to prevent possible terrorist attacks against their territory.

II. New threats, new thinking

On 11 September 2001 the unthinkable happened. Not only was a large-scale terrorist attack carried out, not only did the terrorists use very unconventional means to inflict large-scale damage and kill a large number of civilians, but the attack was launched in the ‘sacred land’ of the United States, which for a long time had seemed and had viewed itself as invulnerable. This changed the nature of thinking, especially in the USA. The United States now feels and behaves like a country at war. It has a mission—one which has replaced its decades-long fight against communism—and it has a new enemy. Europe has reluctantly joined (in principle) the ‘war on terrorism’ and taken some steps, especially in the non-military area; but the European states have never really believed that terrorism was seriously threatening them, nor that terrorism would be an overwhelming, clear and present danger, *the* most important threat to security.

US and European thinking has now evolved towards a general recognition that some kind of a threat from terrorists and organized crime does exist, as well as of the possibility that such groups may acquire weapons of mass destruction (WMD). This view has gained ground in spite of the differences between the USA and Europe as regards how imminent and how dangerous this threat really is. Accordingly, there has been some, in many cases very serious and effective, cooperation in areas other than the military between the USA and Europe, especially between the police and in the area of financial

³ ‘Terrorism constitutes a serious threat to peace, security and stability that can threaten the territorial integrity of States. We reiterate our condemnation of terrorism and reaffirm our determination to combat it in accordance with our international commitments and national legislation.’ NATO, Washington Summit Communiqué, ‘An Alliance for the 21st Century’, Press Release NAC-S(99)64, 24 Apr. 1999, para. 42, URL <<http://www.nato.int/docu/pr/1999/p99-064e.htm>>.

⁴ For the text of the Clinton statement on the threat and the rationale for the military strikes see BBC News Online, URL <<http://news.bbc.co.uk/2/hi/americas/155412.stm>>.

and transportation services. This type of collaboration has made headway, despite the fact that the US leadership is reluctant to accept assistance in any form other than for the direct satisfaction of the United States'—real or perceived—needs, and the implementation of their (often unilateral) decisions.

The new threats have created new needs to protect countries, property and lives. These threats are totally new in nature. Before 11 September 2001 governments believed that they knew what the potential threats were and where they were coming from. It was almost impossible to launch a surprise attack. Only a missile attack was considered a realistic threat to homelands because there would be no warning time, but such an attack by states was highly improbable. The new threat is very different. The enemies that would carry out such an attack are totally without any restrictions, either moral or pragmatic, other than the limits of the destructive capability available to them. When states plan for attacks they have to keep in mind the possible damage to their own territory and property as well as casualties among their soldiers and citizens. States want to protect these as much as possible and, even in conflicts where attempts to limit damage have proved futile, the intention was there. This is why states are vulnerable to retaliation and terrorists are not. They have no state, no territory, no property, no soldiers and no citizens to protect. They are not afraid of death—on the contrary, they welcome death when it makes them martyrs. According to the beliefs of some, this is the highest honour they can achieve.

This statement presupposes that terrorists adhere to a religion, in most cases to Islam. This appears to be a fact of life: recent prominent and successful terrorists, those involved in the 11 September attacks and other incidents, happened to belong to the Islamic religion. This is a highly sensitive subject. Political correctness in most cases prevents open discussion of the issue, but it must be faced and analysed. While this subject is outside the scope of this chapter, it must be noted that this religion provides the necessary ideology to encourage martyrdom and this reinforces the fact that these terrorists cannot be deterred by the prospect of retaliation or death.

In addition, the danger that terrorists could take possession of WMD, and that they would not hesitate to use them, strengthens the vital need to prevent terrorist attacks. Prevention is, of course, a very wide concept. It generally requires good intelligence and police work, the cutting off of the resources that finance terrorists, and so on. However, in many cases these measures alone will not be sufficient. Pre-emption is frequently the only means of prevention. This means that states will need military and police forces that can carry out such pre-emptive strikes: and this in turn raises many questions, including the legitimization of pre-emptive strikes and the role of international law and international institutions. Again, deeper analysis of these problems would go well beyond the limits of this chapter. Physical protection of people and property, however, is an issue that cannot be left aside: if we acknowledge that not all terrorist attacks can be prevented, we need to ensure that all necessary means are at our disposal for protection against such attacks.

Organized crime is another present and actual threat that must be taken into account. Criminals have always existed and the need for protection against criminal activities is nothing new. Organized international crime, however, has reached new dimensions: the destructive power of organized crime groups has become greater than ever before, and criminal groups have embedded themselves in state structures in a large number of states, even within Europe. This has led to an extremely dangerous threat and an extremely difficult, but crucial, task of prevention. Prevention is all the more problematic because of the increasing difficulties faced by states in providing the necessary financial and other means for their traditional functions, including the provision of security for their citizens and their property. This is not likely to change in the foreseeable future. The increasing demands for security and, consequently, for resources to finance security measures, and the simultaneous decrease of funds available for this purpose, make the situation extremely dangerous and difficult to manage.

III. The new role of the private sector

On the positive side, private groups are starting to recognize that security can no longer be provided by the state alone. Countless companies now specialize in security, from personal bodyguards and doormen in large apartment blocks, and private transportation services, to small private armies protecting property, aircraft, hotels and other vulnerable potential targets.

All this makes it clear that the security of citizens and property can no longer be viewed as the responsibility solely of the state. Citizens and companies can no longer claim that they have paid their dues to the state and that all they need to do is simply wait and see what the state does to protect them. These new threats have generated a process that is gradually 'privatizing security' in many countries,⁵ but it is not a totally new phenomenon. In several countries, such as Israel, the United States and several Latin American countries, private security companies have long been part of everyday life. The process has, however, accelerated significantly over the past decade. It began as a response to increased and significantly more violent crime, especially in the developing world, but also in many 'new democracies'. Russia, Ukraine, South-Eastern Europe and the Central Asian former Soviet republics lead the list, but from time to time violence has become more prominent even in the leading transition countries, such as Hungary, Poland or Slovakia.

The increased importance of some regions in the world economy as a result of globalization has also contributed to this process. Many crucial raw materials can be found in areas subject to violence of various kinds. The need for secure transport of these materials as well as other products also raises serious security concerns.

⁵ On private military or security companies see also chapters 13, 14 and 21 in this volume.

Private companies and individuals have recognized these dangers and have started to respond by creating their own security services. Many large companies are creating complex security services, albeit with different emphasis. Insurance companies concentrate on intelligence and analysis, since they need information about risks in order to be able to generate appropriate insurance rates, but they are much less concerned about the physical security of assets on the ground. The concern of transportation companies, on the other hand, has to do with the physical security of assets and persons. Accordingly, they focus more on creating the necessary circumstances for physical security.

Since 11 September 2001, terrorism has also figured as a concern for individuals and private companies. The general view still is that this is a job for governments, but this is bound to change soon, or has already started to change. Several industries are particularly concerned about security—primarily the aviation industry, which has been exposed to terrorism more than any other. Other industries will follow. Transportation, the food industry, chemical and medical facilities, water reservoirs, distribution and transportation systems, computer networks and many other branches are exposed to terrorist abuse and attacks and will have to concern themselves more with their own physical security than they have done in the past.

All this will require significant resources. Airlines have already started adding special surcharges for security. This has largely been accepted by customers, because the danger is so obvious and personalized. No one travelling by air can pretend to feel immune to terrorist hijackings or other attacks. Accordingly, people have been willing to pay a modest extra charge in the belief that this will increase their flight security, as it appears to have done. This is an example that will be much more difficult to follow in other industries, where the threat is more indirect, less obvious and less personalized. These sectors and their customers will demand that the state play a greater role, and private contributions will be more difficult to secure.

Nonetheless, it is obvious that neither states and governments nor private persons and companies alone will be able to cope with these new threats. Both organized crime and global terrorism will be with us for a long while, and defence against them, including the defence of persons and physical assets, will become increasingly more difficult and expensive.

IV. Conclusions

Bold and innovative steps must be taken to make cooperation between the public and private sectors in the field of security more efficient. First, there is a need for dialogue between the sectors in order to demonstrate that the days have ended when security was the concern of only governments and when private persons and companies contributed only by paying their taxes (and by voting for governments on the basis of criteria that included the perception of which candidate would be more effective in protecting ‘law and order’).

Close, permanent cooperation is now necessary to ensure an acceptable level of security in private lives and businesses.

This dialogue must be structured and purpose-oriented. Appropriate institutions will be needed to conduct it. The initiative would best come from private business, since not only are governments more reluctant to share their power, but government initiatives are also viewed by private business with a high degree of suspicion—and rightly so. Governments, in turn, must be ready and forthcoming, recognizing that private business will not only invest in its own interests but may also take over some functions of government and spend money for goals which so far have been financed only by governments.

Such dialogue frameworks could concentrate on chambers of commerce, industry and agriculture, and could also include trade unions—provided that unions can adapt and take on new tasks other than the perhaps outdated task of protecting individual employees. On the side of government, the task should not be delegated to any one ministry. Instinctively, governments will assign this job to ministries of the interior, but it would be a mistake to reduce the task to a police job. As mentioned above, protection against organized crime and global terrorism requires a high level of coordination between almost all government agencies, including ministries of the interior, defence, finance, tourism, armed forces, border guards, police, secret services, and so on. Consequently, they must all participate in dialogue and cooperation with private business. The cooperation process must be run overall by the chief executive's office, the prime minister or the president, and must also involve the legislative branch.

The role of the legislative branch is very important, since the involvement of private business in the issues of security—the 'privatization of security'—requires the adaptation of laws and other legal instruments. On the one hand, legislation is necessary to legalize private security companies, to secure the rights they need in order to be able to perform their tasks legally. On the other hand, it is important that these rights remain limited to the tasks in hand and do not make such agents part of the government's security apparatus. This is not an easy balance to strike, especially in those countries where private security companies are part of the criminal network.

The new approach to security requires new laws, new institutions and a lot of new resources. First and foremost, however, it requires new thinking on the part of the major players. Governments must recognize that they will not be able to guarantee their citizens and businesses the level of security that they legitimately expect and need. Private companies must realize that they need to invest in their own security and beyond, and that such investments can only be effective if they cooperate with the governments concerned.