WORKING PAPER

Chimeras with Obscure Powers:
Hybrid States and the Public-Private Distinction

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Abstract:

The chimerical state is not only a hybrid state. It is also a state of obscure powers. As the classical chimera, much of its strength comes precisely from the fact that it hard to see and hence to investigate and critique. The paper traces the origins of this difficulty to the role the public-private divide plays in hiding chimerical power. It does so with reference specifically to the security area.

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Introduction: Chimeras of Obscure Powers

Hurt and Lipschutz picture the 21st state as a powerful chimera. They point to the strength and continued centrality of a state that seems far from retreating, declining or disappearing. The state they describe has the power to form structures that shape practices. In their thinking, the possibility of this chimerical state to (re)define the property rights underpinning economic and social organization is of particular significance.[1] Moreover, Hurt and Lipschutz argue that important changes in how the state works, how government functions and is understood are key to the 21st Century state. They insist on the hybrid nature of a state that has become integral to market practices and which has made space for markets within itself. This hybridity is what leads them to call this state a chimera. This picture of the state as a chimera useful captures key aspects of unfolding developments of the state and therefore promises to move the ongoing discussion forward. This "think piece" will therefore focus on the notion of a chimerical state as formulated by Hurt and Lipschutz, but insist on a second connotation of chimera that is not central to their account but that is central to the chimerical 21st Century state.

A chimera is a hybrid and monstrous creature. But a chimera is also *the* classical example of a "non-being"; something that does not exist and therefore can neither be investigated nor understood.[2] Although Hurt and Lipschutz do not emphasize this obscure and invisible side of the chimera in their discussion of the 21st Century state, it is highly relevant. This paper suggests that it is essential for understanding/explaining its power. The effectiveness of Hurt and Lipschutz's chimerical state—its capacity to branch out and be intrusive—rests on the obscure nature of its power; the difficulty of grasping and seeing it. Specifically the argument in this paper is that the public-private divide plays a key role in producing the chimerical (obscure) state.[3] The paper points to the mechanisms by which it does so. It discusses three mechanisms in particular: the way the public-private distinction obscures 1) responsibility, 2) orderings and 3) the related regulatory requirements. These arguments are made with reference to security governance; not because they are unique to security, but because it is important to anchor the argument.

1. The Power to Obscure Responsibility

Although the degree of "hybridization" is—as underlined by Hurt and Lipschutz—well noted and amply observed, it is rarely followed by an acknowledgement of the need to analyze the resulting hybrid as a hybrid rather than as a sum of its public and private parts. Instead, thinking, talking, acting and observing in terms

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[1] One could broaden that view and emphasize the continued "state monopoly on symbolic violence" (central also to its influence on property rights). This expression is taken from Bourdieu (, 1991 #304 or 2000), but analogous forms of though can be found in a number of thinkers some of which will be discussed below.

[2] Consider e.g. Ashworth (1977).

[3] This argument is not new. It echoes feminist thinkers, but also classical political economy. More than this one might say that it is analogous to thinking about the fundamental importance of the inside/outside distinction in international politics. But this is no place to develop these links or to expand why I focus on the private public rather than the inside/outside.

of a public-private divide continues to be not only common but dominant. The implications of falling back on the public-private divide—of chopping the chimera to pieces— is that it appears far weaker than it is. This paper traces the mechanisms by which power eludes the observers. The first mechanism it discusses works through the obscuring of responsibility. At least in security, the acknowledgement of hybridization is not matched by the recognition of hybrid responsibilities. Rather, prevailing accountability systems (legal, political and social) separate public and private responsibility strictly. This paves the way for a constant category shifting by hybrid actors seeking to avoid responsibility. The overarching consequence is that responsibility remains obscure and intangible. As the hybrid is fractured through the public-private lens, its power becomes invisible and hard to pin down; it becomes chimerical in the sense of obscure.

Hybridization of the Public-Private Roles in Security Government

In debates about the current market for private military and security services, one of the (few) widely agreed upon and established truths is that the public and private are very closely intertwined. Everyone working in the market is an-ex something. Inversely private actors are part of the public armed forces providing training, intelligence, logistics or guarding services for most armed forces.[4] The way that this is often captured is through images of "revolving doors" between the public and the private spheres. However, perhaps a better description of the situation is one of (partially) enmeshed spheres (Leander, 2009). In truly hybrid fashion, individuals are frequently both private and public at the same time.

The expression SOBEL—merging Soldier and Rebel—captures hybridity as enmeshment in language. However, the phenomenon is by no means restricted to the context of weak states in the developing world. A soldier on leave from the South African Defense Forces working as a contractor is both a South African Soldier and a contractor at the same time. Civilian technicians assisting in the collection of surveillance data during operations missions, civilian maintainers providing battlefield maintenance of a TOW missile, the M1A1, the Bradley, or the Patriot missile and contractors supporting the gathering and interpreting of data from the Joint Air Forces Control Centre and feeding intelligence and targeting information to operators are not simply "private" actors but contractors on the battle field assisting US armed forces.

Hybridity has become integral to security practices, observers but also those active in security governance have integrated it into their own world. Security professionals see the worlds as largely integrated. "The circuit" is the telling title of a book where a security professional (former SAS) reflects on how the creation of a market has altered his career—and more generally the fate of security professionals— who move in and out of public service. Instead of retiring as a body guard, the author has travelled across the world including to Afghanistan, Iraq, the West Bank and Gaza in the service of companies. However, from

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[4] Even the People's Republic of China has allowed and encouraged a private market for military and security services. In fact, with very few exceptions such as North Korea and Cuba, hybridization seems to have developed in most places.

his perspective he has remained inside "the circuit"—in singular—of security professionals of his own category (Shepherd, 2008). But also in politics and public opinion is hybridity acknowledged. The Pentagon integrates contractors working directly for the US armed forces in their casualty counts. A study of US public opinion shows that reactions to the fate of public contractors differ only marginally from reactions to the fate of soldiers (Avant??). Finally, lawyers, whether working to defend human rights, with the armed forces or dealing with contractual issues are acutely aware of hybridity. They have an intense discussion—Kierpaul (2008) terms it a mad scramble—to sort out how to make legal categories more applicable and useful for the category of activities created by actors spanning the public private divide (e.g. Zamparelli, 1999, Heaton, 2005, ICRC, 2008).

Paradoxically the widespread consensus that the market is a hybrid, that roles are often hybrid and that the lines between public and private are frequently entirely "blurred", has not triggered discussions about hybrid forms of responsibility and responsibilization. Instead as soon as attention is switched from issues of roles to issues of responsibility the framing changes. Conventional legal and political terminologies structured by the public-private divide take the overhand. The hybridity of roles is left behind and the questions are reframed as if we were dealing with distinct and separable public and private actors. The issue civilians remain civilians and the military military; the market is the market and the state, the state. This is a formalistic definitional trick that makes it possible to frame hybridity in the well known terms and categories of conventional Western political thought (Cutler, 1999). However, it is a trick that comes at a price. It obscures the power of Chimera and makes it difficult to attribute responsibility.

Category Shift /Blame Avoidance and Creating Invisibility

The power of the classical chimera was located in its combination of features. If it had been approached only through its parts, it would just have been a normal lion head and a normal snake. The monstrous dimension would have been lost. But more than this, if the chimera's head had been asked about its power and responsibility in a given situation, it could have argued that not only was it not responsible; its tail was. More than this is could have tried to show that not only was it not responsible it was actually hampered and weakened by the snake tail and in no way to be held responsible. This captures the logic by which the public-private divide makes the power of the chimerical (hybrid) state a chimera (obscure) to which responsibility can hardly be attributed.

By not looking for hybrid responsibilities, the public-private framing of accountability claims simply makes part of the power and part of the acts of the chimera disappear entirely. This is notably the case of the kinds of action that cannot be fitted into the established categories for dealing with military/security operations. Legal language and thought makes it difficult to raise them at all. This is the case of private security companies doing classical policing or military work in the service of hybrid or private institutions in conflict areas. Examples could be Triple Canopy employees working for private companies on public

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contracts or semi-governmental institutions of development in Iraq, Gray security guarding installations (in partial collaboration with the police) for oil companies (on partially) in the Niger Delta, Armor group working for an NGO in Afghanistan. These companies are regulated as private actors working for clearly clients, although if one took hybridity seriously the issue is more complex. In practice the hybridity of roles is acknowledge as visible in the assimilation of the companies with the public armed forces by those opposing both, in the resentment of the civilians, and in the concern of those who wish to remain a terrain of neutrality sapped by hybridity (Spearin, 2008). Legally the consequence is that responsibility in these situations tends to disappear behind the veil of the public-private distinction.

The failure to link roles and responsibilities lays the foundation for a constant category and blame shifting game, where the private-public divide sets the basic rules. The stake in the game is circumventing justice and accountability systems. Hence governments are prone to distance themselves from the doings of market actors to avoid blame. The US government distanced itself in relation to Nisour Square and the UK government from to the Sandline affair.[5] Inversely companies are quick to point their link to states and to seek protection because of this link. Eric Prince (CEO of Blackwater) repeatedly underlined his (and his company's) compliance with the contract they had with the state department in the hearings surrounding the Nisour Square incident (Tyrell, 2007). Similarly, in his defense of CACI's reputation in the wake of company's role in Abu Ghraib Jack London insists that the employees followed instructions (London, 2008).

This category shifting is plausible. This is so partly due to the frequent references to the contradictions and tensions between the public and private. Public officials (security professionals and members of the armed forces) both in the West and in the developing world are increasingly prone to make the argument summed up by the title of a recent Brookings report: "Can't Win with 'Em, Can't Go to War without 'Em" (Singer, 2007). Perhaps more surprisingly, also companies make similar claims. For example, SITE Intelligence (a small company surveilling Islamic internet sites for the Pentagon) recently complained that the public mishandling of their information ruined their spying efforts (Warrick, 2007).

More than this it is plausible because as long as we see hybrid actors as divisible into the public and the private there clearly is no reason why one should accept responsibility for the other. Why should the state take responsibility for the acts of employees of a private company? And why, inversely, should companies working for the state take responsibility for doing what was asked of them? But plausibility just makes blame avoidance more effective and the awards for winning the category shifting blame avoidance game correspondingly more attractive. It was so extensively used in the 19th Century that Thomson sees the difficulties and conflicts triggered by "plausible deniability" as the main reason for outlawing of private uses of force internationally (Thomson, 1994). At present, the trend to hybridity makes such outlawing highly

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[5] Of course these incidences illustrate the complexities involved. The US was in fact profoundly divided as the state department was prone to back up Blackwater against overall outrage and similarly for the foreign office in the Sandline affair.

improbably. Instead, the main effect is to exacerbate the difficulty of attributing legal and political responsibility and hence of obfuscating power relations in the area. The consequence is that demands for accountability have been marred by difficulties. Critics used to argue that no company has ever been held responsible for anything. There are exceptions to this truth. However, the overall picture is that hybridity has engendered a "culture of impunity" (Leander, 2007a, Human Rights First, 2008) where the companies and market actors themselves invent the rules they follow.

The obscuring of responsibility may be more central to hybrid power in security governance than to other fields because concerns with responsibility are unusually significant there. The attention to hybridization in security has been driven by a desire to improve accountability.[6] Whether exceptional or not, it has made the public-private framing of the discussion key to obscuring hybrid power in security governance there. The lack of effective accountability is integral to the power of the chimera. But it also part of what makes the chimera illusive, hard to pin down, and to describe. The practical difficulty of holding responsible is paired with a difficulty of identifying power; the quest for accountability structured by the public-private divide confirms and consolidates the chimera as a non-being that cannot be investigated or seen.

2. The Power to Obscure Change in Order

A second mechanism by which the public-private divide makes hybrid power invisible and inscrutable is by obfuscating its implications for order, for how security governance functions beyond formal institutional changes. Formal institutional orders are important. As shown by many scholars, and confirmed by Hurt and Lipschutz in their contribution to this discussion, state sanctioning and approval is of essence for many activities. This is true of economic activities structured by property rights. It also true of security related activities structured by state sanctions, approval and by its intrusive and surveilling gaze. This said substantive order cannot be reduced to formal institutional settings and arrangements. "Order is at once and the same time, that which is given in things as their inner law, the hidden network that determines the way the confront one another, and also that which has no existence except in the grid created by a glance, an examination, a language; and it is only in the blank spaces of this grid that order manifests itself in depth as though already there, waiting in silence for the moment of its expression" (Foucault, 1965: xix). The public-private divide turns changes in order in this sense into a chimera.

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[6] Concerns with the accountability of contractors on behalf of the armed forces depending on them, the lawyers and advocates of the civilians whose rights they (sometimes) violate, the state that pays them and their own employees that demand accountability on work related issues have played a key role in triggering discussion about the market. But the other side of the coin—the accountability of states and their armed forces towards contractors, for the acts contractors commit working for them or for private entities (NGOs, companies, or individuals)—should not be underestimated.

The Critique of Institutional Form

The public-private divide has shaped the way that the discussion about the implications of hybridity for governance is unfolding. It has focused it on the changes that are occurring in formal arrangements. It has produced a much warranted and significant critique of the evolution of institutional arrangements and procedures. It would hence be misguided to purport that there is no interest in governance. However, it is important to realize the extent to which the discussion remains confined to institutional forms of order. Two recurring issues that have occupied a central place in the debate will be used to illustrate this point: the implications of privatization for state-building and for democracy.

A dominant locus of debate and critique with regard to hybridity in the security realm has been the question of whether it fosters or undermines (the development of) stable state institutions in the developing world. This is a reflection of the early awareness of the significance of hybrid forms of security governance in the third world as well as of the steadily growing concern with "state-building". More substantively the discussion has opposed, on the one hand, those assuming/arguing that hybridity undermines the construction of stable institutional arrangements. The reasoning has been that a stringent state monopoly on the legitimate use of force is of essence and that hybridity undermines it. Markets and privatization threaten stability and state building by creating rival authorities in the form of neo-imperial companies (Francis, 1999) or non-state groups that can contest central authority (Ayoob, 1992, Musah and Fayemi, 2000). On the other side of the discussion, are those who underline that hybridity is in reality an efficient "state survival" strategy (Reno, 2004). This strategy, it is suggested, may be crucial to strengthening states in the long run as it allows them to bolster the capacity of their armed forces (Howe, 2001). As persuasively shown by Avant's work, although the debate is still open, there are few empirical cases that support the argument that institutions are consolidated by hybridity. The only case she finds going in this direction is the case of Croatia, where MPRI played an essential part, training the armed forces and in enabling them to undertake the Kraijna offensive which allowed the Croats to push out the Serbs and establish their own state (Avant, 2005).

Second, the extensive and much publicized contractor involvement in Afghanistan and Iraq has raised awareness that hybridity may influences also the institutions and formal arrangements of strong and democratic states. Echoing Hannah Arendt's worry during the Vietnam war (1958) that practices breaking norms abroad would inevitably reshape the state also at home has been given a twist by those concerned with the institutional impact of contractors. Explicitly framing their arguments against those who suggest that outsourcing and privatization—and the related creation of "hybrid" institutions—are just new means for the state to pursue its policies (e.g. Shearer, 1998), they are concerned that hybridity transforms the workings of democracy (Avant and Sigelman, 2008). They have also focused on the degree to which it alters the potential for controlling the use of force at home: the deployment of contractors is not subject to the kind of control and monitoring that exists for public forces correspondingly weakening the parliamentary and expert oversight (Singer, 2003).

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As interest in regulation has grown, so has the intensity of the focus on the impact of hybridity on transformation of formal institutional arrangements and on the kinds of reforms required necessary to take these transformations into consideration when developing regulation for the private security market. There can be no doubt that this discussion is important. For those concerned with the implications of hybridity it is of essence to understand formal institutional transformations and the means to respond to them. Similarly, it is far from surprising that for political and legal theorists the issue of procedure, rather that of substance, stands is the main concern (Flathman, 1980). However, it is equally essential to acknowledge the limits of this kind of framing; of directing attention and critique primarily at the institutional arrangements and at the formal changes in the private public divide and neglecting changes in substance and in order in a broader sense.

The Invisibility of Order

For all its utility the focus on how hybridity alters formal institutional arrangements and what the implications are, it is also a focus that distracts attention from how hybridity alters order in a broader sense. Arguably some of the most powerful effects of hybridity are to change institutions from within, to change the way that (formally public and private) institutions and individuals govern themselves: that is the way they understand the world, their own interests and motivations and hence their behavior. It in other words contributes to turn a central aspect of hybrid power into a chimera, a non-being not to be studied.

This point is perhaps most readily made by pointing to the extent to which hybridity is provoking profound changes in the ordering of things. Returning again to the security area, it does so firstly by altering what counts as a resource inside (public and private institutions) and how these resources are distributed among people. The hybrid market has created great opportunities for security professionals. The salaries are usually well above the salaries in the public institutions (police or armed forces) in which they have their base. This potential for earning substantially more in the market has increased the attention paid to earnings in the armed forces and also the differentiation among those who can and do have access to the high market salaries and those who do not. Money has become a more important source of differentiating among security professionals than in the past. As this is the case, the kind of qualifications and professional traits that are valued in the market are also increasingly valued within public security institutions. Security professionals with elite skills and past experience with elite troops have been in particular demand as illustrated by the 15.000 or so false Navy Seals (Lee Lanning, 2002: 176). The effect of the market has been to heighten the status of these (conventional) elite troops even further. Moreover, the companies hiring contractors as well as the firms and states they work for attach considerable importance to the nationality of the contractors. Hence contractors from the US, the UK and the West more broadly have been considerably advantaged by the market. The effect has been to reinforce and consolidate classical military values and the importance of national belonging precisely at a time when the many armed forces have strived to develop the "softer" skills considered important in peace keeping. The de-facto redefinition and redistribution of resources through

hybridity is in other words working against much of the declared reform ambitions and altering security institutions from within.

The redefinition and reshuffling of resources goes in pair with—reinforces and is reinforced by—transformations also in dominant forms of security thinking. The increased status of classical military skills and of people mastering these goes in pair with a valuation of an equally classical view on the profession of security provision (privately or publicly exercised). There is a crying need for serious studies of how hybridity is reshaping the identity and ethics of security professionals.[7] However, what transpires through the many documentaries, interviews, journalistic accounts, blogs and mailing lists indicates that the market is (as one would expect) mirroring the ethics and culture in the elite troops that rank high in the demand. The Blackwater employees in Baghdad refer to their own style as "CDI–Chicks Dig It" (Young Pelton, 2006: 9). The Triple Canopy employees in Iraq talk about the norms that regulate their behaviour as "Big Boys Rules" (Fainaru, 2008). Rape charges have been recurring against contractors (Isenberg, 2008, Houppert, 2008). The image that transpire places the successful contractor closer to the conventional soldier with all this implies in terms of a gendered, "hard" skilled oriented professional culture, than to the soft skilled peacekeeper. The imprint of this professional culture is driven to its extreme and perverted in incidences such as that in Nisour Square (where Blackwater employees killed 17 Iraqi civilians September 2008 for no good reason) or those related in the Aegis "Trophy video" where contractors filmed themselves while shooting randomly at civilians while driving in Iraq. Without implying that these kinds of incidences are an inevitable consequence of hybridity, there is a need for considering transformations in professional ethics and attitudes and the ways in which these transformations span across the public-private parts of the security profession.

The impact of hybridity is likely to leave its traces beyond the strict sphere of security professionals. Policy-making and regulatory institutions in security are also likely to be reshaped by the hybridity from within. Also there, both resources and understanding are likely to be reshuffled by hybridity (Leander, 2005b, , 2005a). This is all the more the case because hybridity in security is located in a more general context of new public management expressing liberal thinking about how to govern (e.g. Salskov-Iversen et al., 2000). Links to the market through e.g. public-private-partnerships and various kinds of informal platforms have acquired a value in and of themselves. They confer and legitimacy and authority to people who engage in them inside public administrations (Sending and Neumann, 2006). This is also true in the security field. It is revealing that when the EU tried to promote PPPs in that area, the public side was far more eager than the private and on both sides the terminology of public-private-partnerships was often reversed and termed private-public-partnerships (Dorn and Levi, 2007).

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[7] An industry association sponsored study [Schultz is employed by the British Association of Private Security Companies] of the role of gender is hardly a good guide (Schultz and Yeung, 2008). So this is an area where more research is really needed!!

The trouble with an analysis focusing on institutional changes—on formally enshrined transformations of procedure—is that it misses these developments; they blind themselves to changes *within* institutions that involve neither changes in procedures nor a redistribution of competencies and authorities. Hybridity alters "positions" and "dispositions" in a Bourdieu sense.[8] Realizing that these changes have profound political implications is important. They work against the professed intention of most policy-makers and security professionals to encourage a more "cosmopolitan" and "post-modern" form of security practice (Moskos et al., 2000, Elliot and Cheesman, 2004). Allowing the public-private divide to guide assessment of current security governance makes the power reinstating conventional military values difficult to understand and largely invisible. It becomes a chimera (non-being) strengthening the chimerical state.

3. The Power to Obscure Regulatory Requirements

Finally, perhaps the most effective way the private-private divide obscures the power of the chimerical states is by obscuring the need for critique, of working against critical assessment of the power of chimerical states and the way it is practiced. The inside/outside divide obscures politics by focusing attention on the polis and the cosmopolis —both presuming the state and hence making it impossible to critique the power produced by that assumption (Walker, 2003). Similarly, the public-private divide obscures the power produced by taking that divide as a point of departure. This is visible in the bootstrapping logic guiding in the debates current and very lively discussions about how to deal with the "privatization" of the governance over the use of the force. But most strongly it is visible in the limited scope of critical thinking about the public-private chimera as a whole and the even more limited space this thinking occupies in the debate about reforms of security governance.

The "Bootstrapping" Logic of Reforms

Suggestions for how to improve security governance abound. The urge to improve accountability in security sector governance is paramount in quite literally all contexts ranging from security sector reform in Liberia or Sierra Leone to contractor regulation in the European Union. It would hence be misleading to suggest that critique of "hybridity" was lacking or that reform suggestions were scarce. Quite the opposite is true. However, most of this discussion and the ensuing suggestions take their departure in the public-private divide with the consequence that the processes genuinely anchored in hybridity become distant and moot. Hybridity becomes chimerical.

The focus on the public-private divide gives both the critique and the proposed changes a bootstrapping logic; a logic whereby one pulls oneself up by ones boot straps, that is by the own capacities.

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[8] For a discussion of the utility of this approach see (Leander, 2008). Obviously (?) the best source for anyone wishing to think in terms of Bourdieu inspired fields and practices, is Bourdieu's own work (e.g. Bourdieu, 2004, , 2005).

In the security area there is hence extensive focus on improving and using the kinds of regulatory logics that already exist. Introducing and improving administrative procedures, training staff combined with hiring more qualified staff, improving the supervision/control over contractors and introducing better auditing/ transparency and political control at all levels of activity are without any doubt the kinds of measures that are most often discussed as ways of improving the governance of the increasingly hybrid security area (from the European context see e.g. Assemblée Nationale, 2003, Foreign and Commonwealth Office, 2002, Wodarg, 2008). These measures—and there is no intention here to deny that many of these could be "useful" and "important"—share the presupposition that if the markets were only institutionalized and regulated in a more effective fashion hybridity *per se* would not be an issue of concern. In fact, hybridity is not really there at all in the discussion. It is assumed that there are public and private actors that may work together in public-private partnerships but that are essentially governed by different purposes and rationalities. The task of reformers and regulators is to ensure that these logics work well together.

In this discussion there is also (at times) acknowledgement that the privatization may have gone "too far"; that "bootstrapping" within the logic of existing spheres may not be sufficient. However, the response to that kind of situation is also to "bootstrapping" in the sense of falling back on the own logic. The debate over "inherently governmental functions" in security expresses the concern with the way the boundaries between the public and private spheres have evolved. It is a very explicit attempt to reestablish a stricter and tighter boundary between the two spheres. The rationale of focusing on the establishment of "inherently governmental functions" is to reassert and secure the public-private division and thereby to make sure that the entire institutional and discursive resources that hinge on that division can be brought in to play in the governance of hybrid security. It is a conservative bootstrapping logic that is put at work. A logic of analyzing and reforming according to the categories that we have. The arguments in this paper so far have underlined the extent to which this is likely to be ineffective and to obscure the power of the hybrid chimerical state. The point here is that it also confines and restricts the scope and capacity of critical thinking about it to that which can be framed within the public-private logic; critical debates about reform and regulation are caught in a logic of bootstrapping reform.

The bootstrapping reform logic is not limited to security governance. The term has been borrowed from the discussion about evolving governance forms more generally where reflexivity has become a guiding principle (Sabel, 1995, and 2007). However, in the realm of security governance reflexive bootstrapping logics have uncommonly conservative implications. The centrality of the state monopoly on legitimate violence, of a strict division between public and private, makes it more difficult to integrate thinking in hybrid forms of governance in the bootstrapping logic than might be the case in areas where hybridity has a long history and is less contentious such as for example in health care in the US, education in Denmark or in the regulation of the internet.

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The Blind Spot

The most consequential implication of the bootstrapping reform logic, shaped by the public-private divide, is not what it does but what it fails to do. It fails to focus critical attention on hybridity as such, where hybridity is not merely a matter of collaboration but of chimerical enmeshment. It creates a blind spot in thinking about security governance that excludes both thorough analysis of the salient political implications of hybridity and a debate about the prospects and dilemmas of reform these pose. To make this point, the section elaborates on the example of the lack of attention to the discourses commodifying security (public and private) resulting from the hybridization of the field.

Today the language of the organization advocating a large role for private companies in peace operations may seem Orwellian to many. The association terms itself the International Peace Operations Association (www.ipoaonline.com) and refers to the private military/security industry as the "peace and stability industry". However, it is not long since the entire framing of the discussion about security governance in terms of private military and security companies, private military and security services, and a global market for force would have seemed similarly odd and Orwellian to many. This shift is well captured by the title of one of the many edited books on the subject: *from mercenaries to markets* (Chesterman and Lehnardt, 2007). This slide in language is not merely nominal, indicating that we now have new ways of talking about security. It is a shift in how security is understood and judged. With the language of markets (rather than mercenaries) comes a range of positive connotations. The markets are dissociated from the longstanding norm against mercenaries (Percy, 2007) that is ritually invoked in critique (Scahill, 2007, War on Want, 2006). With the language of markets also comes a concentration on questions of efficiency rather than on questions of the politics in which the use of force (and hence *efficient* intervention) is but one option among many. The market language effectively de-politicizes security discussion and focuses attention on issues of efficiency.

There is a tendency for "markets if, unchecked overstep their boundaries"; a tendency towards "market imperialism" (Radin, 1996: 47, Walzer, 1983: ?). The "discursive" harm done in the process involves defining subjects—in this case security—as commodities. This is straightforward when it comes to discussions about humans e.g. commodities: "...the harm [inflicted by commodification] is forthrightly discursive. Although our thought structure may tell us that the harm is much worse if a baby actually changes hands than if not. In this way of looking at matters we permit economists' market rhetoric because its harm is different in magnitude from that of consummated sales, not because it is different in kind" (Radin, 1996: 174). The logic is not fundamentally different in the security area. The market framing of security reframes security in as a non-political subject in a way that many find unacceptable but that appears rather less harmful because it is discursive in nature.

This (contested) commodification of security is not something that can be attributed to the private, to the markets, to the companies in it, or to the IPOA alone. It is something that is actively produced, and all the

more effective for that reason, *also* within the public, the state institutions and state officials. It is a product of hybridity. The chimerical state is commodifying different areas of public life including security. It is bolstering the commodifying discourses spanning the public private divide. The consequence is a systematic bias in favor of commodification and against attempts to treat security as a political, a reshuffling power and reframing political subjects. One of the most potent effects of hybridity is that it blocks interrogations into this process not as a purely market driven one, but as one that is driven by a hybrid. It effectively distracts attention from the hybrid processes of commodification; from the significance of public state institutions deploying their "monopoly on symbolic violence" to vehicle understandings of security as commodified. The state and public institutions profoundly shape understandings. Hence when states sanction commodified understandings of security in doings, picturing/writing it is of great importance. A "hyperbolical suspicion" of the state is always warranted but also always exceedingly difficult (Bourdieu, 1994). Overlooking hybridity increases that difficulty further. It comes with a connotation of commercializing discourses as located only in the private. The private-public distinction resting on the general assumption that the public counters the private is extremely unhelpful in a context where a public-private hybrid chimera is fuelling the private.

De-facto excluding a key aspect of the commercialization of security governance from the analysis—its hybrid origins—makes it extremely difficult to discuss the regulatory issues and need for institutional innovation that arises directly from hybridity. As underlined above, the dominant assumption is that we just need more/better regulation along existing lines and/or a reestablishment of boundaries. But one of the fundamental issues of any regulation is the double bind weighing on regulators: regulation will inevitably act in ways that reinforce status quo, confirming and consolidating the markets and a commodified security understanding and make alternative views of security ever more dim and distant. Regulation may be warranted by the problems security/military markets raise, but they also render alternatives to the market moot. This double bind problematic underlies—and one might therefore have thought informed—most regulatory discussion. But this is far from true. The scarcity of attempts to grapple with this fundamental double bind is one of the most immediate consequences of allowing public-private divide—rather than hybridity—to frame thinking and discussion (Sapone, 1999 is an exception to the rule). The framing of the regulatory discussions seems to exclude the key concern.

In logical prolongation, the public private framing makes it difficult to even raise the question of what kind of institutional and regulatory innovation required to deal with a hybrid context. For example, thinking about how to avoid that security professionals redefine/reshape politics is relatively elaborate and there is are correspondingly elaborate institutional and sociological norms limiting the role of *public* security professionals working for a *public* state institution in shaping politics. There is little equivalent for private and/or hybrid security professionals working in hybrid/private contexts (Leander, 2007b). Yet, the challenge is a major one. Private/hybrid security professionals engage in politics by advertising their expertise, selling

their products, by lobbying, by providing expert consultancies and opinions to public policy-makers. They are reshaping the way states but also private and hybrid entities govern themselves. Yet we have little thinking about if and how this influence of security professionals on politics ought to be checked and if yes in by what means. Would it for example be warranted to set boundaries around "free entrepreneurship" by limiting/regulating free speech, advertising, brokerage, training etc. All these things are done for the public security professionals in relation to public policies. Raising the question if the hybridization of the profession requires innovation and institutional change to make the measures cover also the hybrid private professionals working for a hybrid/private organizations is important. The public private divide effectively distracts attention from the issue, by framing the discussion in public private terms.

The public private divide effectively displaces critical attention from the attention on the hybrid chimera itself. It focuses it on improving the workings of private and public logics, on the importance of re-establishing and reaffirming the separation of spheres. In the process it obscures the reshuffling of power relations taking place. More than this, it hampers regulatory critique. The double bind weighing on regulation in hybrid contexts is obscured as are the issues raised specifically by hybrid forms.

4. Conclusion: The Power of the Public/Private

The chimera of classical mythology is not only a hybrid creature. It is also an obscure, illusive one; a non-being eluding investigation and capture. The monstrousness of the chimera stems from the combination of these two characteristics: the hybrid and the obscure. The argument in this paper is that an analogous argument can be made with regard to the contemporary chimerical state. It is not only a "public-private hybrid" and illusive creature that seems amazingly good at evading critical security. The paper has delved into the origin of this elusiveness, suggesting that to no small part it is to be found in the omni-present, inescapable public-private divide that haunts and structures discussions about the chimerical state (including in Hurt and Lipschutz's lead paper for this meeting).

The argument has concentrated on the role of public-private divide in obscuring chimerical power. The rationale for this focus is the classical insight that power is never as effective as when it is invisible. The paper therefore proceeded to trace three mechanisms by which the public-private divide worked to obscure power: its role in obscuring responsibility, institutional change and regulatory requirements. This argument is limited in scope or focus. It does *not* purport to be exhaustive e.g. by covering all processes by which hybrid state power becomes a chimera or even all processes by which the public-private divide contributes to making it so. It points to limited but significant processes in the area of hybrid security governance.

These processes are likely to remain significant and therefore merit attention for quite some time. They are in essence self-reinforcing: the framing of debate and discussion in terms of the public-private divide, the enactment of this divide in security practices and the ongoing instrumentalization of the divide for

various purposes and by all kinds of actors ensure its continued relevance. For example security professionals will continue to make the public-private divide key in their professional practices. Belonging to national armed forces/police, military hierarchies and grades, past service and career in the public continue to be absolutely essential for security professionals and something they instrumentalize also in their hybrid existence. Similarly, practices of institutional change and regulation will continue to be framed by this divide, to instrumentalize it and (therefore) to reinforce it. However, that the divide is there and will remain makes it more—not less—urgent to turn attention to the hybrid it puts in the blind spot.

Problematizing the public-private is in no way impossible. The public-private divide is escapable. Not in the sense that its imprint on political imaginaries can be avoided[9] but in the sense that it is possible to critically assess what that divide does; its productive power. In the context of the chimerical state, looking at the role of the private-public divide in practices—doings, sayings, writings, picturing and discussions—is an inroad to capturing how it contributes to the constitution and strengthening of the chimera. More constructively, it is also a way of making its productive role visible and hence of opening avenues for reflexivity and debate. This may not render the chimera less hybrid but it may make it less obscure, less monstrous and hence more amenable to political control.

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[9] I continue to find Bauman's (e.g. , 1988-9, , 1999) insistence of the difficulties tied to our limited political imagination extremely helpful.

References

Arendt, Hannah. (1958) The Crisis in Culture: Its Social and Political Significance? In *Between Past and Future. Six Exercises in Political Thought*, edited by Hannah Arendt, pp. 197-226. London: Faber and Faber

Ashworth, E. J. (1977) Chimeras and Imaginary Objects: A Study in the Post-Medieval Theory of Signification *Vivarium* 15:57-77.

Assemblée Nationale, France. 2003. *Loi n° 2003-340 du 14 avril 2003 relatif à la répression de l'activité de mercenaire* (available at: http://www.assemblee-nationale.fr/12/dossiers/0202870102.asp).

Avant, Deborah. (2005) *The Market for Force: The Consequences of Privatizing Security*. Cambridge: Cambridge University Press

Avant, Deborah, and Lee Sigelman. (2008) What does private security in Iraq mean for US democracy at home? *IS?*

Ayoob, Mohammed. (1992) The Security Predicament of the Third World State: Reflections on State-Making in a Comparative Perspective. In *The Insecurity Dilemma: National Security of Third World States*, edited by Brian L. Job, pp. 63-80. Boulder & London: Lynne Rienner Publisher

Bauman, Zygmunt. (1988-9) Strangers: The Social Construction of Universality and Particularity. *Telos*:7-42.

———. (1999) *In Search of Politics*. Cambridge: Polity Press

Bourdieu, Pierre. (1994) *Raisons pratiques. Sur la théorie de l'action*. Paris: Seuil

———. (2000) *Propos sur le Champ Politique avec une Introduction de Philippe Fritsch*. Lyon: Presses Universitaires de Lyon

———. (2004) *Science of Science and Reflexivity*. Chicago: University of Chicago Press

———. (2005) *The Social Structures of the Economy*. Cambridge: Polity Press

Chesterman, Simon, and Chia Lehnardt, edited by, (2007) *From Mercenaries to Markets: The Rise and Regulation of Private Military Companies*. Oxford: Oxford University Press

Cutler, Claire. (1999) Locating Authority in the Global Political Economy. *International Studies Quarterly* 43:59-81.

Dorn, Nicholas, and Michael Levi. (2007) Private-Public or Public-Private? Strategic Dialogue on Serious Crime and Terrorism in the EU. *Security Journal* forthcoming.

Elliot, Lorraine, and Graeme Cheesman, edited by, (2004) *Forces for Good?: Cosmopolitan Militaries in the 21st Century* Manchester: Manchester University Press

Fainaru, Steve. (2008) *Big Boy Rules: In the Company of America's Mercenaries Fighting in Iraq*. Cambridge: Da Capo Press

Flathman, Richard E. (1980) *The Practice of Political Authority: Authority and the Authoritative*. Chicago: Chicago University Press

Foreign and Commonwealth Office. (2002) *Private Military Companies: Options for Regulation*. London: http://www.fco.gov.uk/Files/kfile/mercenaries,0.pdf

Foucault, Michel. (1965) *The Order of Things: Archaeology of the Human Sciences*. New York: Random House

Francis, David J. (1999) Mercenary Intervention in Sierra Leone: Providing National Security or International Exploitation? *Third World Quarterly* 20:319-38.

Heaton, J. Ricou. (2005) Civilians at War: Reexamining the Status of Civilians Accompanying the Armed Forces. *Air Force Law Review* 57:157-208.

Houppert, Karen. 8 April, 2008 Another KBR Rape Case. Nation

Howe, Herbert M. (2001) *Ambiguous Order: Military Forces in African States*. Boulder CO.: Lynne Rienner

Human Rights First. (2008) *Private Security Contractors at War: Ending the Culture of Impunity*. (available at: www.humanrightsfirst.org).

ICRC. (2008) Montreux Document on Pertinent International Legal Obligations and Good Practices for States related to Operations of Private Military and Security Companies during Armed Conflict. Geneva (available at: http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/montreux-document-170908).

Isenberg, David. 18 April, 2008 Dogs of War: No justice on contractor rape. United Press International (available at: www.upi.com).

Kierpaul, Ian. (2008) The Rush to Bring Private Military Contractors to Justice: The Mad Scrambel of Congress, Lawyers, and Law Students after Abu Ghraib. *The University of Toledo Law Review* 39:407-35.

Leander, Anna. (2005a) The Market for Force and Public Security: The Destabilizing Consequences of Private Military Companies. *Journal of Peace Research* 42:605-22.

———. (2005b) The Power to Construct International Security: On the Significance of Private Military Companies. *Millennium* 33:803-26.

———. (2007a) The Impunity of Private Authority: Understanding the circumscribed efforts to introduce PMC accountability. *ISA* Chicago 28 February-3 March (available at: http://www.cbs.dk/content/view/pub/38570).

———. (2007b) Regulating the Role of PMCs in Shaping Security and Politics. In *From Mercenaries to Markets: The Rise and Regulation of Private Military Companies*, edited by Simon Chesterman and Chia Lehnardt, pp. 49-64. Oxford: Oxford University Press (available at: http://www.cbs.dk/content/view/pub/38570).

———. (2008) Thinking Tools. In *Qualitative Methods in International Relations: A Pluralist Guide*, edited by Audie Klotz and Prakash Depaak, pp. 11-28. Basingstoke: Palgrave McMillan

———. (2009) Securing Sovereignty by Governing Security through Markets. In *Sovereignty Games: Instrumentalising State Sovereignty in Europe and Beyond*, edited by Rebbecca Adler-Nissen and Thomas Gammeltoft-Hansen, pp. 151-70. London: Palgrave (available at: http://www.cbs.dk/content/view/pub/38570).

Lee Lanning, Michael. (2002) *Blood Warriors: American Military Elites*. New York: Presidio Press

London, J. Phillipe and the CACI Team. (2008) *Our Good Name: A Company's Fight to Defend its Honour and Get the Truth told About Abu Ghraib*. Washington D.C.: Regenery Publishing

Moskos, Charles C.,John Allan Williams, and David R. Segal, edited by, (2000) *The Postmodern Military. Armed Forces After the Cold War*. New York and Oxford: Oxford University Press

Musah, Abdel-Fatau, and Kayode J. Fayemi, edited by, (2000) *Mercenaries: An African Security Dilemma*. London: Pluto Press

Percy, Sarah. (2007) Mercenaries: Strong Norm, Weak Law. *International Organization* 61:367-97.

Radin, Margaret Jane. (1996) *Contested Commodities: The Trouble with Trade in Sex, Children, Body Parts and Other Things*. Harvard: Harvard University Press

Reno, William. (2004) The Privatisation of Sovereignty and the Survival of Weak States. In *Privatizing the State*, edited by Béatrice Hibou, pp. 95-119. New York: Columbia University Press

Sabel, Charles. (2007) Bootstrapping Development: Rethinking the Role of Public Intervention in Promoting Growth. In *On Capitalism*, edited by Victor Lee and Richard Swedberg, pp. 305-41. Stanford: Stanford University Press

Sabel, Charles F. (1995) Bootstrapping Reform: Rebuilding Firms, the Welfare State and Unions. *Politics and Society* 23:5-48.

Salskov-Iversen, Dorte,Hans Krause Hansen, and Sven Bislev. (2000) Governmentality, Globalization, and Local Practice: Transformations of a Hegemonic Discourse. *Alternatives* 25:183-222.

Sapone, Montgomery. (1999) I have rifle with Scope, will travel: The Global Economy of Mercenary Violence. *California Western International Law Journal* 30:1-43.

Scahill, Jeremy. (2007) *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. Washington: Nation Books

Schultz, Sabrina, and Christina Yeung. (2008) *Private Military and Security Companies and Gender* March (available at: http://www.un-instraw.org/en/gps/security-toolkit/private-military-and-security-companies-and-g-2.html).

Sending, Ole Jacob, and Iver B. Neumann. (2006) Governance to Governmentality: Analyzing NGOs, States, and Power. *International Studies Quarterly* 50:651-72.

Shearer, David. (1998) Private Armies and Military Intervention. *Adelphi Paper*.

Shepherd, Bob. (2008) *The Circuit: An Ex-SAS Soldier's True Account of One of the Most Powerful and Secretive Industries Spawned by the War on Terror* London: Macmillan

Singer, Peter W. (2003) *Corporate Warriors. The Rise of the Privatized Military Industry*. Ithaca and London: Cornell University Press

———. (2007) Can't Win with 'Em, Can't Go to War without 'Em: Private Military Contractors and Counterinsurgency. *Foreign Policy at Brookings. Policy Papers* (available at: http://www3.brookings.edu/papers/2007/0927militarycontractors.aspx).

Spearin, Christopher. (2008) What Manely Missed: The Human Security Implications of Private Security In Afghanistan. *The Human Security Bulletin* 6:8-12.

Thomson, Janice. (1994) *Mercenaries, Pirates, and Sovereigns: State-building and Extraterritorial Violence in Early Modern Europe*. Princeton: Princeton University Press

Tyrell, Anne. (2007) *Statement by Blackwater on Sunday 16 September*.Manuscript

Walker, R. B. J. (2003) Polis, Cosmopolis, Politics. *Alternatives* 28:267-86.

Walzer, Michael. (1983) *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books

War on Want. (2006) *Corporate Mercenaries*. London: War on Want (available at: http://www.waronwant.org/Corporate%20Mercenaries%2013275.twl).

Warrick, Joby. 9 October, 2007 Leak Severed A Link To Al-Qaeda's Secrets: Firm Says Administration's Handling of Video Ruined Its Spying Efforts. Washington Post

Wodarg, Wolfgang. (2008) *Private military and security firms and the erosion of the state monopoly on the use of force*. (available at: http://assembly.coe.int/Documents/WorkingDocs/Doc08/EDOC11787.pdf).

Young Pelton, Robert. (2006) *Licensed to Kill: Hired Guns in the War on Terror*. New York: Crown Publishers

Zamparelli, Colonel Steven J. (1999) Competitive sourcing and privatization: Contractors on the battlefield. *Air Force Journal of Logistics* XXIII:1-17.