Global Assemblages and Counter-Piracy: Public and Private in Maritime Policing

Keywords

Private Security, Maritime Piracy, Global Governance, Assemblage

Abstract

There is wide agreement among scholars that the shift from government to governance in security has seen unprecedented levels of cooperation (and competition) between private security actors (PSAs) and law enforcement agencies in the policing of public spaces, and the formation of fluid, diverse policing assemblages. With the overriding goal of investigating how the politics of security governance vary across time and space, this article seeks to explore security assemblage structures in counter-piracy operations on the high seas. Specifically, it studies the assembly of coercive force between public and private actors there, and compares this to the experience of multilateral security governance in other policing environments. On the back of this, it suggests that the formation of security assemblages in maritime space involves a configuration of public and private in which private actors have great prominence in (and authority over) the distribution of legitimate coercive force in 'public good' or 'civilized' security provision. Consequently, it argues that in this space, private interests (rather than those of the nation) may be central in the assembly of 'civilized' security interests.

Introduction

It is widely acknowledged that the practice of policing has become increasingly 'multilateralized' in recent decades. Prompted by the shift to 'neo-liberal political and economic rationalities', the transfer of responsibility for crime prevention to individuals and communities, and the adoption of a 'future-oriented' risk mentality, law enforcement has come to incorporate citizen-based policing initiatives, community support professionals, and a diverse range of state institutions separate from the public police and criminal justice system. (Bradley, Sedgwick 2009, p. 478)

Looming large in this new landscape of 'plural policing' is the private security industry. Although scholarship on security privatization was subsumed for many years within a narrative of globalization that emphasized the dismantling, disaggregation or retreat of the nation-state (Muthien, Taylor 2002, p. 186, Borzel, Riise 2007, Hall, Biersteker 2002, Cerny 1999, Morris 1997, Cable 1995), recent work has emphasized the co-existence and co-operation (and competition) of PSAs and public policing authorities within, for example, 'global security assemblages' (Abrahamsen, Williams 2011) or 'nodal' governance frameworks. (Shearing, Wood 2003) The latter perspective, for one, argues that relationships between different 'nodes' of security provision can be characterized not only by neglect or conflict, but also by contracting out, sponsorship, or hiving off.

It is clear that private security actors operate within an infinitely diverse range of socio-political contexts, over which it is problematic to generalize conceptually. As has been highlighted by Shearing and Stenning in their analysis of 'mass private property', private security companies often undertake 'private' policing, which is 'tailored to the profit-making objectives of its corporate clients', and may be normatively at odds with principles of public law enforcement. (1983, p. 500) In shopping centres, for example, it has been argued that PSAs seek to create islands of 'consumerist citizenship', which may be synonymous with socio-economic or racial exclusion. (Voyce 2006, p. 273) Equally, however, it is clear that private security actors often operate in spatial and normative harmony with public policing authorities (part of the same

'security project') (Valverde 2011), where their primary purpose is to guarantee public safety and freedom of movement in public space, and uphold the law. Ian Loader, on this distinction, qualifies a sphere of 'public good' policing (1997, p. 159); as Crawford and Lister have highlighted, PSAs in the UK are increasingly taking on 'reassurance policing' roles, in which they aim to do no more than provide a visible deterrent to crime in public space. (2004a) Although it is clear that private security actors have often been used in pursuit of exclusively 'private' interests, therefore, they are also an integral part of security assemblages whose primary goal is to protect the 'public', democratic, 'collective' (Jones, Newburn 1998: p. 34) security interest that dominates the politics of public space.

It is the positioning of private security actors in these forms of assemblage, and their role in defining 'civilized' security, that is the subject of this article. Using the case of coercive force, it explores the distribution of authority between public and private actors in the context of a number of public policing initiatives, and compares these to the assembly of security governance in maritime counter-piracy operations on the high seas. As it will explore, the overwhelming picture of public-private policing assemblages is one in which the authority to use (and distribute authority over) coercive force in defence of the public security project remains largely with the state. It argues that this is reflective of a view of the state and public policing authorities as the ultimate guarantors of 'public' security interest, and possibly the institutions around which the very concept of 'public' security is defined. In the context of maritime counter-piracy assemblages, however, this article will demonstrate that private security actors appear to have far greater control over the distribution of authority over (and use of) coercive force, and that this may indicate an assembly of 'public good' security interests in which commercial interests, more than those of the nation, are central.

Private Security and Public Policing

Although an article of this length cannot explore them comprehensively, it is clear that a multitude of processes have driven the emergence of private security actors. Some scholars have focused, for example, on the rise of 'neo-liberalism and post-Fordist, or post-Keynesian trajectories' (Abrahamsen, Williams 2008) in security and policing, while others have highlighted the rise of 'denizenships' (Shearing, Wood 2003), the securitization of residential space, and the expansion of 'mass private property' (Shearing, Stenning 1983). Roles once occupied exclusively by law enforcement agents are now frequently undertaken partially or wholly by PSAs; it has often been argued that the involvement of the private sector has strengthened, rather than weakened, state law enforcement. (Abrahamsen, Williams 2007) Although it is clear that private security actors have often been used to secure private spaces (where they may uphold 'alternate criminal justice system[s]' (Morgan, Shanahan 1990), it is equally clear that they have frequently been part of the wider statist 'security project', operating within the same security logics and spatial scales as public policing authorities, and an integral part of the new, 'public' security assemblages. The next section of this article will give a brief background to the roles generally occupied by PSAs in such contexts, before assessing how the essential function of coercive force is assembled therein, and why.

Bradley, for one, has described the role of PSAs in filling the 'reassurance' gap, created by perpetually increasing public insecurity and the diminishing ability of public policing authorities to provide a visible security presence. (Bradley, Sedgwick 2009, p. 478) In the case of the CCID project, targeted at improving security in the central business district of Cape Town, G4S has played an important role in heightening the visibility of patrols ('far exceeding' state security architecture in this respect), while remaining 'closely networked' with both the City Police and South African Police Service. (Abrahamsen, Williams 2011) In another scheme typical of 'purchased patrol services' (Crawford, Lister 2004b), Securitas has recently formed a security partnership with the City of Moedling in Austria, providing a 'preventive' patrol presence (the Securitas Service Guards) and enforcing parking and litter regulations around the city. One of the appeals of the scheme is that Securitas' contract is partly self-financed (by parking fines); according to the city's Mayor, 'people feel safer' as a result of the private security presence.

(Securitas 2014) In 2011, G4S was made the official security services provider for the 2012 Olympic Games in London, contracted to provide 'training and management' for a 10,000-strong force (comprised of private security guards, military personnel, and volunteers) to work across all the Games' venues. (Daily Telegraph 2013)

More than just uncovering the plurality of new security actors, however, we must be concerned with exploring the ways knowledge, authority and functions are disassembled and reassembled in the new public policing assemblages, and why. As Abrahamsen and Williams highlight, these assemblages are infinitely diverse, and understanding the (re)configuration of public and private in particular forms of assemblage is essential in understanding how the politics of security provision vary across time and space. As the next part of this article will demonstrate, one remarkably consistent fact of the assembly of public and private security actors in public security is the primacy of public policing authorities in the distribution of coercive powers; as some assert, 'the state's role as a crucial site of governance' (Johnston 2006, p. 34) hinges on its 'capacity for…coercion'. (Abrahamsen, Williams 2011). According to Bittner, public policing authorities 'have a distinctive capacity which enables them to deal with any eventuality – the capacity to use force on behalf of the state'. (Jones, Newburn 1998, p. 248-9)

The 2008 Annual Report on Cape Town's CCID project, for example, boasts that CCID officers 'assisted' the South African Police Service with (rather than conducting) the 9,570 arrests made in the district that year. (Cape Town CCID 2008) The Downtown Ambassadors, licensed private security officers who patrol a 90-block area of the city of Vancouver (funded by the Downtown Vancouver Business Improvement Association) similarly have 'no authority to tell people to move along when on public property', nor are allowed to carry or use 'firearms, truncheons or billets'. (BC Human Rights Coalition 2014) These cases, moreover, are representative of a wider legislative agenda that intends to keep PSCs in 'an inferior position' in terms of the use of legitimate coercive force. (Yoshida 1999, p. 259) In Japan, security guards are forbidden from using any tool or device for purposes other than self-defense, and the mere possession of all such devices must be registered with the public police; (Ibid., p. 256) article 8 of Japan's Security Business Act is explicit in its non-granting of 'special powers' to private security companies or guards. Under the terms of the UK Prevention of Crime Act 1953, likewise, private security guards are unable to carry truncheons or any other 'offensive weapons' in public places. (South 1988, p. 125) PSCs in Nigeria are prohibited from carrying firearms under the terms of the Private Guard Companies Act (1986); the result of this is a 'significant fusion of public and private authority and responsibility' (Abrahamsen, Williams 2011, p. 138) in which heavily-armed MoPol (Mobile Police) Officers routinely accompany private security officers on operations, and, though supervised by PSC agents, are ultimately accountable to their own commanders in the Nigerian Police. While, in some countries, private security operatives are able to carry weapons in their capacity as citizens, they are not empowered to use them in any context other than self-defense, and remain in a subordinate position insofar as such weapons can be used in defense of the law or public space. As the case of the Netherlands' *Stadswachten* suggests, the same restrictions may apply to 'city wardens' and other state-funded law enforcement bodies separate from the public police. (Hofstra, Shapland 1997)

But how should this affect what we think about the way security is assembled? Although, in contemporary security governance structures, the distinction between public and private is often blurred, the experience of coercive force indicates that different nodes do not occupy the same positions in the new policing assemblages. This cannot be boiled down to a subordination of PSAs in a 'junior partner' role, but is the result of how both public and private security actors (and the consuming public) view their places in the complex of knowledge and authority of public law enforcement. The fact that public policing authorities largely retain exclusive competence over the use of force in the spatial and normative context of 'public' security provision suggests that even in an age where the responsibility and knowledge of security provision is so dispersed, there are certain competences that remain the realm of government. This is not to say that the state has sought to completely monopolize the use of coercive force within its area of jurisdiction, but that in public space, it retains a central role in enforcing what Loader sees as the 'collective good' of the public security project (as defined by both logic and scale). Although private security actors are free to exercise coercive power on private property (where public police are 'philosophically disinclined' to exercise authority) (Shearing, Stenning

1983, p. 497), they have a limited role in doing so where the state is seen as the entity which defines, and is the ultimate guarantor of, the 'collective' security interest.

As the role of private actors in securing private property attests to, however, the question of how coercive force is distributed (and the distinction between public and private of which it is reflective) is highly spatially contingent. While the assembly of coercive authority on private property is reflective of authority frameworks dominated by private individuals and their interests (whether 'consumerist citizenship' or the socio-economic exclusion of 'fortified residential' space (Pow 2013) that of public space might be seen as reflective of the state's role as the driver of the 'civilizing' of security, of the process by which security became a public, national good. The remainder of this article, however, seeks to explore the assembly of coercive authority in the governance of 'public' maritime counter-piracy operations, and explore its implications for how we should think about the relationship between public and private actors there. As first point of inquiry, however, it will give a brief overview of the global piracy problem, and of the role of the private security industry in the provision of maritime security.

Counter-Piracy and Public Security

Maritime piracy[1] has been a security issue of ever-increasing prominence during the last decade. One 2010 report, by a working group from the organization *Oceans beyond Piracy*, estimated the cost of piracy to the global economy to be between $7bn and $12bn annually (Bowden 2010); according to Peter Chalk, there were 2,463 actual or attempted acts of piracy recorded globally between 2000 and 2006. Although historically, dealing with piracy has been a matter exclusively for 'private or corporate actors', the last decade has seen a 'new level of international political engagement' in anti-piracy operations. (Bueger et al 2011, p. 356) As Bueger writes, Somali piracy 'has become a frequent subject of UNSC deliberations', as well as (in 2008-09 alone) Resolutions 1816, 1838, 1846 and 1851. Owing to its links to terrorism (Luft, Korin 2004) and poor governance (Rice 2008), as well as its great cost to national economies, piracy is now seen as a 'threat to international peace and security' rather than just a threat to commercial shipping (Bueger 2011). In addition to an international coordination group (the Contact Group on Countering Piracy off the Coast of Somalia), a number of multinational naval forces (including the Combined Task Forces and Operation Atalanta) have been established to police the high-risk areas around Somalia and the Western Indian Ocean.

Clearly, however, these arrangements have been insufficient as a security solution on their own. Col. Richard Spencer (formerly the head of the EU Task Force) has stated that 'the military resource is finite and only treats the symptoms' and that policing the area at risk would require 'five times as many warships as the task force can muster, each with its own helicopter'. (Economist 2014) In recent years, pirates in the HRA have operated at distances from the coastline far greater than previously thought possible, and well beyond the reach of public security architecture; in 2008, the *MV Sirius Star* was successfully hijacked (and subsequently ransomed) while 450nm from the Kenyan coastline. The problem of law enforcement is exacerbated further by the 'catch and release' policies often pursued by naval task forces in the region, which dictate the release of suspected pirates in the face of long and costly national or

[1] This article will use the definition of piracy as provided by the UN Convention on the Law of the Sea; Piracy consists of any of the following acts: (a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State; (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b). See http://www.un.org/depts/los/convention_agreements/texts/unclos/part7.htm, accessed 15.10.2014

international prosecutions. In an article in the *Journal of International Criminal Law,* on this theme, Guilfoyle argues that attempts to make the threat of prosecution a realistic deterrent to piratical activity will fail as long as the rate of capture continues at its current, low level. (2012a)

In the absence of a pervasive public security infrastructure (and the growing securitization of maritime space), shipowners have increasingly begun to call on private security guards to protect crew and cargo; it is estimated that 40% of ships passing through the high risk area carry private security teams (Economist). What's more, it is clear that rather than viewing PSAs as a challenge to their authority, there is now unprecedented recognition and support among states and the international community of the contribution the private sector makes to security provision in the region. In May 2011, the 89th Maritime Safety Committee of the IMO placed authority for the regulation of armed private security officers squarely in the hands of flag states, providing tacit approval for their use in international waters (IMO 2011). In October of that year, meanwhile, David Cameron indicated that for the first time, UK-flagged ships would be able to carry armed guards in the high-risk zone. (BBC 2011) The US Navy has also encouraged shipping companies to employ privately contracted armed security personnel, highlighting the limitations of naval forces in the region, as have the Greek, Spanish, Danish, Swedish and German Governments (Liss 2012, Burgin, Schneider 2015, Berndtsson, Ostensen 2015). Many security professionals view the anti-piracy regime in the region as comprised of three pillars (best management practices for merchant masters, naval task forces, and private security companies); at a recent summit, Robert Missen (the head of the European Commission's Land and Maritime Security Unit) stated that 'the key factor in the sharp drop in incidents [in the HRA] was the greater presence of armed guards'. (MARSEC)

As the next section of this article will argue, however, discourses on maritime security provision suggest that the distribution of authority over the use of coercive force in counter-piracy operations is stacked more in favour of private actors than is the case for other contexts of public security provision. As first point of inquiry, it will investigate debates over the use of 'letters of marque' and private navies to combat piracy on the high seas.

Letters of Marque and Private Navies

Historically, privateering emerged out of many of the same commercial and political challenges as exist in contemporary counter-piracy operations. Initially used to provide 'a form of international redress for wrongful maritime takings' (Hutchins 2011), privateering became 'an economical way to augment naval forces in wartime' (Cooperstein 2009, p. 221) and protect merchant vessels from pirates; in essence, 'a means for conducting public warfare with private actors'. (Hutchins 2011, p. 845) In 1856, the majority of maritime powers signed the Paris Declaration, which forbade the commissioning of privateers against fellow signatories (but not, crucially, against pirates); according to some, this formed the basis of a customary international law prohibiting any use of letters of marque. (ICRC) In spite of this, however, the mobilization of 'volunteer' or commissioned merchant vessels continued until 1945; perhaps most prominently during the Russo-Japanese War of 1904-5.

In a column in April 2009, however, Texas Congressman Ron Paul advocated a return to privateering in order to deal with the contemporary piracy problem. Noting that 'there are calls to increase the size of our navy until it is almost omnipresent on the seas', Dr. Paul called on Congress to issue letters of marque and reprisal, 'deputizing private organizations to act within the law to disable and capture those involved in piracy'. (Paul 2009) Hutchins speculates that such privateers, if discovering evidence of piracy, would be empowered to 'seize the vessel, arrest persons on board, and subject such persons to the jurisdiction of the courts of the state (or international organization) that issued the letter of marque'. Hutchins 2011, p. 868) As Cooperstein points out, the U.S. Congress has retained the power to issue such documents, and vest in private maritime actors its full sovereign authority. (2009) Others have also expressed support for the reissuing of letters of marque; for example, Alexandra Schwartz and Theodore Richard. (Hutchins 2011)

Elements within the contemporary private security industry have certainly shown an interest in exercising paramilitary capabilities. In 2008, Blackwater Worldwide (now trading as *Academi*), reconfigured the U.S.-flagged *NOAAS McArthur,* a 183-foot vessel previously used for oceanographic research, to undertake maritime security operations in the Gulf of Aden and Western Indian Ocean. It fitted a number of .50-caliber machine guns and a port for an unmanned aerial vehicle (UAV), as well as building two helipads and the infrastructure for eighteen armed security personnel and fifteen crew. (New York Times 2011) The operational framework of the Blackwater vessel was never fully clear (a leaked diplomatic cable from 2009 stated that the McArthur would 'be able to protect a 3-ship convoy'), but its level of military capability would certainly suggest rules of engagement a little more expansive than those of a typical on-ship security team. On this point, the same cable suggested that 'Blackwater does not intend to take any pirates into custody, but it will use lethal force against pirates if necessary'. (Ibid.) In a more recent venture in January 2012, *Typhon* launched an even more ambitious naval security force, hoping to have 10 vessels at sea within 24 months. Although, as for the *McArthur*, the rules of engagement for this force have never been made fully clear, the project's chief backer (Anthony Sharp), boasted that the *Typhon* force would be 'the first of its kind for probably 200 years'. (Sibun 2012)

The idea that privateer fleets will come to freely roam contemporary piracy hot-zones is perhaps slightly fanciful. The question of how such operations would be financed (self-financing through captured goods is not a viable option) remains unresolved, as does that of whether PSCs can be trusted to correctly identify pirates. One of the reasons for the decline of privateering during the 19th century, after all, was that privateers often descended into piratical activity themselves; having failed to capture any pirates after receiving a privateer commission in 1696, William Kidd began to attack 'innocent trading vessels' (Richard 2010, p. 412) in an attempt to secure income. This problem looms even larger in the contemporary maritime environment, where pirates are often 'indistinguishable' (FT 2014) from innocent fishermen, sometimes themselves heavily-armed. In 2005, three SOMCAN guards were convicted of piracy in Thailand (and sentenced to 10 years' imprisonment) after hijacking a Thai fishing trawler and demanding a ransom of $800,000 for its release. (Bahadur 2011)

In spite of this, the discourse on contemporary privateering can certainly inform our perspective of the nature of public-private relations in policing offshore. Employing private contractors to identify, detain and bring suspected criminals before the courts (or allowing the proliferation of private security teams that routinely use lethal force without direct oversight) would be unthinkable in any other policing context, but apparently not so in contemporary counter-piracy operations; why is this? What does this tell us about state control over the practice of 'public' security provision on the high seas? As the next section of this article will seek to demonstrate, the privateering discourse should not be seen in isolation. If the authority of coercive power in many contexts of public policing appears to be assembled in such a way as to privilege the state, there clearly remains a distinction between public and private policing authorities in the eyes of security consumers (as evidenced by the legislative regulation of the private security industry's coercive power). As the next section of this article will explore, however, this dividing line between public and private in the maritime community appears to be far less clear, and the industry has itself stepped in to regulate the ways in which force should be used by private security companies.

Jurisdiction and the Use of Force

Unlike in many other spheres of maritime activity, international organizations, for example, make little prescription as to a distinction between state and non-state actors in the right to use force offshore. In its recommendations for the use of private security companies in the high-risk area, for example, the International Maritime Organization states that 'the carriage of such personnel and their firearms….is subject to flag state legislation and policies and it is a matter for flag states to determine if and under which conditions this will be authorized.' (IMO 2012, see also Priddy 2014) Douglas Guilfoyle, similarly, has stated that there is no clear distinction drawn in maritime law between a naval vessel and a flagged merchant ship with PCASP on board; if flag state use-of-

force guidelines are 'tantamount to a license to kill', any criminal acts undertaken by a PSC would be a matter for the state and the international human rights regime, not the offending security personnel. (2012b)

Even where private security actors have more modest security ambitions than the privateers or private naval forces discussed in the previous section, moreover, there is still widespread confusion within the industry about the powers they (as non-state actors) can legally exercise. In an interview with Claude Berube in January 2009, the former Head of Security of Blackwater's *McArthur* lamented that 'there is tremendous confusion industry-wide about what to do with the pirates when they're taken, rules of engagement, insurance issues…' (CIMES 2013); a 2011 report by the UK Parliamentary Foreign Affairs Committee, similarly, stated that 'the guidance on the use of force, particularly lethal force, is very limited and there is little to help a master make a judgment on where force can be used.' (UK Government 2012) As Pitney and Levin write, as no PSC has yet been granted explicit authority to detain pirates by its flag, the legality of private detention 'will require explicit clarification if PMSC vessels capture pirates more frequently in a future conflict.' (Pitney Jr, Levin 2013, pp. 99-100) Tellingly, a British foreign affairs committee report in 2011 recommended that use-of-force guidelines for maritime private security teams 'should be consistent with the rules that would govern the use of force by members of the UK armed forces in similar circumstances'. (UK Government 2012)

It is also clear that existing documents on the legalities of private force hold few clues as to best practice in the marine environment. The International Code of Conduct for Private Security Service Providers, for example, asserts that signatory companies 'will not take or hold any persons except when apprehending persons to defend themselves or others against an imminent threat of violence', and even in these circumstances, must hand over 'such detained persons to the Competent Authority at the earliest opportunity.' (ICoC 2010) Detaining a pirate in order to hand them over to a public policing authority 'at the earliest opportunity', for example, might mean imprisoning them for a journey of several hundred nautical miles, an act without precedent for private security actors. Indeed, it is perhaps telling that possibly the foremost source of guidance on the use of force by maritime PSAs (the 100 series rules) is a self-regulatory document, produced by the industry to provide broad-brush best practice on the circumstances in which lethal force can be used. Rather than a piece of national or international legislation (indeed, the project was launched specifically because of the absence of 'state-led initiatives and state legislation'), the rules are 'set out for the benefit of the Master, ship owner, charterer, insurer, underwriters, private maritime security companies, PCASP and interested third parties'. (100 Series Rules)

Offshore Policing Assemblages

Clearly, the private security sector has substantial involvement in many aspects of public policing. As the first section of this article sought to argue, however, public and private are generally assembled in such a way as to privilege the state in the use of (and distribution of authority over) coercive force. Given the diversity of private security proliferation globally, this narrative has been remarkably consistent. In a world in which responsibility for security provision is dispersed between private security companies, citizen-based policing initiatives and a variety of other public and private entities, this shows that the state remains a vitally important site of authority in the governance and delivery of 'public' policing.

The story of coercive force in public-private assemblages in counter-piracy, however, is rather different. Not only have states countenanced private control of weapons and lethal force as an aspect (and possibly the substance) of their own public policing solutions, but some have even suggested that private actors come to take on powers of arrest and detention through the use of 'letters of marque' to combat maritime piracy. Just as importantly, however, the line distinguishing public and private security actors in the legalities of coercive force appears more blurred on the high seas than elsewhere. Through the use of regulatory measures such as the BMP (Best Management Practices) and 100 series rules, furthermore, the industry itself has

sought to respond to the lack of state oversight by regulating the ways in security companies can use coercive force.

However, what does this tell us about the assembly of maritime security? It is reasonable to infer from the general realities of coercive authority in public space that the state remains in a privileged position in the assembly of 'public' security provision. This should not be surprising; public policing authorities are, after all, the institutions around which the very concept of security as a public good (as Loader puts it, 'civilized') was defined. If, as Bueger (2011) posits, dealing with maritime security threats has historically been a matter for 'private or corporate actors' and not states (certainly, the near-independent operation of maritime PSAs would support this view), how far should we continue to view the 'civilized' security project there as underpinned by a democratic security interest of which state authority is at the centre?

The question here, of course, concerns whether there is even a 'public good' security on the high seas, and if so, who derives authority from it and why. If private actors have such a substantial degree of control over the use of coercive force in its defence, it might be the case that 'civilized' security ideology there is assembled in such a way that private interests, rather than the democratic security interests often associated with the public security project, are privileged. Perhaps states, private security actors and the maritime community recognize that the interests (and authority) of the commercial shipping industry, and not the democratic interest of the nation, provide the moral basis for thinking about a 'collective good' in offshore security provision, and thus that the state has no automatic, significant role in enforcing it. At the same time, the state may see its responsibilities as a security guarantor as diminished beyond the boundaries of its territory, and its exclusive authority to distribute authority over and use coercive force (if it ever existed) as not worth protecting. Although this might be seen as similar to the assembly of coercive force on private property (where, because of the recognition of the rights afforded by property ownership, the state may be 'philosophically disinclined' from exercising authority) (Shearing, Stenning 1983, p. 497), the spatial and institutional independence of maritime PSAs means that the two situations are far from analogous.

Of course, it must be stressed here that the approach of states to the maritime private security sector has not been homogenous. As Cusumano and Ruzza (2015) highlight, the Italian Government (following an initial unwillingness to authorize private security guards on board its flagged vessels) now pursues a 'hybrid' regulatory policy that makes use of both licensing PSAs and vessel protection detachments, while the Spanish and German Governments also have their own unique regulatory approaches (Burgin, Schneider 2015). Although Liss (2015) asserts that efforts to regulate the maritime security sector constitute the state's desire to rein in private authority offshore, such a dichotomous representation of public and private belies the nuance in the ways that public and private become intermeshed and are reconfigured in security provision, as well as the diversity of public-private relationships across different spatial and temporal contexts. Although (as in any assemblage) public-private competition and conflict undoubtedly occurs in particular maritime security governance structures, it is clear that such a representation is not universally applicable. As Berndtsson and Ostensen (2015) argue, some states have sought to construct a 'regulatory façade' in reference to maritime private security, which creates the impression of pervasive state regulation in spite of allowing private actors considerable authority in governance structures. Even in a context in which states have generally seemed accommodating of the proliferation of private force in public policing, we must remain mindful of the different articulations of public-private relations between different flag states, regions and categories of maritime space.

Of course, the case that there is a different form of 'public' security culture offshore might also present a challenge for scholarship that views private security proliferation (and the consolidation of multilateral security governance generally) as representing the functional and normative reconfiguration of a state-centred security landscape. Although scholars differ on the agency of the state in the multilateralization of security governance (while some emphasise the 'privatization revolution', others stress the role of sub-state processes beyond state control), there is a broad consensus that the emergence of new security actors occurs in front of a modern historical backdrop in which states have monopolized the practice of security both functionally and normatively (in the national interest). However, in maritime space, is it really meaningful to

use the state, and statist security culture, as a reference point for the changing character of security? Rather than framing private security proliferation as the entry of a new security actor into a state security space, it might be more helpful to view the emergence of maritime PSAs as a response to a new insecurity, and not necessarily a shift in the politics of security governance.

Conclusion

The goal of this article has been to bring a unique spatial context of private security proliferation into mainstream theoretical debates on security governance, global assemblages, and the practice of public policing. As first point of inquiry, it sought to analyze public-private relations in the new 'public policing' assemblages, and argued that the state has largely retained a privileged position in the governance and delivery of coercive force. Given the consistency of this narrative, the article opined that this suggests that the state remains a crucial site of governance in the definition and enforcement of 'public good' security, of the spatiality and logic of the public security project.

It then examined the assembly of authority over coercive force in maritime counter-piracy operations. It highlighted that in contrast to many public policing initiatives, private security actors on the high seas appear to be able to (with state complicity) both use and control the distribution of authority over coercive force. Some have expounded the virtue of reissuing letters of marque (and there have also been moves to establish private navies), while as the next section of the article sought to demonstrate, discourse emanating from international organizations, the private security industry and states themselves suggests that there is no concrete normative distintion between public and private security actors in the legitimacy to use force offshore. It also drew attention to the lack of state attempts to regulate the private use of force offshore, and the role the security industry itself has played in doing so.

The final section of the article sought to question what this means for the assembly of security offshore. Specifically, it argued that PSAs' possession of coercive authority might suggest that the culture of 'civilized' security offshore may not be (as elsewhere) synonymous with the accountability and national interest represented by the state, but instead one in which the locus of authority and moral good is the commercial interests of the shipping industry. In such an assemblage, the maritime community recognizes that PSAs have near-equal authority to states in enforcing a 'civilized' security defined by private interests, rather than the democratic security logics through which state policing institutions are constituted. As an aside, it also suggested that this argument might have implications for the theoretical narratives with which we conceptualize of the proliferation of private security actors. If new multilateral security governance structures are generally perceived to represent the reconfiguration of a security landscape in which the state has both normative and functional control over the practice of security, the ambiguities of statist security culture offshore (and the corresponding material question) poses a clear challenge to this historical-conceptual timeline.

The trajectory of maritime policing in the near future may provide further clues as to assembly of public and private in the maritime environment. The budgetary constraints on multinational naval forces are growing ever tighter, and with piracy in the Indian Ocean presently dormant, it seems unlikely that the mandate of EU NAVFOR (the EU's naval task force in the region), which expires in 2016, will be renewed. This may pave the way for even greater state reliance on maritime private security infrastructure; possibly, the re-ignition of the privateering debate, or moves to partially fund private armed transit teams in exchange for, say, information-sharing. Either way, private security proliferation in the maritime environment represents a unique socio-political context of multilateral security governance, and one that scholars of private military and security contracting should take more account of in the coming years.

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