

9 Understanding US National Intelligence: analyzing practices to capture the chimera

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In July 2010, the *Washington Post* (WP) published the results of a project on “Top Secret America” on which twenty investigative journalists had been working for two years. The project drew attention to the change and growth in National Intelligence following 9/11 (Washington Post 2010a). The initial idea had been to work on intelligence generally, but given that this proved overwhelming, the team narrowed down to focus only on intelligence qualified as “top secret.” Even so, the growth in this intelligence activity is remarkable. This public is returning, or in this case expanding at an impressive speed confirming the general contention of this volume. Between 2001 and 2010 the budget had increased by 250 percent, reaching \$75 billion (the GDP of the Czech Republic). Thirty-three building complexes for top secret work had been or were under construction in the Washington area; 1,271 government organizations and 1,931 private companies were working on programs, while over 850,000 Americans had top secret clearances. The project built up a searchable database on the basis of “hundreds of interviews” combined with the scrutiny of “innumerable publicly available documents” (Washington Post 2010c). This has proved to be a gold mine of information available from the project website (Washington Post 2010a).¹

Yet, the exact nature of this public transformation is surprisingly difficult to pin down. At the end of their two-year project, the journalists still refer to their findings as “estimates” and underscore the “opaque” and “elusive” nature of the top secret programs they studied (Washington Post 2010d). Even more surprising, their interviews and documents

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¹ The quotes in the text that are not explicitly attributed to someone else are statements made by the WP team journalists.

show that the leaders inside Top Secret America share their uncertainties. They do not know its dimensions or purpose, nor do they feel capable of controlling it. This paradoxical combination has begun to define US intelligence. It has turned into a fleeting omnipresence, there for any observer to see (which justifies and creates the ambition for a team of twenty journalists to investigate it) *and* a mirage fading away when attempts are made to understand it, hold it accountable, or just simply quantify or describe it. This tension is not only analytically intriguing; it is unsettling. Considering the resources spent on US National Intelligence as well as the implications of US intelligence activities for people across the planet – including misinformation leading to war, torture, extrajudicial assassinations, and extraordinary rendition programs, as well as transformations of the handling of migrants, borders, and personal information – “capturing” National Intelligence in the dual sense of “understanding” and “detaining” is urgent (e.g. Bigo and Tsoukala 2008; Kessler and Werner 2008; Leander 2011b, 2010b; Salter and Mutlu 2010).

This paradox is the point of departure for this chapter. The argument is first that the reason this expansion of the public is so difficult to capture (understand, arrest, and control) is its hybridity – and more specifically the “chimerical” side of this hybridity – and second that analyzing “the public as practice” is a way of dealing with this difficulty.² This is a hybridity of the public and the private, in the strong sense of the two categories being *joined* into a new kind of “public” practice. It is not possible to understand this hybridity from the starting point of the traditional distinction between the public and the private – a distinction that is integral to the liberal “art of separation” (as emphasized in the Introduction) and that also acts as a “practical category” structuring the world of intelligence and most observations of it. This kind of tidy public/private distinction splits up the hybrid obscuring its enmeshment, elusiveness, and power. Efforts to study this phenomenon that start from the public/private divide can therefore do little more than (re-)produce an opaque and powerful elusiveness; that is the chimerical side of this hybrid. Inversely, conceptualizing the “public as practice” makes it possible to endogenize the public/private divide and analyze how its capacity to obscure hybridity is integral to reconstituting the public as an enmeshed, elusive, and powerful hybrid. This chapter shows how.

² I use public as defined in Chapter 2 of this volume: the “public” is that “recognized to be of common concern.” I restrict the use of practice to cover the theoretical approach and analytical strategy informing this volume and also introduced in Chapter 2.

To make this argument, the first three sections demonstrate the enmeshed, elusive, and powerful character of US National Intelligence at the level of the actors/activities, purpose(s), and the regulation governing US National Intelligence. These sections paint a rather discomfoting picture of a public transformation in which (in the terms of the actors) a national security enterprise is expanding according to its own zombie-like logic falling largely outside anyone's regulatory reach. The last section directs attention to the conceptualization of the public as practice which underlies this account, a conceptualization that paves the way for engaging and contesting this reconstitution of the public as a hybrid.

The *hybrid* Top Secret National Security Enterprise

The hybrid nature of US National Intelligence is captured by Marcus Brauchli, executive editor of the WP, who introduces "Top Secret America" by referring to it as "this country's *Top Secret National-Security Enterprise*" (Washington Post 2010f, emphasis added). As the formulation underscores, the WP project demonstrates the overlapping of logics that are conventionally regarded as operating in distinct public and private domains. Hence, even if the WP team and intelligence professionals constantly separate the public and the private, particularly when they make general or principled statements, as soon as they begin to describe and discuss them, the two become *enmeshed*: the actors, their activities, their purposes, and the applicable rules and regulations *turn out to be public and private simultaneously*.

Enmeshed actors/activities

The WP estimates that out of 854,000 people with top secret clearances, 265,000 are contractors, and close to 30 percent of the workforce in the intelligence agencies are contractors (Washington Post 2010d). Presented in these terms, one is left with the impression that there are two sets of distinguishable individuals interacting. In the details of the descriptions, however, this neatness disappears.

Companies are often set up by former service staff who have the necessary knowledge, training, and contacts; they are part of the "intelligence community" and often live inside the "intelligence clusters" such as that in Fort Meade which the WP describes in detail (Washington Post 2010e). Hence, contractors very often have their top secret clearances before they become contractors. The move to the private sector has indeed been extensive: "Companies raid federal agencies of talent [so that] the government has been left with the youngest intelligence staff ever while

more experienced employees move into the private sector” (Washington Post 2010d). But moving to the private sector in this case means continuing to work for the state, in some cases even doing exactly the same things – sometimes even in the same physical location. The move is thus, in many ways, fictional. Moreover, a contractor may not only be a contractor or a state employee, but may actually be both at the same time, holding state and private positions simultaneously – taking a leave from one, working part-time for both, or combining the two full-time. This being public and private at the same time is what I refer to as enmeshment. It is for this reason that Mark M. Lowenthal, former senior CIA official, terms public–private contracting a “false economy” (Washington Post 2010d).

Enmeshment is even more apparent in intelligence activities. The WP introduces contracting by stating that “federal rules say contractors may not perform what are called “inherently government functions.” Yet they do: “all the time and in every intelligence and counterterrorism agency” as former Defense Secretary Robert Gates and former CIA Director and current Defense Secretary Leon Panetta confirm in interviews (Washington Post 2010d). At the Department of Homeland Security, the number of contractors equals the number of federal employees. In the office handling intelligence, six out of ten employees are from the private industry. The captain in charge of information technology at the Office of Naval Research explains that he works with “the employees of 70 information technology companies who keep the place operating” (Washington Post 2010d). The activities of contractors and insiders are not only jointly undertaken (and often in the same place), they actually resemble each other to the point of being identical. As the WP comments, “it is hard to distinguish its [a private IT company’s] work from the government’s because they [are] doing so many of the same things” (Washington Post 2010d).

Enmeshed purposes

In view of this overlap in activities, it should come as no surprise that the purposes and reference points of state and private actions are also enmeshed. Despite constant referencing of the idea that there is a “market/private” and a “security/public” rationale at work, in the more precise accounts, security and market logics overlap all the time.

The contractors make it very explicit that they are *also* following a security rationale. The website of SGIS (a small IT company) features “navy sailors lined up on a battleship over the words ‘Proud to serve’ and another image of a Navy helicopter flying near the Statue of Liberty over the words ‘Preserving freedom’” (Washington Post 2010d). This is

the same language and images used on the websites of the state agencies. Moreover, their actions demonstrate that they *also* have a security purpose. They have “invented a technology that made finding the makers of roadside bombs easier and helped reduce the number of casualties from improvised explosives,” “produced blueprints and equipment for the unmanned aerial war fought by drones, which have killed the largest number of senior al-Qaeda leaders and produced a flood of surveillance videos,” and “created the transnational digital highway that carries the drones’ real-time data on terrorist hide-outs from overseas to command posts throughout the United States.” Contractors are simultaneously part of a commercial market order and a security order (Washington Post 2010d).

Inversely, the state agencies are *also* referring to a market purpose. The increase in contracting was itself motivated partly by the wish to cut costs. It would make it “easier for the CIA and other agencies involved in counterterrorism to hire more contractors than civil servants” and “to limit the size of the permanent workforce . . . because they [the Bush administration] thought – wrongly, it turned out – that contractors would be less expensive” (Washington Post 2010d). Similarly, economic motivations are perfectly legitimate for intelligence professionals. This comes out clearly in the communication to and about state employees. If the market logic was absent, SGIS would hardly try to recruit public intelligence professionals with a video showing an SGIS employee “walk [ing] into the parking lot one day and be[ing] surprised by co-workers clapping at his latest bonus: a leased, dark-blue Mercedes convertible [and then show] him sliding into the soft leather driver’s seat saying, ‘Ahhhh . . . this is spectacular’” (Washington Post 2010d). Nor would it appear self-evident that people leave the state because the private pays “often twice as much [and offers] perks such as BMWs and \$15,000 signing bonuses” (Washington Post 2010d). The presence of the market order is also visible in the emergence of a secondary industry: 300 headhunting “bodyshops” charging fees that often “approach \$50,000 a person” (Washington Post 2010d).

Enmeshed regulation

The contracting of intelligence services is covered by extensive regulations that have been expanding in recent years (Chesterman 2011; Kierpaul 2008). This regulation can be neatly compartmentalized into legal subfields such as administrative law, contractual arrangements, regulations of the Use of Force such as the uniform code of military justice, etc. (e.g. Martin 2007; Waits 2008; Zamparelli 1999). These compartmentalized subfields are, however, continuously enmeshed.

One expression of this enmeshment is the recurrent concern of intelligence actors with the many contradictory rules. As one would expect, intelligence professionals complain about being limited by overly extensive rules and the micro-management of their activities. A whole consultancy industry has emerged, geared to support them when they try to navigate the maze of regulations (Shorrok 2008), but they complain especially about the tensions and contradictions which the extensive rules generate. For example, a senior defense official recalls his frustration when dealing with a subordinate responsible for a top secret program who refused to brief him about it. “What do you mean you can’t tell me? I pay for the program,” he told the subordinate who answered that the contract was secret. The senior official was obviously referring to the regulations governing his own unit, whereas the employee considered himself in another regulatory context.

A second example of actors’ concern with enmeshment is their difficulty in locating regulatory authority and the resulting ineffectiveness of regulatory initiatives. The fate of the Office of the Director of National Intelligence (ODNI), which was established “to bring the colossal effort [in National Intelligence] under control,” is illustrative in this regard (Washington Post 2010b). The many contradictory regulatory systems were a source of weakness from the outset. “The law on ODNI passed by Congress did not give the director clear legal or budgetary authority over intelligence matters” (Washington Post 2010b). Subsequently, the work of ODNI has been severely hampered by the possibility of shifting between regulatory systems. Examples include times when “the Defense Department shifted billions of dollars out of one budget and into another so that the ODNI could not touch it,” as well as when “[t]he CIA reclassified some of its most sensitive information at a higher level so the National Counterterrorism Center staff, part of the ODNI, would not be allowed to see it” (Washington Post 2010b).

Enmeshment is at the core of the Top Secret National Security Enterprise. It not only shapes regulations, but also defines who does what and with reference to what kind of purpose. The activities, purposes, and regulations enmeshed in this way cannot simply be separated back out again. The contractors can be separated from the CIA officials, the market purpose from national security purpose, and regulation of contracts from regulations administrations. Such separation is, however, a formalistic exercise that hides more than it reveals and blinds itself to the hybrid and its implications.

The *elusive* Top Secret National Security Enterprise

As Army Lt.-Gen. John R. Vines suggests, the arrangements that have come to characterize National Intelligence maintain a “complexity that

defies description” (Washington Post 2010b). Indeed, even those who stand squarely in the middle of it (and who thus have more information and a deeper understanding of it than anyone else) claim that they do not have a precise grasp of it. For example Robert Gates makes “a terrible confession: I can’t get a number on how many contractors work for the Office of the Secretary of Defense; not even as a whole” (Washington Post 2010d). Where secrecy is a virtue, this may not seem strange. Cheney sums it up when he explains that contracting has grown because it facilitates “work in the shadows” (quoted in Chesterman 2011: 96). The public/private divide, however, compounds the challenge: it makes enmeshed actors and activities, purposes, and regulations slide out of sight. This elusive character of the secret intelligence hybrid is one of its sources of power.

Elusive/expansive actors and activities

The WP Project’s attempt to pin down the actors is a case in point. According to the WP, Top Secret America consists of forty-five governmental organizations that can be broken down into 1,271 subunits and 1,931 companies (not divided into subunits) (Washington Post 2010c). This estimate, however, misrepresents the things it purports to capture. One reason is that enmeshed activities can be classified as either public *or* private *or* both, or they can simply slide out of the picture entirely because the activity in question moved to the private when the public was measured or vice versa. An additional reason for this elusiveness is that the estimate excludes things located outside the divide (namely the formally private or the foreign). Yet, these are often integral to National Intelligence. In the formally private sector (private companies hiring private intelligence agencies), operatives with a background in the state intelligence services make up the bulk of the staffing of the “private” agencies, which do assignments for the state agencies and share their results with the state agencies (Donovan 2011, former employee of Shell Corporate Affairs Security). The same is often the case with foreign agencies. The combination of misrepresentation and exclusion generated by a reliance on the public/private distinction explains why observers and insiders share the impression that the beast they are trying to capture eludes them. Observing these practices through the public/private divide makes it impossible to capture who and what is part of US National Intelligence.

The elusiveness produced by the public/private divide facilitates an expansionary dynamic. By obscuring existing activities and actors, it makes it easier to argue that more projects and activities are needed.

As Elena Mastors, leader of a team studying the al-Qaeda leadership for the Defense Department, puts it, the overall logic is: “Let’s do another study’ and because no one shares information, everyone does their own study” (Washington Post 2010d). This insulates actors and activities from attempts to curb their expansion. The complexity (and informality) of the arrangements combined with the intertwining of professional interests makes even those in charge feel powerless. As Vice-Adm. Dorsett (who claimed he could save millions by cutting contractors) stated, I “converted one contractor job and eliminated another out of 589 . . . It’s costing me an arm and a leg” (Washington Post 2010d). This expansion goes so far that, according to some, the intelligence world is becoming entirely self-sustaining; “like a zombie, it keeps on living” as an official said after discovering sixty classified analytic websites still in operation despite orders to have them closed (Washington Post 2010b).

Elusive/expansive purposes

As the WP journalists highlight, “the amorphous mission” of defeating transnational violent extremists can, in principle, be interpreted in innumerable ways (Washington Post 2010b). In a context where actors/activities take on zombie-like qualities, the purpose of intelligence missions becomes elusive. Part and parcel of becoming an intelligence operative and engaging in intelligence activities is to have an intelligence purpose; preferably a unique and central one. “You have to differentiate yourself” as the executive of a small IT company, InTTENSITY, explains (Washington Post 2010d). Along similar lines Kevin P. Meiners, deputy undersecretary for intelligence, gave contractors the recipe of the “the secret sauce” that will make their contracting thrive: “You should describe what you do as a weapons system, not overhead . . . You have to foot-stomp hard that this is a war-fighting system that’s helping save people’s lives every day” (Washington Post 2010d). The elusive status of hybrid actors makes it possible for them to engage in this kind of “stomping” in many contexts, and to do so simultaneously. Such competing efforts to define the purpose of intelligence activities therefore end up sounding more like a stampede, making their ultimate goal elusive.

Even if it becomes increasingly difficult to pin down intelligence purposes, it is not so difficult to recognize that this kind of stampede generates an expansion of intelligence purposes. This is most clearly expressed in the increasingly loud controversy over these purposes. Academics and practitioners alike criticize intelligence for not serving “national security.” Maj.-Gen. John M. Custer, director of intelligence at US Central Command at the time, recounts a visit to

the director of the National Counterterrorism Center (NCTC) during which “I told him that after 4.5 years, this organization had never produced one shred of information that helped me prosecute three wars!” (Washington Post 2010b). At times, developments in National Intelligence are presented as merely self-serving. These complaints about a disjuncture or even total delinking of security and intelligence activities from national security presuppose that there is a national security to which intelligence ought to be linked. Yet defining what this would be is precisely what the competitive foot-stomping is all about. The critics of the expanding intelligence purposes can identify the stampede. Unless they also prevent the public/private divide from obscuring the stampers, however, they are bound to do more to reinforce than to stem it.

Elusive/expansive rules

A common reaction to the expansion and multiplication of the purposes of top secret intelligence is to call for clearer leadership and rules. Maj.-Gen. Custer suggests that there is a need for someone “who orchestrates what is produced so that everybody doesn’t produce the same thing” (Washington Post 2010b). Army Lt.-Gen. Vines, for his part, calls for a “synchronizing process” to ensure continuity of purpose. Nonetheless, such calls have gone unheeded (Washington Post 2010b). Instead there remains a lack of clear rules and regulations, and a subsequent overlapping of multiple and contradictory regulatory frameworks enmeshed in the Top Secret National Security Enterprise.

In the abstract, it may be possible to deal with this lack of clear rules by re-establishing a hierarchy and priority of norms, that is by reinstating the public/private divide and enforcing it more consistently (but see Fischer-Lescano and Teubner 2004). In US National Intelligence, however, as in most contemporary contexts, this is an unlikely scenario. Instead, the preferred strategy has been to create “coordination” and communication mechanisms. Hence, the ODNI does not exercise leadership by imposing rules of a unifying character. Rather, the DNI and his managers hold “interagency meetings” every day to promote collaboration between the different agencies (Washington Post 2010b). Similar approaches are echoed elsewhere. Coordination is also a core role of the handful of senior officials (so-called “Super Users”) in the Department of Defense who have insight into, and overview of, all the programs located in the department (Washington Post 2010b). This coordination-based approach to rules and regulation cannot resolve the tensions and contradictions between regulatory systems. Instead it perpetuates them, reinforcing the ambiguity concerning which rules apply and when.

These contradictions and tensions between multiple rules and regulations are all the more likely to be perpetuated and multiplied as professionals and observers reinforce them through their own strategies. Even when they suggest that upholding multiple forms of regulation may be the most effective route to regulation (e.g. Dickinson 2008), they draw on and reinstate the public/private divide. Regulatory thinking, practical and academic, is constructed on past thought in which the inside/outside and the public/private are constitutive divisions (Cutler 2003). The resulting contradictions generate new forms of elusiveness, enabling certain professional to escape accountability (Michaels 2004). For instance, Michael Leiter, Director of the NCTC, complains that he cannot even govern his own work routines: “There is a long explanation for why . . . , and it amounts to this: some agency heads don’t really want to give up the systems they have” (Washington Post 2010b). Other agency heads have mobilized contradictory regulations and their rules prevail over Leiter’s.

Elusiveness is pervasive in National Intelligence. The deeply anchored categorical divides (most importantly in this case the public/private divide) allow actors – as well as their purpose and the rules governing them – to expand in ways that evade capture. While they are seen and sensed, they slide out of view. Creating an overview of the Top Secret National Security Enterprise is therefore a fool’s errand. Even to gain a firm grip on specific groupings of activities is a daunting task. According to James Clapper, Undersecretary of Defense for intelligence, “there’s only one entity in the entire universe that has visibility on all Special Access Programs [an ultra-secret group of programs in the Pentagon], that’s God” (Washington Post 2010b).

The powerful Top Secret National Security Enterprise

Last but not least, the transformed National Security Enterprise is powerful. Not because specific actors or institutions are (or even can be) identified as masterminding it as a whole. Rather, its power is diffuse and capillary in form. It resides in the presence and spread of intelligence priorities across contexts and in its grip over understandings of national security. This section shows this by looking at how actors/activities, purposes, and regulations have become increasingly geared towards intelligence. It does so by showing that there has been a reshuffling of options, purposes, and forms of regulation which places intelligence on the agenda, rendering certain actions more self-evident, and bolstering/generating certain subject positions within the security field. In other words, the security field is shaped by a bias for intelligence, which is (re-)produced in actor strategies and understandings across the public/private divide.

Powerful intelligence actors/activities

The transformation of US National Intelligence has involved an expansion of the number of intelligence staff and activities. The recruitment has been constantly increasing and still grows. “Just last week, typing ‘top secret’ into the search engine of a major jobs Web site showed 1,951 unfilled positions in the Washington area, and 19,759 nationwide,” the WP team writes (Washington Post 2010d). These figures partly reflect the constant reshuffling and shifts in already existing positions inside “Top Secret America.” They are also indicative, however, of its capacity to absorb outsiders. “Contract analysts are often straight out of college and trained at corporate headquarters,” an ODNI analyst explains (Washington Post 2010b). Similarly, many of the companies and government institutions that now work with intelligence have been created since 9/11, including a third of the 1,814 small to midsize companies that do top secret work (Washington Post 2010d). According to a member of the Senate Armed Services Committee, “we’ve built such a vast instrument. What are you going to do with this thing? It’s turned into a jobs program” (Washington Post 2010d).

This “jobs program” is changing the value attached to different types of competence. The value of working on top secret matters – and hence of having a top secret clearance – has increased. It becomes important for getting jobs and contracts. It gives access to the networks and meetings in which these are distributed, many of which are informal. The WP team gives the example of the Defense Intelligence Agency’s (DIA) annual information technology conference in Phoenix where General Dynamics hosted a Margaritaville-themed social event and Carahsoft Technology hosted a casino night. “These gatherings happen every week. Many of them are closed to anyone without a top secret clearance” (Washington Post 2010d). The companies’ willingness to pay for these events underlines the significance of participating. The DIA event was entirely company sponsored. General Dynamics spent \$30,000 on it (Washington Post 2010d). Also, drawing on intelligence competencies has become an important way of influencing hierarchies and jumping the career ladder. It can be used to short-circuit the hierarchy, or to “undermine the normal chain of command [as] when senior officials use it to cut out rivals or when subordinates are ordered to keep secrets from their commanders” (Washington Post 2010b).

The move into National Intelligence is not necessarily a move away from other activities. The activities may overlap. Nor is the related revaluation of competencies necessarily matched by a zero-sum devaluation of other competencies. “Dual use” (civil–military) technologies

are matched by dual-use competencies. They do reveal, however the grip National Intelligence has gained over actors, the way they think of their options and hence the “strategies” they pursue.³

Powerful intelligence purposes

The Top Secret National Security Enterprise is not only redefining the purposes of intelligence, but also of politics more generally. Intelligence concerns are present across a wide (and growing) range of areas and activities. The “stampede” mode of defining intelligence purpose is also an expression of a clear, explicit effort to promote the dissemination of intelligence concerns across various areas. Erik Saar (whose evocative job title is “knowledge engineer”) explains that his “job is to change the perception of leaders who might drive change” (Washington Post 2010d). Similarly, the founder of a small company that has rapidly grown explains that the company defined its activities as falling within the realm of “intelligence” because “we knew that’s where we wanted to play. There’s always going to be a need to protect the homeland” (Washington Post 2010a).

These efforts do not stop at the US border. Rather, “within the Defense Department alone, 18 commands and agencies conduct information operations, which aspire to manage foreign audiences’ perceptions of U.S. policy and military activities overseas” (Washington Post 2010b) and “in September 2009, General Dynamics won a \$10 million contract from the U.S. Special Operations Command’s psychological operations unit to create Web sites to influence foreigners’ views of U.S. policy” (Washington Post 2010d). These knowledge engineering and perception shaping efforts are likely to be influential, not necessarily because they are blindly accepted and hence capable of displacing civilian orders and understandings in a zero-sum fashion, but rather because they place intelligence/security concerns on the agenda. They focus attention, debate, and discussion on them. In the process, they make intelligence/security concerns integral to an increasing number of areas. Consequently, and even if they fail on their own terms, the opinion making efforts skew thinking about purpose in these areas towards intelligence and security.

One way of conveying this grip of intelligence concerns is by observing the transformation of Washington’s “social morphology”⁴ which both the WP team and intelligence professionals resort to when they want

³ Strategy is obviously used in a Bourdieuan sense as reflecting the *habitus* generated by and reproducing the agents positions and dispositions in a field.

⁴ The material landscape expressing the self-understanding of societies (Mauss 1950: 389)

to highlight the power of National Intelligence. The architectural landscape of Washington has been transformed by building complexes for top secret work that according to a senior military intelligence officer, “occupy the equivalent of almost three Pentagons or 22 U.S. Capitol buildings” and are “edifices on the order of the pyramids” (Washington Post 2010b). But as the WP team notes “it’s not only the number of buildings...it’s also what is inside: banks of television monitors. ‘Escort-required’ badges. X-ray machines and lockers to store cell phones and pagers. Keypad door locks that open special rooms encased in metal or permanent dry wall, impenetrable to eavesdropping tools and protected by alarms and a security force capable of responding within 15 minutes” (Washington Post 2010b). A constructor insists on the transformation of public buildings more broadly: “in D.C., everyone talks SCIF, SCIF, SCIF.”⁵ Finally, the transformation is visible in how people position and project themselves in the landscape. For example, according to a three star general: “you can’t find a four-star general without a security detail... Fear has caused everyone to have that stuff. Then comes: ‘If he has one, then I have to have one.’ It’s become a status symbol” (Washington Post 2010b).

Powerful intelligence regulations

Last but not least, the Top Secret National Security Enterprise has a strong grip on regulatory ideas and horizons, and hence on the regulatory debates and strategies pursued. In spite of the despair about the absence of synchronization and orchestration, when confronted with the problems created by the amorphous maze of intelligence activities, academics and professionals alike are prone to request more of the same. For example, after explaining a major oversight failure by suggesting “there are so many people involved here... Everyone had the dots to connect... but it was not clear who had the responsibility,” the NCTC Director proceeds to plead for “more analysts; 300 or so” (Washington Post 2010b). Similarly, when faced with a mistake, the DNI suggested the creation of a “team to run down every important lead” as well as the need for “more money and more analysts to prevent another mistake” (Washington Post 2010b). There is a “bootstrapping” (i.e. self-sustaining) logic at work here (Sabel 2007). The consequence is not that regulatory alternatives are eliminated. Rather, the effect is that the web of loosely coordinated regulations expands further to cover ever increasing

⁵ SCIF is a “Sensitive Compartmented Information Facility,” i.e. an enclosed area (room or building) used to process information classified as “sensitive compartmented.”

areas. In the process other forms of regulation, and particularly those following a different logic, become relatively less significant. An expression of this is the resistance this process generates in the form of the recurring call for more outside or independent – of intelligence professionals – oversight and control in the discussion surrounding the transformation of US National Intelligence (e.g. Verkuil 2007).⁶

The bootstrapping logic is reinforced by the devaluation of alternative regulatory forms. Indeed, the web of overlapping and contradictory regulations is inherent to a hybrid organizational form that is adopted because it grants flexibility and promotes synergies. As Grant M. Schneider, DIA's chief information officer, suggests, "Our goal is to be open and learn stuff... We get more synergy... It's an interchange with industry" (Washington Post 2010d). Synergies of this kind demand a high degree of regulatory flexibility. The approach to regulation is one which self-consciously resists the temptation to either create more centralized regulations or to strengthen the specific local regulations. As in other areas the "implicit message for legal policies... is: 'strengthen the networks' polycontextuality!" (Teubner 2002: 321).⁷ Reverting to (and positively valuing) regulatory polyphony and the associated "sense of dissonance" (Stark *et al.* 2009) pushes aside regulatory alternatives – in particular, it devalues hierarchically organized regulatory structures.

The intertwining of enmeshment, elusiveness, and power just described (and summarized in Table 9.1) is at the core of US National Intelligence. As shown in the account, the public/private divide is not only a passive representation, but an active force in (re-)producing these characteristics of US National Intelligence. The public/private splits up enmeshed actors/activities, purposes/values, and rules/regulations and therefore engenders a dual misrecognition of the expansionary dynamics and the power implications at the core of hybridity. Observers and practitioners fall back on the divide and mobilize it for their own ends, hence perpetuating and reinforcing the difficulty of pinning down enmeshment, halting its expansion, and understanding its power. The public/private divide in other words reproduces the intelligence world as chimerical, as the lion-goat-snake (and sometimes dragon) monster of Greek mythology. The question is what can be done to break this (re) production and hence to capture this hybrid being.

⁶ www.janschakowsky.org/

⁷ By "polycontextuality" Teubner refers to the plurality of contexts that the networks he is studying span. Here it expresses the refusal to establish a hierarchy of contexts in favor of flat regulatory structures.

Table 9.1 *The Top Secret National Security Enterprise*

<i>Level</i>				
		Actors	Purposes	Regulations
<i>Characteristic</i>	Enmeshment	Dual identities: The public Contractor	Dual purposes: Security The market	Dual origins: The clashing logics
	Elusiveness	Expanding presence: The zombies	Expanding purpose: The stampede	Expanding regulations: The divine regulator
	Power	Reshaping of options: The top secret clearance	Reshaping of purposes: The SCIF landscape	Reshaping regulatory imaginaries: Bootstrapping reforms

Capturing the Top Secret National Security Enterprise by analyzing the public as practice

Hybrids and hybridity figure prominently in many areas of the social sciences – including postcolonial theory, gender studies, anthropology, and sociology – precisely because they focus attention on situations where multiple logics co-exist, overlap, and are intertwined (e.g. Canclini 1995; Harvey 1996; Patel 2004). Although scholars in IR and IPE have engaged these notions, they have tended to ignore the chimerical side of hybridity, as an enmeshed, elusive, and powerful phenomenon (an exception is Graz 2006, 2008). Without attending to this, the awareness of the specific analytical challenges involved in capturing hybrids is lost, including the awareness of the pivotal importance of divides such as that between the public and the private. Adopting a practice approach is a way to deal with this. It paves the way for an analysis of the role of hybridity in public transformations. It makes the divides (and their productivity or performativity) endogenous to the analysis instead of placing them as exogenous points of departure – as will be briefly illustrated with reference to the three core characteristics of US National Intelligence: its hybridity, its elusiveness, and its power.

Looking “from below” to capture the enmeshment at the core of hybridity

In biology *chimera* is a technical word used to designate a being that combines two incompatible genetic codes. This usage suggests that

hybridity is not just about the co-existence of different logics; rather, it is about their enmeshment. The chimera is a single being. As Teubner, who has worked extensively on hybrids in law, insists, “hybrids are not simply mixtures, but social arrangements in their own right” where contradictory systems co-exist and overlap (Teubner 2002: 331). Hybridity in this sense is difficult to understand. The overlapping and contradictory logics create paradoxes that are difficult to fit into the linear and hierarchical understanding usually deployed in social analysis (Teubner 2011). But on a more basic level, chimeras are difficult to capture mainly because observers fall back on well-established categories – in the above analysis the public/private – splitting the hybrid into its constituent parts. They will look at how the public and the private interact (as “revolving doors”: e.g. Seabrook and Tsingou 2009) rather than at the hybrid as a whole. More broadly, these deeply anchored categories are also reproduced as actors and institutions use them to define their identities, conceptualize the world, and formulate strategies in pursuit of their interests. “Reality” is therefore likely to confirm the divide that obscures enmeshment.

As explained in Chapter 2, practice-based approaches enable us to transcend this problem; they do so by refusing to take the public/private divide as pre-given and fixed, and insisting that categories of “public” and “private” need to be understood as constituted in a particular historical context. Indeed, as Elias explains, practice theorists assume that the variability of social life is one of its permanent features (Elias 1970: 47). Under these circumstances, the analyst has to provide context-sensitive interpretations of the meaning of – and relationships between – categories such as “public” and “private.” Seen from this perspective, the public/private divide is a construct that may conceal an enmeshment that tends to be reinforced by the continued usage of the divide by actors engaged in, as well as by observers to, particular types of social practices. There is a “stickiness” of the terminology, as Neumann (2001) puts it. The most straightforward way to come to terms with this is to “look from below.” This explains the proximity of practice analysis to anthropology/ethnography and the insistence on “empirical work” in all practice traditions (Leander 2010a, 2011a), including the notion of “field analysis” (Bourdieu 1980), the tracing of “networks” (Latour 2005), and the analyses of the everyday (De Certeau 1984).⁸

⁸ As also flagged in Chapter 2 (this volume), these approaches are usually considered diverse and even incompatible. As I have argued elsewhere (Leander 2011a), although they are of course different, they have more in common than usually acknowledged.

The above analysis has captured the centrality of enmeshment to the US Top Secret National Security Enterprise. By focusing on how the actors and observers described who was inside the enterprise, what they were doing, why, and how this was formally regulated, this chapter has demonstrated that the public/private divide continues to structure most thinking and statements about US National Intelligence. When intelligence actors are pushed to provide more detailed accounts of the US Top Secret National Security Enterprise, however, it becomes clear that the divide effectively masks and reinforces a de facto public/private enmeshment. Hence, although the analysis developed in this chapter was clearly no fully fledged ethnography, field analysis, or network tracing, by drawing on the WP database it was able to capture the ways in which the public/private logics constantly overlap in the field of intelligence, giving actors, purposes, and regulations their dual character.

Acknowledging the productivity of conceptual divides to capture elusiveness

Practice analysis is also central for tackling a second analytical challenge linked to the study of hybrids, namely the elusiveness produced by conceptual divides. As illustrated above, the public/private divide is productive. It hides US National Intelligence. Hybrid intelligence is located in what modern system theory adequately terms a “blind spot,” i.e. the distinction that establishes the system and hence makes it possible to think about it, or in this case the public/private distinction (Teubner 2006). Something located in that blind spot cannot be fixed. It slides out of sight. This is mirrored in status of the Greek chimera as the example par excellence of something that cannot *be* (Ashworth 1977: 63). Preventing hybrids from sliding out of view therefore requires an analytical strategy that displaces the blind spot while drawing explicit attention to the productivity of the conceptual divides for the observed. Yet, even those rare analyses that *do* focus on the productivity of conceptual divides often end up eliminating rather than analyzing the hybrid. This is done, for example, in analyses that show how distinct logics are integrated to form a new system (e.g. Frankel 2004), or that denaturalize the distinction on which the hybrid rests (e.g. Bevir 2008). Since hybrids and the blind spots in which they are located are likely to persist, the failure to analyze them hampers serious engagement with their productivity, and hence helps to reproduce the elusiveness of the hybrid.

Practice approaches can usefully be drawn upon to navigate away from this Scylla and Charybdis of ignoring the productivity of conceptual divides and of analyzing them out of existence. Practice approaches keep

the productivity of conceptual divides inside their analyses and focus on how they produce elusiveness and misrecognition. Hence, a core point for Latour is to show how the modern misrecognition of the “seamless fabric” formed by nature-culture (Latour 1993: 7) has been produced, making science and social life more broadly elusive to observers and practitioners alike who nonetheless reproduce this misrecognition. Similarly, processes of misrecognition including those produced by the naturalization of conceptual divides are at the heart of Bourdieu’s intellectual project. In analyzing the state, he urges against “seeing like a state” and proceeds to show how doing so (and accepting the public/private divide inherent in this vision) makes it impossible to recognize the imprint of the state on our innermost thoughts, including in matters of life and death. His conclusion is that the state monopoly on symbolic violence is more significant than its control over physical violence (e.g. Bourdieu 1994: 102). From the perspective of these practice approaches, a core task of sociological analysis is therefore to pinpoint misrecognition and its role in reproducing common understandings, including for example of the state or “the public.”

This attentiveness to the productivity of conceptual divides and specifically their central and continuing role in producing misunderstanding, informed the above analysis of the US Top Secret National Security Enterprise. The analysis traced the recurring reference by practitioners and observers to the elusiveness expansion of the National Security Enterprise to the performative effects of the public/private divide. It suggested that the public/private divide is core to the elusive expansion of the range of actors, the stampede making intelligence purposes elusive/expanding, and the elusiveness of a regulation that has become so complex that “only God” can grasp it.

Analyzing reflexive processes to capture power

The difficulty of controlling the Top Secret National Security Enterprise evokes a last analytical challenge related to the analysis of hybridity, namely the question of how to capture its power. As discussed above this power resides mainly in the grip and spread of intelligence thinking over the understandings of what options, purposes, and regulations are available and appropriate across contexts. As such it is a power linked to the misrecognition at the origin of the expansionary dynamics tied to hybridity. This is underscored by the etymological link between hybrid and hubris: the ease with which hybrids impose themselves makes them overconfident (Godin 1996: 37). It is in other words a power that works by reorganizing understandings at the inter-subjective level, or a form of what Bourdieu would term “symbolic power” (e.g. Bourdieu 1990;

Guzzini 1993; Leander 2005). This kind of power tends not only to be difficult to capture in analysis, but to be reproduced in observation. The reason is that observers and observed alike usually remain trapped by their own situatedness and the categories inherent in it, and hence reproduce the symbolic power inherent in them; they remain trapped by limits of their own reflexivity. This holds also for this volume (including this chapter) which is constantly reproducing established connotations of “the public” simply by naming it as such, although its main ambition is to show how it has been reconstituted.

To break these “reflexive traps” requires focusing squarely on them in the analysis, and hence the practical import and reproduction of categorizations and understandings which Bourdieu would refer to as categorization effects. Doing precisely this is at the heart of practice analysis. Reflexivity traps (“self-fulfilling prophecies”) and how to “resist” or “destabilize” them stand as core research objectives on the practice approach research agenda (Ashley 1989; Scott 1998). Practice scholars explicitly repeat and insist that they span, overcome, or simply work beyond (Latour) the divide between observers and observed (and they are also charged with failing, see e.g. Turner 1994). They also insist on broadening the range of observer–observed relationships they analyze to include observers such as movie-makers, designers, computerized technologies, or clowns (Shapiro 2011; Lacy 2008; Knorr-Cetina 2005; Amoores and Hall 2013 respectively). Reflexivity is a hallmark of the practice approach. This is epitomized by Bourdieu’s insistence that his approach is “reflexive” (Leander 2002; Rask-Madsen 2011), but it is so widely shared that practice approaches have turned it into their most frequent foundation for their claim to authoritative knowledge to the considerable irritation of those who think no such claim is warranted (Lynch 2000). Consequently, practice approaches are particularly attuned to capturing the reflexive processes/traps pivotal to the power of hybrids.

This is also how the practice approach plays into the analysis of the power of the US Top Secret National Security Enterprise above. The analysis shows that the power of intelligence (in the sense of its grip over understandings) is reproduced as it becomes integral to how actors reflect on themselves and the world around them. The way they organize their activities including their professional strategies, the way they see purpose, extending to that of the buildings that make up their physical surroundings, and the way they deal with regulation is increasingly marked by intelligence concerns. Even as there are persistent, explicit, and loud complaints about precisely this, both actors and observers (such as the WP journalists) seem to find it difficult to break out of this way of thinking.

Table 9.2 *Capturing US National Intelligence by analyzing practices*

Chimera characteristic	Difficult to capture because	Practice approaches can capture because they
It is Hybrid	The hybridity is split up in constitutive parts	“Look from below” (at “fields, “networks”, the everyday . . .)
It is Elusive	The productivity of conceptual divides is ignored or dissolved	Analyze the implications of “conceptual divides” (as <i>illusio</i> , assumptions, performativities . . .)
It is Powerful	The link between observers and “strategies” is severed	Focus on reflexivity (on the observer–observed relation in practice)

In short, analyzing “the public as practice” makes it possible to capture hybrids such as the US Top Secret National Security Enterprise (see Table 9.2). The reason is that a practice approach problematizes the nature of conceptual divides and hence opens the road for an analysis of their “productivity” and their power. A practice approach can consequently avoid simply (re-)producing the blind spots in which hybrids such as US National Intelligence are located. Instead, it can identify these blind spots and engage the analysis of the mechanisms through which they produce elusiveness and power.

Conclusion

“A living, breathing organism impossible to control or curtail” is how a conservative member of the Senate Armed Service Committee describes US National Intelligence since 9/11 (Washington Post 2010b). This chapter has demonstrated that this imagery of a living, breathing organism is widely shared. It has also relied on a practice approach to locate its origins in the performative effects of the public/private divide. The salience of the public/private divide is no novelty. It has no doubt often obscured the work of national intelligence agencies across the world and in history. The encouragement of market-based governance forms has, however, placed “privatization logics” at the heart of the state. They have transformed the state from within, reconstituting it as hybrid. In the process, the performativity of the public/private divide has also become more salient. This chapter has insisted that this reconstituted (no longer public?) hybrid is chimerical: enmeshed, elusive, and powerful. It has also insisted that *pace* the many statements to the contrary, this hybridity does *not* make secret intelligence “impossible to control or curtail.” Although this chapter has shown that “capturing” the logic of secret

intelligence is exceedingly difficult as its elusiveness is constantly (re-) produced both by observers and observed, it has shown that analyzing the public as practice makes it possible. A focus on practice makes it possible to avoid the blind spots generated by splitting the hybrid into its constituent parts and by ignoring the productivity of conceptual divides and the power anchored in reflexive processes.

This argument is important for debates about the transformation of the public beyond US National Intelligence. Not because replicas of the US Top Secret National Security Enterprise are burgeoning everywhere but because its chimerical hybridity is likely to be found (with variations) in many other contexts of intelligence operatives, their values and the rules governing them are no doubt more internationally connected than is commonly acknowledged. Similarly, the transformation of intelligence is no doubt closely related to transformations of other areas of the state, such as health care, education, and local government (see e.g. Åkerstrøm-Andersen and Sand 2012). This suggests that the mechanisms through which chimerical hybridity is (re-)produced in the domain of intelligence – including the pivotal, performative, role of the public/private divide – may also play important roles in various other fields or domains of social life.

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