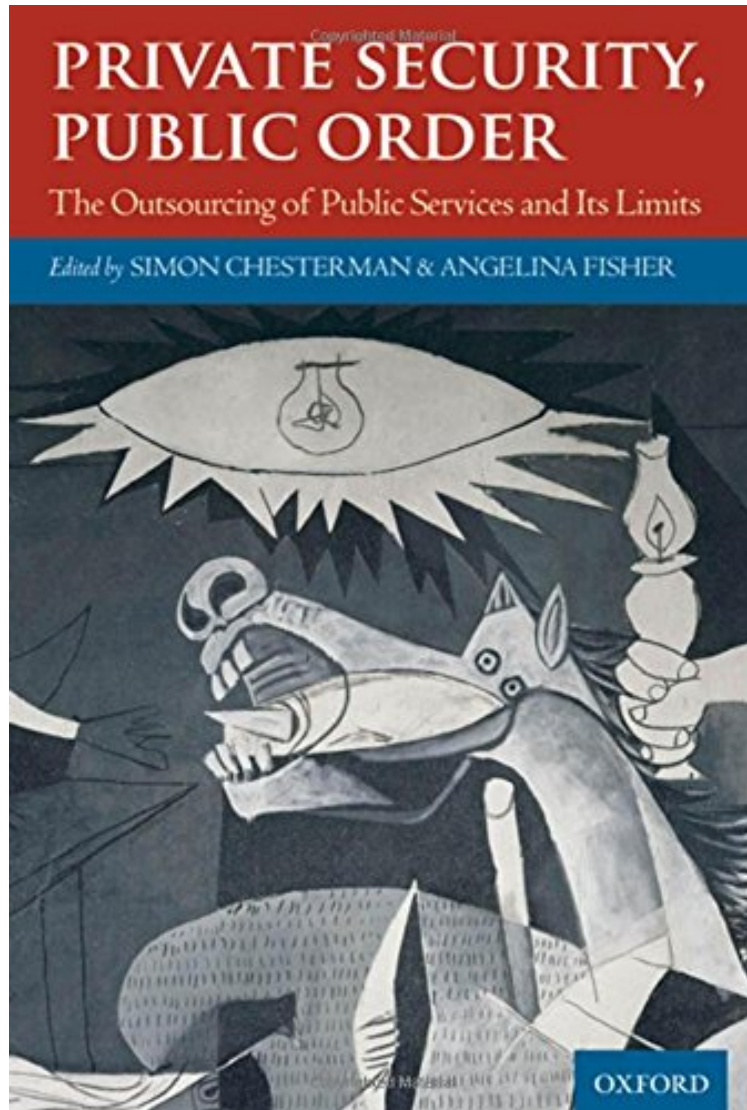


Private Security, Public Order: The Outsourcing of Public Services and Its Limits

Simon Chesterman, Angelina Fisher
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Private actors are increasingly taking on roles traditionally arrogated to the state. Both in the industrialized North and the developing South, functions essential to external and internal security and to the satisfaction of basic human needs are routinely contracted out to non-state agents. In the area of privatization of security functions, attention by academics and policy makers tends to focus on the activities of private military and security companies, especially in the context of armed conflicts, and their impact on human rights and post-conflict stability and reconstruction. The first edited volume emerging from New York University School of Law's Institute for International Justice project on private military and security companies, *From Mercenaries to Market: The Rise and Regulation of Private Military Companies* broadened this debate to situate the private military phenomenon in the context of moves towards the regulation of activities through market and non-market mechanisms. Where that first volume looked at the emerging market for use of force, this second volume looks at the transformations in the nature of state authority. Drawing on insights from work on privatization, regulation, and accountability in the emerging field of global administrative law, the book examines private military and security companies through the wider lens of private actors performing public functions. In the past two decades, the responsibilities delegated to such actors - especially but not only in the United States - have grown exponentially. The central question of this volume is whether there should be any limits on government capacity to outsource traditionally "public" functions. Can and should a government put out to private tender the fulfilment of military, intelligence, and prison services? Can and should it transfer control of utilities essential to life, such as the supply of water? This discussion incorporates numerous perspectives on regulatory and governance issues in the private provision of public functions, but focuses primarily on private actors offering services that impact the fundamental rights of the affected population.

"This is a timely and thorough collection on an issue of increasing global importance. Like its companion volume, this work is characterized by a pragmatic approach and intellectual flexibility and will be read with great benefit by a wide range of practitioners and academics alike." --Ebrahim Afsah, *Global Law Books*, www.globallawbooks.org

About the Author
Simon Chesterman is Global Professor and Director of the New York University School of Law Singapore Programme, and Vice Dean and Professor of Law at the National University of Singapore. His books include *You, The People: The United Nations, Transitional Administration, and State-Building* (Oxford University Press, 2004) and *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford University Press, 2001). Angelina Fisher is Institute Fellow and Program Director of the Institute for International Law and Justice. She was one of the primary researchers and authors of the reports *Torture by Proxy: International and Domestic Law Applicable to "Extraordinary Renditions"*, issued jointly by the Association of the Bar of the City of New York (CHRGJ), and *Beyond Guantanamo: Transfers to Torture One Year After Rasul v. Bush*, issued by the CHRGJ. Angelina is also a co-author of *Tortured Logic Renditions to Justice, Extraordinary Rendition, and Human Rights Law*.