

Governing International Private Security Companies: Conceptual Contours, Normative Debates, and Strategic Divergences

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Abstract

The rise of international Private Security Companies (PSCs) has drawn scholarly attention in security studies. Academic inquiry has shifted from early debates on legality and implications to theoretical and empirical analyses of governance mechanisms. Comparative studies identify distinct governance typologies: state-integrated, market-driven, and deficiency models. To explain this variation, this article proposes a bivariate framework based on governance capacity and willingness. States with high capacity and strong political intent impose strict governance; those with strong capacity but limited willingness pursue moderate approaches; while strong willingness but weak capacity often results in absent governance. Through case studies of the United States, China, and the selective Global South state, the analysis demonstrates considerable explanatory power. Theoretically, it links governance variation to structural determinants; empirically, it reveals how governance preferences stratify along lines of developmental disparities. Achieving effective international PSC governance requires synergistic efforts via acknowledging national regulatory comfort zones to identify common ground for shared norms, multilateral agreements, and binding international legal frameworks.

Keywords:

International Private Security Company; Normative Legitimacy; Regime Maturity; Governance Capacity; Governance Willingness; Global South.

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¹ Author's note: A terminological clarification is warranted. This article adopts governance, rather than government, as a deliberate conceptual choice. In standard usage, government denotes the office or authority that governs; governing refers to the act of ruling; and governance designates the ongoing activity of governing through which societal expectations are translated into collectively binding outcomes. Following Rosenau, governance is analytically far-reaching than government: whereas government connotes hierarchical rule and control, governance captures the broader orchestration and management of publicly relevant affairs by constellations of formal and informal actors. In this sense, governance foregrounds management, networks, and process over solely command. (Refer to: Fasenfest, David. 2010. "Government, Governing, and Governance." *Critical Sociology* 36(6): 771-774; Rosenau, James, and E.O. Czempiel. 1992. *Governance without Government: Order and Change in World Politics*. Cambridge University Press.)

² Paramilitary refers to organizations or units structured along military lines but operating outside the framework of formal armed forces, including armed nonstate actors and state-affiliated groups employed for coercion, enforcement, or local security. Often, paramilitary forces serve to consolidate political power or bolster authoritarian regimes.

Private Security Companies (PSCs) have emerged as prominent non-state actors in international relations in the post-Cold War era. To date, their growing relevance has been increasingly acknowledged. As PSCs' activities evolve, scholarly attention has shifted toward examining how governance¹ can further consolidate their legal foundations and ensure effective oversight. However, the construction of legitimacy through impactful governance pathways remains challenged. For international PSCs to achieve sustainable development and broader recognition, they must not only adapt to existing governance architecture to enhance institutional compatibility, but also account for the pivotal role of sovereign states—core actors in international politics—in shaping development outcomes through material capacities and governance agency. State actors exhibit considerable heterogeneity in their approaches to governing PSCs: some countries utilize embedded governance models, while others adopt defensive governance strategies. Unpacking the mechanisms behind these divergent trajectories provides both a conceptual framework for anticipating future developments in private security sectors and a generalizable explanation for the governance barriers facing emerging international actors.

Driven by problem awareness, this article employs the following research design: it reviews existing literature to identify limitations of prevailing paradigms concerning PSCs' ontology and governance. Second, it constructs a dual-dialectical framework centered on security governance demand: state governance capacity and willingness. Third, it conducts a comparative analysis of representative cases among a developed country, a major developing power, and a Global South state, culminating in a theoretical model of differentiated governance to guide the concluding synthesis.

1. International PSCs: Brief Delineation of Research Subject

International PSCs are legally registered entities operating under market mechanisms with the objective of capital accumulation. They provide services to a variety of international actors, encompassing quasi-military² and military functions like combat and operational support, military consulting and personnel training, arms procurement, logistics, security services, intelligence collection, and crime prevention (Ortiz 2010). According to Singer (2004), PSCs can be classified based on the level of combat involvement and use of force into three categories: (1) Military-Provider Companies—directly engage in frontline operations and exercise force; (2) Military-Consultant Companies—offer strategic advice and personnel training, with limited force involvement; (3) Military-Support Companies—provide non-combat logistics such as transport, resupply, and infrastructure. Amid diversifying and de-territorialized global threats,

PSCs have evolved from mere suppliers of force-related services into comprehensive security solution providers.

Max Weber defined the modern nation-state by its monopoly on the legitimate use of physical force—entailing the authorization, regulation, and exercise of violence (Weber 1964). However, historical evidence suggests that state exclusivity over military force is a contextual exception rather than a universal norm; private military actors distinct from regular armies have coexisted with warfare. In ancient Rome, India, and China, military organizations routinely relied on contracted troops to supplement state forces, highlighting the institutional embedding of private actors within national military systems. In the early modern period, from the Thirty Years' War to Victorian era colonial expansion, private actors not only participated in the battlefield but also contributed structurally to the European statehood and military institutions (Singer 2002). During the third wave of decolonization, large-scale mercenary activity was witnessed in the Global South, such as Fifth Commando and Operation Azalee, led by former European military personnel, which built the “lone wolf” image in Africa (Rookes and Bruyère-Ostells 2021). They were motivated by individual economic interests, with remuneration provided by conflict parties. Although mercenaries may provide an immediate augmentation of military capacity, the profit-driven nature and the attendant destruction inflicted upon conflict-affected communities frequently generate ethical stigma and involve illicit practices. Contemporary experiences demonstrate not only the objective functional distinctions between mercenary and the formally evolving private security industry, but also the necessity of clearly delineating them in subjective perception.

International legal Instruments such as the International Convention against Mercenaries and the First Additional Protocol to the Geneva Conventions deny mercenaries lawful combatant status (Vaux, et al. 2022). Consistently, the spirit of Article 47 of the First Protocol indicates that mercenaries are unprotected under the law of armed conflict and are not entitled to combatant or prisoner-of-war status. Owing to a lack of legal safeguards and their de facto illegitimate standing, mercenaries possess weak incentives to comply with international law, potentially triggering a negative feedback loop of humanitarian risks (Beyani and Lilly 2001). Under the architecture of international law, the UN discourse has shifted focus from the identity of actors to the nature of their activities, emphasizing institutionalization, accountability, and structural legitimacy extending to the governance domain of the superstructure, differentiating PSCs from mercenaries (Krahmann 2012). The modern international security industry underwent a systematic transformation in the post-Cold War 1990s. Escalating concerns over human rights violations, the dissemination of wartime casualties through media channels, and domestic opposition to foreign interventions led Western states to become reluctant to engage directly in regional conflicts (Hammes 2010). In response, the outsourcing of armed forces has gained traction, signaling the emergence of PSCs operating under corporate structures as pivotal instruments of national security policy. The

extensive adoption of security contractors by Western states is driven by hybrid factors—the reduction of personnel casualties among armed forces, and the covert advancement of geopolitical interests in grey zones. Moreover, echoing the profit-driven characteristics of mercenaries, PSCs exhibit substantial incentive structures with performance-based compensation exceeding the attractiveness of equivalent rank military salaries. Accordingly, numerous senior US veterans have actively founded or joined international PSCs to participate in operations in Iraq and other regions, viewing such engagement as an economically advantageous alternative to re-enlistment in active service (Williamson 1991). The clientele of PSCs now extends beyond states to encompass international organizations, NGOs, media outlets, and multinational corporations. Even the UN employs PSCs in its peacekeeping missions.

Structural drivers are underpinning this evolution. As major powers strategically retreat from the Global South, leaving security vacuums, the neoliberal turn in global governance has facilitated the use of PSCs to enhance military force through the provision of specialized skills and resources. This enables the filling of capacity gaps, ensures operational flexibility, and provides strategic advantages in conflicts requiring rapid response (Jefferies 2002). The shift also reflects a broader trend of security privatization, with PSCs increasingly integrating with infrastructure, information technology, telecommunications, and intelligence sectors. Gwatiwa (2016) emphasizes that PSCs are critical to defense policy formulation, allowing governments to assess the risks and benefits of outsourcing operations, balance security requirements against potential vulnerabilities, and make informed decisions regarding PSCs engagement.

³ Author's note: Private security companies complicate the traditional moral-ethical foundations of armed conflict. States have historically justified warfare on political or moral grounds, such as sovereignty, liberation, or justice. By contrast, PSCs are primarily profit-driven. Their involvement therefore diverges: instead of embodying state-directed ideational purposes, PSCs function as corporate actors that commodify security. This renders their presence morally ambivalent—simultaneously filling capacity gaps but eroding legitimacy of operations.

2. Core Research Issues

As non-state actors performing security-related functions, PSCs operate outside the traditional paradigm of state monopoly on the use of force. Their profit-driven nature also creates principal-agent problems, leading to systemic violations of international humanitarian law. Thus, governance debates fall along a strategic spectrum of dominant conceptions. “Total prohibition” calls for re-nationalization of all military and security functions, reaffirming the doctrine of force monopoly, but overlooking the complex reality of PSCs’ embedded role. Conversely, “market regulation” is grounded in neoliberal assumptions of self-regulation through the invisible hand, but neglects security market failures, including information asymmetry and moral hazard³, revealing the inadequacy of market logic in deterring norm violations.

2.1. From Regulation to Governance: Responses to International PSCs

International efforts to govern PSCs can be delineated into distinct phases. Early instruments such as the protocols to the Geneva Conventions and the 1989 UN Convention against the Recruitment, Use, Financing and Training of Mercenaries, emphasized governance needs but narrowly targeted mercenary activity, excluding the support-oriented, non-combat role of modern PSCs (DCAF 2016). A milestone came with the 2008 Montreux Document, endorsed by 59 states and non-state actors. It introduced a tripartite responsibility scaffolding—territorial, home, and contracting states—and differentiated combat from security functions with reference to applicable legal standards. Nonetheless, as a soft law design of voluntary guidelines, it lacks the mandatory character of treaty law, imposing no formal obligations, leading to a compliance gap in its recommended “best practice.” (DeWinter-Schmitt 2017) In parallel, industry-led mechanisms have emerged to compensate for the limited enforceability amid rapid expansion. The British Association of Private Security Companies (BAPSC) and the International Stability Operations Association (ISOA) promote voluntary codes of conduct to standardized professional behavior (Joachim and Schneiker 2012). However, their sanctions are limited to membership revocation, lack coercive authority, and deterrent impact. Therefore, despite growing normative frameworks, meaningful governance still hinges on robust state-level intervention as an indispensable governance apparatus.

2.2. Categorizing National PSCs Governance Models

Governance frameworks for international PSCs manifest through normative and enforcement dimensions. Normatively, comprehensiveness depends on whether states have enacted dedicated legislation and whether legal provisions cover key regulatory elements. Enforcement reflects both objective operability—clarity, precision, and procedural completeness of provisions, and the subjective proactivity of enforcement actors. The interplay between normative design and implementation reveals broader governance radiation: robust frameworks with rigorous enforcement suggest norm-driven models, while weak legislation and lax oversight indicate permissive governance. Disjunctions may also emerge where comprehensive laws are offset by poor implementation, or minimal legislation coexists with stringent enforcement commitment. This article adopts a governance-centered analytical lens emphasizing the theoretical rationales: the logic of legitimacy prioritizing legal conformity, and the logic of consequentiality emphasizing practical outcomes. States typically seek a dynamic equilibrium, resulting in approaches to international PSCs governance that can be categorized into the following typologies.

The first category, represented by the developed countries, is characterized by sophisticated institutional design paired with lax enforcement tendency and broad judicial discretion—here defined as “moderate governance.” The United States exemplifies the model through a multifaceted legal and institutional system regulating international PSCs. The Arms Export Control Act (AECA) establishes a licensing regime governing the export of weapons and military services. The

Alien Tort Statute (ATS) and the Military Extraterritorial Jurisdiction Act (MEJA) provide legal grounds to hold PSCs accountable for unlawful acts committed abroad (Ryngaert 2008). Moreover, federal criminal law prohibits American citizens from providing military assistance to foreign governments at peace with the US, constraining extraterritorial conduct (Schreier and Caparini 2005). Given the operational complexity of PSCs, administrative and judicial actors retain considerable interpretative discretion, resulting in inconsistencies and regulatory ambiguity, particularly in transnational contractual execution and asymmetric conflict zones. A deep interest symbiosis between PSCs and government agencies, illustrated by the CIA's "shadow contractor" programs, has contributed to regulatory capture (Clanahan 2013). The prevalence of a reactive enforcement with accountability triggered only under intense public scrutiny, as exemplified by the 2007 Blackwater Baghdad shooting, is quintessential (Chen 2009). Although four employees were eventually convicted, the Trump administration pardoned them, granting immunity in 2020. This episode not only underscores the symbolic nature of accountability but can also be viewed as the military-industrial complex permeates political decision-making (Baum and McGahan 2009). The intermediary position—neither fully permissive nor strictly regulated—encapsulates the essential attributes of moderate governance.

The second category exemplified by emerging developing powers is defined as "strict governance". While comprehensive legal systems are under development, these states exercise intensive oversight of PSCs through adaptable administrative regulations. The promulgation of the 2009 Regulation on the Administration of Security Services (保安服务管理条例) marked the first specialized administrative regulation for Chinese PSCs. In 2010, the Ministry of Public Security issued the Measures for the Implementation of the Regulations on the Administration of Security Services by Public Security Organs (公安机关实施保安管理条例办法), elaborating regulatory scope and strengthening administrative control. Nonetheless, the applicability remains largely confined to domestic operations with limited efficacy over transnational PSCs activities. The public security authorities serve as the principal regulatory body supervising overseas PSCs through qualification assessments and licensing procedures. The authorization to bear arms constitutes the distinguishing feature of international PSCs (Drew and McLaughlin 2016). In many conflict-affected developing countries and regions, international PSCs have served as key channels and intermediaries for the broker and transport of small arms and light weapons (SALW), thereby facilitating their proliferation and misuse (Makki, et al. 2001). Conversely, as the core component of the corporate qualification review system, China imposes stringent control on firearms use by PSC personnel, shaping the operational trajectory of Chinese international PSCs, predominantly toward the defensive and non-combat security service model (Pereira, et al. 2023).

The third category, "absent governance," characterizes weak developing countries in the Global South that commonly face the dilemma in governing international

PSCs due to underdeveloped regulatory systems and limited enforcement capacity. International PSCs in Afghanistan vividly illustrate the tension in post-conflict settings. Following the Taliban's collapse, the influx of international actors led to a hybrid security market where PSCs assumed both quasi-military and conventional roles, filling the security void while complicating the national security configuration. The proliferation of PSCs disrupted the disarmament, demobilization, and reintegration (DDR) efforts for ex-combatants and raised human rights concerns. The government prompted the centralization reform through the creation of the Afghan Public Protection Force (APPF) in 2010. However, the APPF blurred lines of responsibility as a hybrid public-private entity operating in a fragile institutional context (Bali, et al. 2024). Correspondingly, in Latin America and the Caribbean, high crime rates pose an enduring difficulty to security governance. PSCs have ostensibly been introduced to supplement weak public security against criminality. In Trinidad and Tobago, law enforcement agencies have struggled to curb escalating violence, fueling widespread public insecurity. Compounded with early military retirements since the 1980s has contributed to a surplus labor pool. To address these challenges, the government enacted the Supplemental Police Act and adopted the International Code of Conduct for Private Security Service Providers (ICoC). In 2010, a dedicated governance body—the Private Security Network Commission (PSNC)—was created to monitor the PSCs. Despite nascent efforts, the continued proliferation of PSCs amid limited public security improvements highlights the ineffectiveness of “triadic” collaboration among the state, private sector, and civil society, and has yet to realize its envisioned integration and operational coherence (Anyanwu 2012).

Through a comparative discussion of the aforementioned categories, it is observed that states exhibit substantial variation in governing international PSCs as strategic instruments for advancing national interests. However, a key theoretical puzzle arises: despite the widespread international recognition of PSCs' de facto legitimacy, as well as the path-dependent and paradigmatic emulation of security policymaking nature, why do national governance policies and their implementation still display marked divergence? Whether additional latent variables exist therein, or whether cross-variable chemical synergy transcends phenomenological observations? To systematically address this inquiry, the article begins with a critical review and theoretical synthesis of existing literature and maps an integrated analytical framework to guide subsequent empirical investigation.

3. Review of Intellectual Landscape

Current research on the governance of international PSCs coalesces around two primary clusters. The first pertains to empirical investigations of governance praxis adopted by state actors and the comparison of cross-national policy variations. Boddi et al. (2016) conducted some research on how contractual design and oversight mechanisms in outsourcing and procurement shape the behavioral constraints imposed on PSCs. Kruck (2020) explores the state's dual imperative of

capacity and control, arguing that governance complexity arises from the interplay between functional limitations and legitimacy concerns. In governance typologies, Button (2007) developed a binary model distinguishing between highly regulated accountability structures in continental Europe and minimal compliance governance favored in Anglo-Saxon countries. Leander underscores how Global South regimes deploy PSCs as instruments of authoritarian consolidation, with the civil–military–PSC nexus offering insight into the political interactions underlying such regimes. In contrast, Krahmann’s comparative study of European countries identified the Public-Private Collaboration, encompassing hybrid governance arrangements such as defense contracting, joint ventures, and public equity participation; and the State Regulatory Mechanism encompassing the transnational provision of PSCs, such as the International Traffic in Arms Regulations (ITAR), by means of licensing procedures and compliance oversight (Krahmann 2005).

At the normative level, Cockayne and Mears (2009) propose a global governance framework based on quadripartite collaboration, comprising a Global Watchdog, Accreditation Regime, Arbitral Tribunal, Harmonization Scheme, and a Global Security Industry Club. Stinnett (2005) advocates a coordinated approach spearheaded by key states, underpinned by regulatory regimes like the US Arms Export Control Act (AECA), extending domestic jurisdiction extraterritorially to govern international contracts and mandate transparency. Saner et al. (2019) contend that the prevailing political ambiguity surrounding PSCs undermines the governance effectiveness of warfare in the public sphere. They propose the hybrid network combining binding mechanisms with soft law instruments, supplemented by strategic financial leverage.

However, existing research on the driving forces behind state policies toward governing international PSCs remains fragmented, lacking a coherent thematic scheme. States exhibit divergent policy logics and normative orientations. In the US, humanitarian concerns constitute a primary motivation for PSC governance, whereas Global South countries often prioritize sovereignty and regime preservation. There are two main analytical perspectives that dominate this discourse. The structuralist perspective highlights the constraining influence of global governance norms, such as the Montreux Document, on national policies. However, its explanatory power is limited by the voluntary and declaratory nature of existing norms, their shortness of enforceability, and geographic concentration undermines global inclusivity and operational specificity. The unitary state perspective emphasizes the role of domestic political, economic, and security contexts in shaping national governance approaches. While this view offers valuable case-based findings, it is constrained by methodological particularism. Most studies exhibit a Western-centric bias, reducing the external validity of their conclusions and failing to capture the full diversity of state behaviors.

Thus, this article aims to develop an innovative explanatory framework that integrates the considerate factors through a multivariable analytical approach. The objective is

to construct a robust theoretical tool capable of accounting for both cross-national variation and longitudinal shifts in PSC governance, addressing critical vacuums in the existing literature of the field.

4. Hypothesis and Analytical Framework

This article presents the argument that a state's choices in governing international PSCs fundamentally hinge on its governance capacity and governance willingness. The former provides the necessary administrative and institutional conditions for policy implementation, while the latter offers the motivational basis regarding both strategic intent for governance policy adoptions, and normative commitment for regulatory actions. Cross-national variation in PSCs governance reveals a patterned spectrum stemming from different combinations and intensities of these two dimensions. Building on this perspective, the article advances the core hypothesis reframing state governance types toward international PSCs—moderate governance, strict governance, and absent governance—now determined by association-driven configurations of governance capacity and governance willingness. To substantiate this hypothesis, the analysis incorporates the attributes of the governing actor (the state) and the governed object (the activities of PSCs), providing a more nuanced conceptualization of the mutually-constructed governance capacity and governance willingness that pertain to the ideational realm. It further explores the logical relationship between these two dimensions and the resulting policy outcomes, and derives corresponding theoretical testable propositions from the hypothesis. The explanatory framework is visually represented in Figure 1.

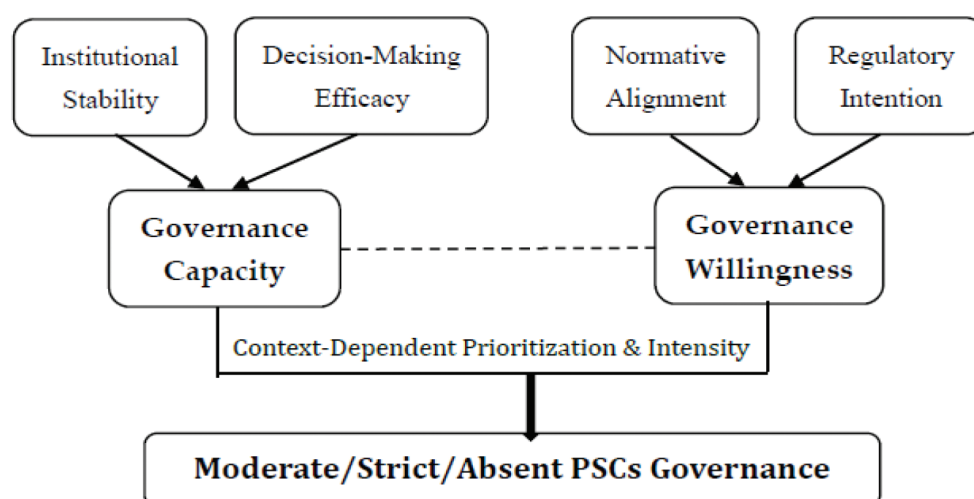


Figure 1 An Analytical Framework for Differentiated PSCs Governance Models
Source: own illustration

4.1. Governance Capacity

This article defines governance capacity as a state's comprehensive ability to regulate international PSCs under structural constraints to achieve its governance objectives. As a fundamental condition for policy implementation, governance capacity is

essentially determined by the core variable—regime maturity (Smith 1991), assessed through three key dimensions: (1) institutional stability measured by the degree of institutionalization in power transitions; (2) authoritative integration indicated by the coordination between central and local authorities; and (3) decision-making efficacy gauged by the institutionalization of interactions among political interest groups. High regime maturity ensures stable governance through a secure political environment, adequate policy resources, and efficient administrative execution. This conceptualization adheres to value neutrality, relying strictly on observable empirical indicators to minimize ideological bias.

Among these indicators, the institutionalization of regime change is particularly vital. While electoral mechanisms facilitate peaceful transitions, their effectiveness depends on each country's democratic trajectory and political culture. Extra-legal changes, such as coups or electoral manipulation, remain prevalent globally. Even consolidated democracies face risks. The 2021 Capitol Hill attack in the US exposed vulnerabilities in succession processes (Mourão and Brown 2025). Stable transitions underpin both policy continuity and institutional prerequisites for governance. Another critical dimension is the vertical configuration of political power. States are generally categorized into unitary, federal, or confederal systems. Unitary systems sustain policy uniformity but may suppress the agency of subnational units, while federal systems grant autonomy yet may face fragmentation challenges. A mature regime achieves a functional balance upholding centralized authority and local discretion. For states engaging with PSCs, political institutions directly shape governance capacity. National-level legal frameworks must be complemented by adaptable local implementation mechanisms. Finally, the political party system plays a crucial role in regime maturity. A well-functioning party system facilitating interest aggregation and government formation supports coherent policymaking (Novotný et al. 2016). Structured inter-party dynamics improve legislative efficiency and enhance policy continuity. In contrast, excessive partisan strife may lead to regulatory absence and fragmented enforcement. The procedural rationality and inclusiveness of party system are strongly correlated with the state's capacity and predictability in security governance.

4.2. Governance Willingness

Governance willingness refers to the normative and regulatory intent of a governing actor toward international PSCs, aiming at reinforcing their legitimacy in global security governance. It underpins the motivational foundation of governance actions. In other words, even robust governance capacity may result in inaction without such willingness. Although correlated with resource endowments, governance willingness is ultimately driven by value rationality—the alignment of policies with socially constructed norms and collective expectations. This concept parallels the logic of appropriateness in international relations, wherein actors prioritize normative conformity over instrumental calculation within a delimited geopolitical space to ensure legitimacy. International PSCs can be viewed as institutionalized

normative vehicles, reflected in two dimensions. At the organizational level, PSCs adopt modern corporate structures infused with Weberian bureaucratic systems, exhibiting formal-legal rationality and contract-based operational modalities. At the political-operational domain, their proliferation deconstructs the state-centric norm of monopoly over legitimate violence, reshaping authority in security governance across the public–private divide. From the perspective of the appropriateness logic, governance willingness is shaped by normative congruence (Nalbandov 2009)—the extent to which PSCs align with dominant norms of host states during transnational diffusion and interaction.

Normative congruence follows the localization logic, which posits that norm transmission is not a unidirectional “teaching” process but an agentic practice whereby recipient actors selectively adopt, reinterpret, and reconstruct external norms (Checkel 1999) in accordance with their preexisting normative frameworks. Effective internalization occurs only when norms resonate strategically with the domestic normative architecture at regional or local levels. In governing international PSCs, the diffusion of norms such as the Montreux Document can only elicit governance willingness if they: (1) interact constructively with sovereignty-based security governance; (2) integrate into existing public–private authority configurations; and (3) meet the legitimacy expectations of key domestic stakeholders (Buckland and Burdzy 2015). This adaptive process forms a negotiated normative order between global norms and local practices. A salient example lies in ASEAN’s selective acceptance of European-exported PSC norms. While ASEAN successfully reconciled cooperative security norms aligned with its ASEAN Way, particularly the non-interference principle, it rejected Western-valued normative embraces such as humanitarian intervention. This divergence reflects the former’s compatibility with ASEAN’s political culture and deeper normative interests, whereas the latter stands in the incompatibility of regional foundations (Acharya 2004). Thus, when international norms on PSCs governance are transmitted domestically, their congruence with the target state’s prevailing normative structures becomes a critical determinant influencing the effectiveness and the likelihood of institutionalization.

In sum, this article builds the governance willingness component chain based on the meta-theoretical premise that international PSCs function as institutionalized normative vehicles. It proposes the following causal mechanism: normative congruence (independent variable) → governance willingness (mediator) → governance policy choices and effectiveness (dependent variable). When PSCs-related norms exhibit structural isomorphism with the dominant normative architectures of the target state, a norm—willingness—action pathway is likely triggered. Conversely, lacking such congruence may provoke normative resistance, hindering governance outcomes.

4.3. Governance Capacity, Governance Willingness, and Strategic Choice

Approaches to governing international PSCs vary according to governance capacity and willingness. Based on the relative strength of these two dimensions,

four corresponding governance types can be identified (see Figure 2): (1) Strong capacity & strong willingness: States with well-developed institutional instruments and resources, coupled with clear strategic intent, tend to adopt strict governance (Module A), with China serving as a representative example. (2) Strong capacity & weak willingness: Some states possess robust legal infrastructure but lack sustained engagement due to interest-based trade-offs or competing ideational priorities. This results in moderate governance (Module C), as the US illustrates this pattern. (3) Weak capacity & strong willingness: States with limited institutional strength but high motivation, driven by domestic stability concerns or sovereignty pressures, struggle to implement effective oversight, leading to absent governance (Module B), a common picture observed among Global South countries. Sierra Leone exemplifies a salient theme where the fragmented authority, political decay, and elite networks shape the interconnectedness between PSCs and host governments. These dynamics reflect broader Global South trends: foreign leverage over natural resources, contested legitimacy, and non-state security proliferation. Finally, the theoretical scenario of weak capacity & weak willingness lacks empirical evidence in the current context in international politics and is therefore excluded from analysis.

	Governance Capacity		
	Strong	Weak	
Governance Willingness	Module A: Strict Governance (China)	Module B: Absent Governance (Global South)	
	Module C: Moderate Governance (United States)	N/A	

Figure 2 The Matrix of Governance Capacity, Willingness, and Strategic Choices
Source: own illustration

5. Case Studies

According to the report from the Stockholm International Peace Research Institute (SIPRI), the term “private security sector” is often a misnomer in weak or failed states. In such realities, reliance on private actors arises not from functional market dynamics but from the absence of effective national security governance. Often, no viable socio-economic foundation exists to support meaningful security privatization, contrasting sharply with strong or “efficient” states, wherein private security complements effective governance (Holmqvist 2005). Beyond objective material conditions, the state’s normative perception of private security governance

constitutes a subjective factor shaping its strategic decision-making. The interplay between structural capacity and ideational orientation underpins the diverse governance strategies states adopt toward international PSCs.

5.1. Moderate Governance: The United States

The US private security industry is highly developed, encompassing services from information security to crisis management, and rivals the public police system in scale. On the international stage, US-based PSCs operate in numerous conflict zones, providing military training, intelligence, logistics, and protection for leaders of failed states. Despite scale and adaptability, the governance of US PSCs has been plagued by regulatory fragmentation and disciplinary laxity, repeatedly sparking humanitarian controversies and drawing global criticism.

5.1.1. Strong Governance Capacity

The United States possesses robust institutional capacity and regulatory expertise in governing international PSCs. Legally, federal statutes such as the AECA, International Traffic in Arms Regulations (ITAR), and National Defense Authorization Act (NDAA) define and constrain PSCs' activities regarding armament, personnel deployment, service scope, and foreign cooperation (Elsea 2010). Congressional oversight apparatus through budgetary review, investigative reports, and dedicated bodies like the Government Accountability Office (GAO) and the Department of Defense Office of Inspector General (DoD OIG) enhance transparency and accountability. Administratively, the Department of Defense and the Department of State oversee contract approvals, monitor implementation, and conduct risk assessments. During the Iraq and Afghanistan wars and reconstruction periods, the US developed classification systems distinguishing core, non-core, and intermediary security services, clarifying the permissible outsourcing scope. Collectively, the US possesses high-profile advantages in resources, design, and implementation, indicating that the country is well-equipped to carry out stringent governance over PSCs, contingent on sufficient political will.

5.1.2. Weak Governance Willingness

Despite strong governance capacity, the US exhibits persistently limited governance willingness rooted in three interrelated factors: prevailing normative frameworks, strategic culture, and institutional frictions. First, the US has long adhered to a liberal ideology that privileges market rationality over state intervention. The privatization of security functionality is viewed not as an aberration but as an instrument for improving governance efficiency, conserving public resources, and externalizing political risks. Second, strategic preferences for global military deployment further dilute governance willingness. Compared to conventional armed forces, PSCs provide flexibility in managing complex and fluid geostrategic environments, executing policies of limited intervention, indirect projection, and unilateral engagement—while minimizing domestic political costs and scrutiny (Isenberg 2009). Finally, institutional frictions constrain governance willingness. Jurisdictional fragmentation

between federal and state governments, and among executive agencies and Congress, delays policymaking. Intensifying partisan polarization further obstructs legislative progress concerning PSCs' governance. Overall, congruence between prevailing norms and functional utility of PSCs reinforces strategic incentives and institutional disincentives to exert strong governance. These dynamics have entrenched the US as a proponent of moderate governance within the governance landscape.

5.2. Strict Governance: China

Since the 21st century, China's exponential expansion of overseas interests has elevated global security governance as a core national security agenda. International PSCs now play a prominent role in safeguarding personnel mobility and infrastructure development. Although a late entrant, the Chinese PSC industry has experienced rapid growth alongside the country's diplomatic flagship—the Belt and Road Initiative (BRI) (Badawi 2024). Nonetheless, cross-border operations remain tightly controlled under a defensive-centric governance model, reflecting a paradigmatic combination of governance capacity and willingness.

5.2.1. Strong Governance Capacity

Strict regulation of international PSCs in China is grounded in its mature governance capacity. The unitary, centralized political structure ensures power succession and regime stability, avoiding the regulatory fragmentation typical of federal systems, providing a predictable policy environment for managing sensitive domains like transnational security. The “tiao-kuai” (条块) administrative system enables vertical and horizontal integration between central and local authorities (Liu, et al. 2022). Although China has not enacted dedicated legislation for international PSCs, it maintains a comprehensive administrative framework governing corporate entry, personnel qualifications, and service scope. This “regulation-first” approach establishes a robust institutional foundation for further cross-border PSC governance. At the enforcement level, China exercises precise control over risk-prone nodes, particularly through weapon control based on personal jurisdiction. Firearms are prohibited abroad unless explicitly authorized by the state (Xin 2020), extending Weber's principle of violence monopoly into the global realm. This curtails sovereignty disputes and accountability dilemmas in host countries while ensuring PSCs operate within a defensive mandate, preventing the evolution into quasi-military entities. Furthermore, the Ministry of Public Security led a qualification assessment—license approval—dynamic supervision closed loop regulatory system. This preemptive and process-driven oversight far exceeds the more lenient post hoc accountability seen in other states.

5.2.2. Strong Governance Willingness

The principle of non-intervention constitutes a pillar of Chinese foreign policy, emphasizing sovereign equality, mutual non-aggression, and non-interference, reflecting a persistent commitment to the notion of absolute sovereignty. China's stringent regulation of international PSCs reflects the fundamental tension between

its governance willingness and normative adherence to the principle. The core contradiction lies in the transboundary nature of PSCs, whose ambiguous security responsibilities challenge the boundaries of sovereignty. While China rejects Western narratives such as humanitarian intervention and responsibility to protect (Mattlin 2010). Yet, the overlapping claims of personal and territorial jurisdiction in PSC operations render them vulnerably interpretable as an assertion of de facto extraterritorial projection of state power. China has long relied on consular protection and cooperation with host governments to safeguard overseas interests, demonstrating respect for sovereignty and international law. However, even limited involvement of Chinese PSCs in local security infrastructure, particularly in Global South countries, could provoke suspicions of neo-colonialism and undermine China's image as a representative of the Global South—despite the relatively modest presence of its PSCs compared to Western or Russian counterparts (Nantulya 2020). Under this willingness, a governance orientation of “limited openness under strict constraints” has emerged, curtailing systematic state support for PSCs and placing China at a relative disadvantage in the global market. Commensurately, with the BRI-accelerated “Going Global” (走出去) strategy, a growing number of Chinese citizens and enterprises venture overseas, facing highly complex and risk-laden security environments (Arduino 2018). Traditional reliance on diplomatic channels has proven insufficient to meet the multifaceted and transregional security demands. In response, Chinese nationals and enterprises are turning to PSCs for more targeted security solutions. This shift signals not only a rising market-driven demand for overseas security but also a disruption of China's strict governance logic—revealing a tension in the configuration of the state's role within the security governance of its global interests.

Chinese stakeholders have adopted two key strategies targeting overseas interests: the first is the “agent model,” wherein the Chinese government and private actors assist host states in building local security capacities. This indirect approach allows China to safeguard its interests by empowering partner governments. With Chinese support, Pakistan established a comprehensive force integrating police and military personnel to provide full-spectrum protection for the BRI's critical project—the China–Pakistan Economic Corridor (CPEC), including the deployment of four maritime patrol vessels transferred from China, to secure the waters around Gwadar Port, with missions carried out by the Pakistani Navy (Kumar 2024). The second strategy involves cultivating “alternative” international PSCs—entities majority-owned by Chinese capital but managed by international professionals. They are registered in third countries to circumvent domestic regulatory constraints, enhancing operational flexibility. A leading example is Frontier Services Group (FSG), headquartered in Hong Kong and led by Erik Prince, founder of Blackwater. As the first PSC funded by Chinese capital and operated by American professionals, including retired US military officers, FSG provides security services for Chinese private and state-owned enterprises (Arduino 2017), such as the China National Petroleum Corporation (CNPC), engaged in infrastructure and energy projects

across the Global South.

5.3. Absent Governance: Sierra Leone

During Sierra Leone's state transformation, international PSCs such as Sandline International and Executive Outcomes were involved in the civil war, with the latter directly engaging in combat. Although PSCs temporarily stabilized the conflict, they failed to address its structural root causes. Their operations were also marred by humanitarian violations, raising concerns over legitimacy and moral justification. Sierra Leone's experience reflects a distinctive pattern in the Global South: states with weak governance capacity but strong governance willingness. This dynamic underscores the institutional gaps and strategic dilemmas such states face in reconciling sovereign authority with security and risk management.

5.3.1. Weak Governance Capacity

Shaped by colonial rule, independence struggles, and civil conflict, Sierra Leone has gradually stabilized its political landscape. However, its governance capacity remains weak, particularly in asserting nationwide administrative control and monopolizing the legitimate use of force. During the colonial era, the metropole adopted a low-cost governance strategy, concentrating institutional resources in urban centers while neglecting rural areas—entrenching a bifurcated urban–rural governance structure that persisted post-independence ([Chakunda 2023](#)). The reality of weakness was exacerbated by Cold War geopolitics, during which Western and Eastern blocs conferred de jure sovereignty to numerous African states, irrespective of their de facto governance capacities. At the same time, the postcolonial government's efforts to expand authority were hampered by a chronic shortage of institutional design and administrative resources. Consequently, many states retained international legal sovereignty without exercising meaningful domestic authority ([Herbst 1997](#)), subverting the state's monopoly on violence. Prolonged fragility and post-war residuals—such as blurred civil-military boundaries and the proliferation of small arms—created a vicious cycle. Non-state actors, local communities, and ethnic groups increasingly encroached on the state's coercive domain, fueling localized armed conflict. In this environment, Sierra Leone relied on asymmetrical partnerships with international PSCs, the bilateral dependency undermining its momentum rebuilding formal military and law enforcement systems—a pathological symptom of deeper governance failure. In many Global South countries, governance failure is compounded by political elites leveraging the government to outmaneuver rivals, converting the state into “comprador regimes” serving foreign interests, subordinating the welfare of their own citizens ([Ndlovu-Gatsheni 2007](#)). International PSCs frequently function as intermediaries between domestic and international stakeholders. Among these, Sierra Leone stands as a paradigmatic example of the overall phenomenon.

The Sierra Leone Civil War began in 1991. By 1995, the Revolutionary United Front (RUF) had gained a decisive advantage over government forces. In response, the government contracted the South African-based PSC Executive Outcomes (EO), which specializes in peacekeeping operations ([Hough 2007](#)). Within two

years, EO reversed the tide, expelled the RUF from Freetown, and stabilized key mining regions hosting the world's richest diamond fields. This compelled the RUF to enter negotiations, resulting in a 1996 peace agreement that paved the way for democratic elections. However, the peace process quickly collapsed when the RUF demanded the withdrawal of all foreign military personnel, leading to EO's contract termination in January 1997. Four months later, a military coup ousted the elected government, plunging the country back into war ([Maciag 2019](#)). Despite EO's success, the backstage beneficiaries were not the Sierra Leonean people but foreign mining corporations, illustrating how security and stability were instrumentalized as bargaining tools for foreign investment. The EO-Sierra Leone collaboration exemplifies the portrayal of "resource curse" ([Atkinson and Hamilton 2003](#)) wherein external actors vying for strategic natural resources become a catalyst of economic stagnation and political instability, rather than development.

5.3.2. Strong Governance Willingness

Derived from anti-colonial memory, contemporary African states remain highly sensitive to external interference—a defining sentiment of their political culture. Nonetheless, former colonial powers have deployed mechanisms to impede full independence, notably using mercenaries as strategic instruments to reassert influence. Political instability enabled these actors to infiltrate domestic arenas, undermining sovereignty and weakening governance in nascent states. After the Cold War, international PSCs supplanted mercenaries, embedding themselves in complex relationships with local regimes and resource-based stakeholders, exacerbating governance deficits. Despite entrenched path dependency and a pronounced gap in governance capacity, the Sierra Leonean government demonstrated a notable willingness to regulate the operations of international PSCs.

The Global South's broader stance toward PSCs is reflected in regional institutional responses. African states were early adopters of regional instruments such as the Organization of African Unity (OAU) Refugee Convention and the Luanda Draft Convention, aiming to define and penalize mercenary-related human rights violations ([Adamo 2020](#)). These initiatives also contributed to the legislative development of Protocol I of the Geneva Conventions. The governance logic, denying legitimacy to private violent actors and imposing normative constraints, reflects a consistent caution toward PSCs in the Global South. In the 21st century, Sierra Leone launched systemic measures to evaluate the dual impact of PSCs on national security and public governance. The National Security and Central Intelligence Act delineated the respective mandates of private security actors, while the Office of National Security (ONS) was established as a dedicated agency tasked with supervising international PSCs ([Abrahamsen and Williams 2005](#)). Despite the existing regulatory loopholes and weak enforcement, the government proceeded a step to introduce the Standard Operating Procedures Manual for Private Security Companies (SOP), clarifying the scope of the Act and providing practical guidance for implementation, demonstrating an incremental yet deliberate effort to

institutionalize governance mechanisms ([Abrahamsen and Williams 2009](#)).

6. Implication and Conclusion

By analyzing international PSCs governance practices in the United States, China, and the Global South countries, this article develops and verifies a framework focused on governance capacity and willingness. The cross-case analysis reveals that these factors shape governance typologies and state roles vis-à-vis non-state security actors, contributing to a more systematic understanding of strategic divergence and institutional evolution governing international PSCs.

As PSCs expand their roles in global conflict zones and high-risk regions, they have evolved beyond auxiliary support to state apparatuses, forming transnational security supply networks. This shift exacerbates regulatory ambiguities and misalignments of authority, particularly in the Global South, where fragile institutions struggle to manage associated human rights and legal risks. Unilateral governance structures are no longer sufficient. Instead, a multi-level, inclusive architecture is needed. At the global level, binding international conventions should be pursued, building upon existing soft law instruments. For Global South countries with limited governance capacities, regional mechanisms under the auspices of intergovernmental organizations can reflect spatial particularities and consanguineous security demands. Nationally, states must integrate domestic regulatory development, resource allocation, and interdepartmental coordination to ensure policy coherence and operational viability, while mechanisms for information disclosure are essential to building public trust. Equally important is fostering normative resonance, as governance willingness is shaped by how international norms are interpreted and internalized within specific political and cultural contexts. For instance, while the US promotes institutional export and outcome-based governance, its overreliance on PSCs has eroded legitimacy and led to regulatory inconsistencies and governance loopholes. Conversely, although upholding the non-interventionist doctrine, China has pragmatically recalibrated its posture to accommodate growing overseas interests, highlighting that norm internalization is a dynamic, strategic process.

As an exploratory study, this article identifies several avenues for future research. First, a dynamic theoretical lens could better capture how national governance strategies adapt to geopolitical and geoeconomic shifts, regime transitions, or external security pressures—addressing the limitations of static typologies. Second, for analytical clarity, the article consolidates “private military companies” and “private security companies” under the umbrella of international PSCs, excluding mercenaries. While this facilitates conceptual coherence, it may obscure legal distinctions and governance heterogeneity among consimilar actors. Third, governance capacity and governance willingness are treated as independent variables herein; their interactive effects—potentially reinforcing or constraining each other—warrant further investigation through quantitative modeling and causal path analysis. In conclusion, international PSCs have become pivotal non-state actors in

global security governance, raising not only technical and institutional challenges but also ideological and normative tensions around sovereignty reconfiguration and governance legitimacy. Only through the synergistic governance involving institutional collaboration, balanced resource allocation, and the cultivation of normative resonance can a holistic security governance regime be established that is legitimate, equitable, and sustainable.

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