

## *Critical hybridity: exploring cultural, legal and political pluralism*

Book or Report Section

Accepted Version

Freedman, R. ORCID: <https://orcid.org/0000-0003-3037-9026> and Lemay-Hebert, N. (2017) Critical hybridity: exploring cultural, legal and political pluralism. In: Lemay-Hebert, N. and Freedman, R. ORCID: <https://orcid.org/0000-0003-3037-9026> (eds.) Hybridity: Law, Culture and Development. Routledge, Abingdon, pp. 3-14. ISBN 9781138673427 Available at <https://centaur.reading.ac.uk/66570/>

It is advisable to refer to the publisher's version if you intend to cite from the work. See [Guidance on citing](#).

Publisher: Routledge

All outputs in CentAUR are protected by Intellectual Property Rights law, including copyright law. Copyright and IPR is retained by the creators or other copyright holders. Terms and conditions for use of this material are defined in the [End User Agreement](#).

[www.reading.ac.uk/centaur](http://www.reading.ac.uk/centaur)

**CentAUR**

Central Archive at the University of Reading

Reading's research outputs online

## Critical Hybridity: Exploring Cultural, Legal and Political Pluralism

Nicolas Lemay-Hébert and Rosa Freedman<sup>i</sup>

Hybridity has emerged as one of the all-purpose theoretical lenses, meant to reflect the everyday complexity of a world that remains primarily seen through highly compartmentalised lenses. Migrating from the cultural and postcolonial fields, hybridity considerations have now permeated many disciplines, including peace and conflict studies, international development, and law. Closely associated with postmodern preoccupations, hybridity theorists question the untenable dualism of the human-nature distinction, understanding it instead as hybrid networks of human and non-human elements,<sup>ii</sup> but also of the other binaries sometimes mobilized by researchers to simplify categorizations, including the (widely used) ‘modern-traditional,’ ‘international-local’ or ‘us-them’ binaries. However, despite waves of theorization of the concept, the general feeling is still that ‘hybridity is almost a good idea, but not quite.’<sup>iii</sup>

This edited book’s main objective is to create a multi-disciplinary space for a conversation to take place inside disciplines as well as across them, with the final aim of creating bridges between different accounts and perspectives of hybridity and hybridization.<sup>iv</sup> Contributors to this book come from different fields, including culture and literary studies, classics, law, development, and peace and conflict studies. Actually, most of the contributors to this book would probably dispute this traditional pigeon-holing of associating one scholar with a particular field – as most have made an intellectual journey across different disciplines or are aiming to do so. However, we do not pretend to a pure ‘trans-disciplinary’ approach here,<sup>v</sup> as most contributions revolve around the fields of peace and conflict studies and international law, mirroring the editors’ *discipline de provenance*. Similarly, the aim of the book is certainly not to reach an ‘all-purpose, final definition of hybridity’<sup>vi</sup> that would encompass and at the same time transcend disciplinary boundaries, but rather to make the connections between the various approaches to hybridity both salient and intelligible. As Peter Burke noted, hybridity has attracted a growing interest in a number of disciplines, but scholars in one discipline are rarely aware of what is happening in the others.<sup>vii</sup>

This book further aims to steer the discussion away from the celebratory conception of hybridity by meshing it with considerations of power structures and relations. Jan Nederveen Pieterse rightly points out that the most conspicuous shortcoming of hybridity is that it is seen as the triumph of neoliberal multiculturalism, which leads some hybridity scholars to skip over questions of power and inequality.<sup>viii</sup> There is indeed a form of vacuousness in the general ‘hybridist post-national talk’<sup>ix</sup>, reproducing discourses of globalization and cosmopolitanism, and celebrating the ‘creolization of the world’.<sup>x</sup> Along the line of Marwan Kraidy’s work, we believe that it is imperative to situate every analysis of hybridity in a specific context where the conditions that shape hybridity(ies) are addressed.<sup>xi</sup> Hybridity is not parity<sup>xii</sup> - a sort of revenge of the subaltern or the ‘weak’ against the powerful boundary-creating forces at play; on the contrary, it is hegemonically constructed in the

interest of dominant societal actors.<sup>xiii</sup> It does not imply a ‘peaceful coexistence of the vis-à-vis, but rather a violent hierarchy,’<sup>xiv</sup> hierarchy that needs to be identified in order to be overturned.

### **Hybridity, culture, and postcolonial studies**

Following older themes of syncretism in anthropology and creolization in linguistics, hybridity has increasingly become a prominent theme in cultural and postcolonial studies. On the micro level, hybridization has been associated with the study of the breaking up of racial, national, linguistic, or other identity binaries, as well as revealing connectors and influences across ‘national’ borders, in the process refuting the ‘boundedness’ and ‘essentialism’ of the modern episteme. The complexity of individuals’ identities and their own personal route has hence been highlighted. On the macro level, hybridity is seen as a way to analyse the impact of globalization, sometimes with direct connection with the ‘reactive nationalisms or ethnicities’ in the Balkans and Africa.<sup>xv</sup> The common starting point of all of these approaches is the focus on the wide register of multiple identity, cross-over, pick-n-mix, boundary-crossing experiences and styles.<sup>xvi</sup>

However, hybridity studies have a specific connection with racial studies that cannot be denied. Hybridity is generally understood as the ‘impurification of standard or canonized forms.’<sup>xvii</sup> For Joshua Lund, ‘to theorize hybridity is to operate within a discourse of race.’<sup>xviii</sup> More precisely, it is the Eurocentrically articulated theory of race which determines the modern intelligibility of hybridity. Hence, for Lund, hybridology needs to be linked to considerations of the ‘coloniality of power,’ which is not currently done in the common work on creolization and *mestizaje*. This is what brings certain authors to say that hybridity is more than ‘just another form of syncretism.’<sup>xix</sup>

Finally, hybridity is inherently linked with the work of Homi Bhabha, for whom hybridity is a third space, ‘a difference “within”, an “in-between” reality.’<sup>xx</sup> It is a space of translation, ‘where the construction of a political object that is new, *neither the one nor the other*, properly alienates our political expectations, and changes, as it must, the very forms of our recognition of the moment of politics.’<sup>xxi</sup> For Bhabha, hybridity is not necessarily a third term that resolves the tension between two cultures, but rather holds the tension of the opposition and explores the spaces in-between fixed identities through their continuous reiterations.<sup>xxii</sup> Most authors included in this collection make an explicit reference to the work of Bhabha when conceptualising hybridity and hybridisation.

### **Hybridity in development, peace and conflict studies**

Recent practical and theoretical failures of liberal interventionist practices have led to a growing interest in so-called ‘liberal-local’ hybrid forms of peace which ‘intellectually enables an engagement with the lives of ordinary people, in their own everyday rather than in a static and distant state context.’<sup>xxiii</sup> Studies on hybridity have led to a new wave of

insightful contributions on spaces of interventions, moving away from the unhelpful binaries of ‘local’ vs ‘international’, ‘bottom-up’ vs ‘top-down’, ‘modern’ vs ‘traditional’, ‘internal’ vs ‘external’, ‘centre’ vs ‘periphery’, or ‘Western’ vs ‘Non-Western’. This scholarship represents a changing landscape, but there are (at least) two main, and complementary, strands that have emerged in the last few years. The first one focuses on the interplay between international and local practices, norms and institutions,<sup>xxiv</sup> as a way to emphasise local agency in its interaction with outside forces,<sup>xxv</sup> and/or to engage with local actors beyond the nation-state.<sup>xxvi</sup> The second strand of scholarship is more focused on transcending universalising theories to include the plurality of social orders.<sup>xxvii</sup> As such, it is not focusing on the international-local interface as much as on the complexity of the societal orders in post-colonial and post-conflict societies. The first approach is a direct challenge to liberal institutionalism and its ordering of the world through specific interventions, and suggests to look at the complex creations that emerge out of interventions (hybrid forms of peace as an end-result, hybrid peace governance as means of intervention, or simply hybridisation as a process). The second one challenges (neo-)Weberian notions of the state as a lens through which we generate knowledge about these post-colonial and post-conflict societies.<sup>xxviii</sup> The starting point of this scholarship is not the necessity to fix fragile or failed states – which is the most common starting point of liberal interventionism<sup>xxix</sup> – but the actual diversity of governance arrangements across the world and the need to apprehend this complexity. Concerns about state capacity give place to considerations about societal cohesion,<sup>xxx</sup> which in turn enables us to go beyond the reification of specific concepts like the ‘state’, ‘institutions’, and ‘social contract’, among others.

This scholarship has faced a ‘anti-hybridity backlash’ of its own, with scholars demanding to jettison the local-international binaries for their homogenization and simplification of the ‘international’<sup>xxxi</sup> and bundling together of local actors.<sup>xxxii</sup> On this last point, Jenny Peterson reflects on the blatant absence of power considerations in specific hybridity contributions, which has led to overlook the power differentials at the local level, for instance.<sup>xxxiii</sup> This is also an issue that has been raised by a number of contributions in this collection (see Beswick and Jackson for instance). Some also question the programmatic agenda behind hybridity studies, considering it a problem-solving tool reproducing the Eurocentrism, dualisms and hierarchies inherent to the liberal interventionism literature.<sup>xxxiv</sup> The prescriptive assumptions of some of the hybridity scholarship are also lambasted by recent work on the subject.<sup>xxxv</sup>

While there is much debate on the capacity of the hybridity scholarship to go beyond the international-local binary (despite the claims of this scholarship), there is less attention to the virtual, intangible ‘third space,’ as discussed by Bhabha, among others. Lisa Smirl has contributed to this in the field of humanitarian interventions, mobilizing the anthropological concept of ‘liminality’ as an in-between space,<sup>xxxvi</sup> but more work on this would need to be done to apprehend the complexity of hybridisation processes. Also, if we follow Canclini in that the object of study is not hybridity but the actual processes of hybridization,<sup>xxxvii</sup> this would lead us to develop more empirical discussions on how hybridization actually occurs in post-conflict or post-colonial societies, ‘making it useful for interpreting relations of meaning that are reconstructed through mixing.’<sup>xxxviii</sup>

## Hybridity and legal pluralism

Legal discussions have played a prominent role in the burgeoning academic discussions on possible ‘hybrid forms of peace’. Mirroring the hybrid forms of peace discussion, the legal pluralism debate also revolves around, on the one hand, a distinction between potential alternative models that could deal with the failure of state-centric approaches or existing ‘national’ structures of equality and justice, and on the other hand the practical analysis of hybridization practices. For instance, some advocate in cultural studies a legal pluralism that would ‘countenance a coexistence of jurisdictional systems for different cultural and religious traditions and accept varieties of institutional design for societies with strong ethnic, cultural, and linguistic cleavages.’<sup>xxxix</sup> Others look at the justice sector as a prime area of focus of hybridization practices in post-conflict settings. The failures and limitations of the top-down justice and reconciliation agenda promoted by international courts (precisely the International Criminal Tribunal for Ex-Yugoslavia, the International Criminal Tribunal for Rwanda, and the International Criminal Court) have led to a variety of *hybrid tribunals*, where both the institution and the applicable law consist of a mix of international and domestic. These institutions have been analysed in great detail and in a variety of cases, including Sierra Leone,<sup>xl</sup> Cambodia,<sup>xli</sup> Timor-Leste,<sup>xlii</sup> Bosnia and Herzegovina<sup>xliii</sup> and Kosovo.<sup>xliv</sup> Wider implications for hybrid models of justice have also been explored in Afghanistan,<sup>xlv</sup> Ethiopia,<sup>xlvi</sup> Rwanda,<sup>xlvii</sup> Sierra Leone,<sup>xlviii</sup> and Timor-Leste<sup>xlix</sup> among other cases. Whether some of these experiments have constituted genuine attempts at promoting alternative frameworks for peace building built around everyday practices or have been yet another way for international actors to co-opt local actors and practices to further their own peacebuilding agendas is still a question under debate.<sup>1</sup>

More generally, the study of interactions between the multiple legal orders – from the very local level to the global level, and from customary law, to indigenous law, religious law or law connected to specific cultural group – enables us to look at the competing claims of authority in what is generally understood as legal pluralism. This opens up perspectives for the analysis of the power relations in specific societies - how and why individuals and groups within a society select specific legal authorities and orders over others, and how specific individuals and groups pursue specific statebuilding agendas linked to particular legal traditions.<sup>li</sup> Legal pluralism as a sub-field of socio-legal studies has been quite vibrant in the last thirty years, nevertheless there is a growing consensus that ‘legal pluralism’ is better conceptualised as ‘normative pluralism’ to indicate the wider conception of ‘law’ prevalent in most of these approaches.<sup>lii</sup> Some scholars also aim to redefine the legal pluralism agenda as an agenda about *critical* legal pluralism following postmodern and social constructivist theories, looking at how narrating subjects treat law rather than treating society and subjects as ‘real entities’ that law can treat.<sup>liii</sup> Not unlike hybridity, legal pluralism is understood as a ‘common historical condition,’<sup>liv</sup> a feature which makes the two phenomena hard to analyse without entering into a wider sociological studies of socio-legal or socio-political order.

## Outline of the book

This edited collection offers a mix of analytical and empirical takes on hybridity and hybridization. Whilst some do use hybridity to unpack complexity, most adopt a critical perspective, connecting hybridization processes with underpinning power structures and relations. Taken together, these contributions point towards the main different avenues the hybridity agenda can take in the next couple of years.

The **‘Part I: Localising hybridity’** offers insights into how hybridity can be more than a descriptive lens to become an analytical lens, highlighting how it gains relevance through a critical approach. Through a review of the transitology and the statebuilding literatures, **Philipp Lottholz** underlines the importance of an ontological understanding of hybridity; on what precisely is being hybridised. For Lottholz, despite the recent hype, hybridity is not more than a concept or a ‘lens’, as it is not exactly helpful in answering the ‘bigger’ questions about power, peace or development in domestic and international political contexts. This should be done through a critical inquiry into disputes over the value, meaning, and content of peace, development and human rights in different cultural contexts with a focus on the ‘hybrid subjectivities’ which are, according to Lottholz, already an empirical reality in today’s globalised and interconnected world. In the next chapter, **Rosa Freedman and Philipp Lottholz** analyse how the international law arena can be seen as what Bhabha calls a ‘Third Space’. They argue that hybridity in international human rights law is produced as states from the Global South resist traditional notions of rights but use the existing human rights system to put forward their own ideologies that challenge the dominant framework. Through a discursive hybridity framework based on the work of Mikhail Bakhtin, they show that the recent emergence of Third Generation or ‘hybrid human rights’ can be seen as reflecting the *heteroglossia* – the multiplicity of different norms, values and cultural frameworks – characterising the negotiations at human rights bodies. For **Fiona de Londras**, the hybrid nature of terrorism and counter-terrorism as mechanisms of resistance within asymmetrical power relationships illustrates the critical usefulness of conceptualizing counter-terrorism as a hybrid phenomenon. She further sheds light on how these phenomena are operating in between the spaces and categories usually employed in social or political analysis and are thus neither legal, nor extra-legal; neither public nor private; neither national nor international. **Ruth Houghton** develops the claim that hybridity can be at the same time empirical and critical, descriptive and analytical. Through her study of NGO participation at the United Nations Human Rights Council (UNHRC), Houghton demonstrates that hybridity can be used in an empirical sense to collect evidence of the plurality of actors in international decision-making, but also that hybridity has a more critical aspect that can be used to unpack the power dynamics between different actors at the UNHRC, and to disentangle prior hybridisation practices within the organisation (see Visoka in the conclusion who makes this point).

The '**Part II: Hybridity in history and culture**' discusses hybridity and hybridization with a strong focus on empires, colonisation, and 'Romanisation'. **Gareth Sears** comes to the conclusion that 'Romanisation' and 'hybridity' theories might be a good descriptive tool to understand how people in North African Roman territories created the spaces of cult to the god Ba'al Hammon/Saturn – both physical and conceptual; although, as he argues, it does not provide enough analytical traction to understand the process at play, at least not in its current framing in the classics discipline. There is a need to examine the motives of those creating, perpetuating and (sub-)consciously hybridising the cults; to understand the context of hybridization and the interests of the main actors. In a similar fashion, **Philip Myers** takes us on a journey into the interrelations between Iberian and eastern Mediterranean cultures – which created *de facto* hybrid cultures – and shows how this hybridity has been analysed and debated by modern scholars. Myers argues that the ancient world of the Mediterranean was neither 'Romanized' nor 'orientalized', but began to follow along a general cultural trend towards a very broad cultural homogeneity, where local culture became hybridized rather than losing their substance. In his fascinating take of William Shakespeare's *The Tempest* and *Cymbeline*, **Eric Heinze** searches for insights into legal hybridity emerging during the early phases of European colonialism and the 17<sup>th</sup> century politics of absolute sovereignty. Through the study of Shakespeare, Heinze manages to highlight how the notion of hybridity can equally help to recognise imbalance and coercion within colonial dynamics while emphasising the transformations along the entire spectrum of those dynamics. Hybridity certainly arises through imposition and coercion, argues the author, but also proceeds through strategic self-interest or indeed through ambient and diffuse assimilation. Thanks to his ability to juggle between socio-legal and cultural studies, the author also rests the case that interdisciplinarity is key to grasp the complex nature of the current discussions on hybridity. **Mark Kirkham** builds on the work of Kraidy, especially his contribution on critical transculturalism, to analyse the role of the 'state' in the Ottoman Empire. As the author points out, Ottoman Sultans have shown an ability to play the mediator or referee role - discussed by Kraidy through critical transculturalism - in managing the different communities included in the empire, thus creating an ancient kind of multiculturalism sustained through a set of institutions and policies. 'Based on this analysis and a review of different perspectives on the significance of this model, Kirkham argues that this practice could potentially be of interests to contemporary statebuilders, despite the obvious pitfalls of anachronistic interpretation of this historical moment.

The '**Part III: New developments in hybridity and legal pluralism**' includes four contributions on hybridity from a legal perspective. **Louisa Riches** analyses the Universal Periodic Review through the lens of normative pluralism, a theoretical framework which enables the author to analyse the UPR's agenda of protection and promotion of universal rights and freedoms without furthering cultural difference and tensions. The normative pluralist approach also accommodates state-centrism (a key feature of contemporary international law) whilst also allowing for contributions from non-state actors, and offers a more analytical take on the issue compared to the legal pluralism lens which takes stock of



the co-existence, overlap or interplay of different legal systems. In this context, the hybridity lens is understood as a means to assist with understanding the dynamic nature of the institution, with reference to the development of multiple hybrid and normative (legal and non-legal) structures, as each country selects which recommendations to accept and (more importantly) to implement. **Jon Yorke** inquires whether the European Union and the Council of Europe can be identified as ‘hybridizer(s)’ of abolitionism, promoting abolitionism by way of gradually hybridising practices and discourses both within European institutions themselves and in partner countries. Through the dialogue between Jacques Derrida and Elisabeth Roudinesco on this issue, Yorke analyses how the ‘classical’ theory of sovereignty stands in contradistinction to the global movement for abolition; how the idea of reasserting sovereignty without capital punishment was introduced in Europe and is now being promoted globally. In his chapter, **Ben Warwick** looks at how greater nuance can be added to descriptions of socio-economic rights realisation and suggests that hybridity can overcome linear and essentialist features of some of the mainstream approaches in human rights analysis. **Kim Barker and Christina Baghdady** examine the building of ‘cyber communities’ during and after the Arab Spring. For the authors, it is possible to perceive digital connections as forms of communities, and indeed, groups with shared connections, values and norms. These communities are hybrid in form, with close connections to similar processes of creolization (or ‘cybridity’). The authors approach this issue through the regulatory perspective, wondering how new regulations can better take into account the issues in the virtual and the non-virtual worlds. This is obviously quite a sensitive issue, especially in the context of the Arab Spring and the new practices of securitisation emerging in the region.

The contributions included in ‘**Part IV: Hybrid approaches to peace, development and justice**’ reveal structural processes at play in specific case studies – whether it is rural West Africa, human rights abuses in southern and central Africa or post-genocide Rwanda; in the process underlining the conditions that shape hybridity(ies). **Danielle Beswick** analyses the case of hybrid statebuilding in Rwanda – a polity at the intersection between local and international actors pursuing their own specific agendas, conditioned by their own histories and their previous interactions with each other, and in the process shaping up the hybrid ‘third space’, that is, the Rwandan state. Beswick borrows from the work of Roger Mac Ginty to underscore the agency of local actors, looking at hybrid peacebuilding processes that have developed after the genocide (through the local transitional justice system), but also to underscore that the ‘hybrid forms of peace’ created can lead to the strengthening of the position of specific ‘local’ elites. She then questions who specifically gain from such hybrid solutions. This is also an issue raised by **Paul Jackson**, who analyses power structures at the local level, and the different ways local actors use their positionalities to further their own agenda. Jackson does this through a study of the relationship between local power, decentralised authority and justice in the West African countryside through the lens of hybridity, underscoring the fact that local authorities are neither fully formal nor informal or indeed, traditional or modern. **Sam Fowles** uses hybridity as a tool for deconstruction of

human rights abuses, analysing the structural causes of abuse of children accused of witchcraft in southern and central Africa. In doing so, Fowles' explicitly use and questions Bhabha's conception of dichotic hybridity, in which the resistance of a subaltern culture to a dominant culture creates new cultural phenomenon. He analyses the various influences and structures at play, including African folk traditions, American charismatic Christianity and capitalism, all of which inform the belief in and abuse of 'child witches'. Finally, in his chapter, **George Wilson** discusses the transformative potential of hybridisation through a critical account of hybridity, building on the work of Kraidy, among others. He offers a unique perspective on peace and development studies by linking the recent debates on hybridity in this field with those in the fields of law and 'new' governance.

In the conclusion to this edited collection, **Gëzim Visoka** offers his thoughts on the current state of the hybridity discussion, with a specific focus on peace and conflict studies. Taking stock of the critique the hybridity scholarship has faced recently, Visoka suggests to 1) engage in more systematic and empirical analysis of hybridization processes; and 2) to avoid the prescriptive and normative bias that is sometimes presents in the work on hybridity. He further offers three possible alternatives for expanding the epistemological perspectives on hybridity, building on the work of Zygmunt Bauman on liquidity, Gilles Deleuze on assemblage, and Norbert Elias on figuration.

This edited collection is the result of a workshop organised in March 2014 at the University of Birmingham's Institute for Advanced Studies, entitled 'Hybridity: Exploring Power, Social Structures, and Institutions Beyond the Liberal West.' Most of the contributions included in this book come from papers presented in the workshop. We would like to thank all the contributors, but also Sue Gilligan and Sarah Jeffery from the IAS, and Philipp Lottholz for assistance in the final editing and preparation of the manuscript for publication.

---

<sup>i</sup> Nicolas Lemay-Hébert is senior lecturer at the International Development Department, University of Birmingham; Rosa Freedman is senior lecturer at the School of Law, University of Birmingham.

<sup>ii</sup> Anders Blok and Torben Elgaard Jensen (2011) *Bruno Latour: Hybrid Thoughts in a Hybrid World* (Abingdon: Routledge).

<sup>iii</sup> Marwan Kraidy (2012) *Hybridity, of the Cultural Logic of Globalization* (Philadelphia: Temple University Press), vi.

<sup>iv</sup> For a similar project, see: Philipp Stockhammer (2012) 'Questioning Hybridity', in *Conceptualizing Cultural Hybridization: A Transdisciplinary Approach*, ed. P. Stockhammer (Berlin: Springer-Verlag), 1-3.

<sup>v</sup> Michael Shapiro (2012) *Studies in Trans-Disciplinary Method: After the Aesthetic Turn* (London: Routledge).

<sup>vi</sup> Kraidy, *Hybridity, of the Cultural Logic of Globalization*, vi.

<sup>vii</sup> Peter Burke (2009) *Cultural Hybridity* (London: Polity), 5.

<sup>viii</sup> Jan Nederveen Pieterse (2001) 'Hybridity, So What? The Anti-Hybridity Backlash and the Riddles of Recognition,' *Theory, Culture and Society* 18:2-3, 224. See also: Anjali Prabhu (2007) *Hybridity: Limits, Transformations, Prospects* (Albany: SUNY Press); Visoka in this volume.

- 
- <sup>ix</sup> Gayatri Spivak (1999) *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Cambridge: Harvard University Press), 361. See also: Aijaz Ahmad (1992) *In Theory: Classes, Nations, Literatures* (London: Verso), 68-69.
- <sup>x</sup> Burke, *Cultural Hybridity*, 115.
- <sup>xi</sup> Kraidy, *Hybridity, of the Cultural Logic of Globalization*, vi. See also: Amar Acheraïou (2011) *Questioning Hybridity, Postcolonialism and Globalization* (Basingstoke: Palgrave), 1.
- <sup>xii</sup> Peter McLaren (1997) *Revolutionary Multiculturalism: Pedagogies of Dissent for the New Millennium* (Boulder: Westview Press), 10.
- <sup>xiii</sup> Kraidy, *Hybridity, of the Cultural Logic of Globalization*, 67.
- <sup>xiv</sup> Jacques Derrida (1981) *Positions* (London: Athlone Press), 41.
- <sup>xv</sup> Homi Bhabha (1994) *The Location of Culture* (London: Routledge), 6-7; Burke, *Cultural Hybridity*, 7-8.
- <sup>xvi</sup> Pieterse, 'Hybridity, So What?' 221.
- <sup>xvii</sup> Joshua Lund (2006) *The Impure Imagination: Towards a Critical Hybridity in Latin American Writing* (Minneapolis: University of Minnesota Press).
- <sup>xviii</sup> *Ibid.*, 3.
- <sup>xix</sup> Simone Drichel (2008) 'The Time of Hybridity', *Philosophy & Social Criticism* 34:6, 605.
- <sup>xx</sup> Bhabha, *The Location of Culture*, 19.
- <sup>xxi</sup> *Ibid.* 37.
- <sup>xxii</sup> Drichel, 'The Time of Hybridity', 605.
- <sup>xxiii</sup> Oliver Richmond (2009) 'Becoming Liberal, Unbecoming Liberalism: Liberal-Local Hybridity via the Everyday as a Response to the Paradoxes of Liberal Peacebuilding,' *Journal of Intervention and Statebuilding* 3(3): 333.
- <sup>xxiv</sup> Oliver Richmond and Audra Mitchell (2012) 'Introduction – Towards a Post-Liberal Peace: Exploring Hybridity Via Everyday Forms of Resistance, Agency and Autonomy,' in: *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism*, O. Richmond and A. Mitchell, eds. (Basingstoke: Palgrave), 1-38; Roger Mac Ginty (2010) 'Hybrid Peace: The Interaction between Top-Down and Bottom-Up Peace,' *Security Dialogue* 41(4): 391-412.
- <sup>xxv</sup> See Mac Ginty, 'Hybrid Peace', or Roberto Belloni (2012) 'Hybrid Peace Governance: Its Emergence and Significance', *Global Governance* 18: 21-38.
- <sup>xxvi</sup> See Francesco Colona and Rivke Jaffe (2016) 'Hybrid Governance Arrangements', *European Journal of Development Research* 28(2): 175-183. This is also a concern that is reflected in the legal scholarship on hybridity.
- <sup>xxvii</sup> Volker Boege, Anne Brown, Kevin Clements and A. Nolan (2009) 'On Hybrid Political Orders and Emerging States: What is Failing – States in the Global South or Research and Politics in the West?'" in: *Berghof Handbook Dialogue Series No. 8*: 15-35; David Roberts (2008) 'Hybrid Politics and Indigenous Pluralities: Advanced Lessons in Statebuilding from Cambodia,' *Journal of Intervention and Statebuilding* 2(1): 63-86; Peter Albrecht and Louise Wiuff Moe (2015) 'The simultaneity of authority in hybrid orders,' *Peacebuilding* 3(1): 1-16.
- <sup>xxviii</sup> Roger Mac Ginty and Oliver Richmond (2016) 'The Fallacy of Constructing Hybrid Political Orders: A Reappraisal of the Hybrid Turn in Peacebuilding', *International Peacekeeping* 23(2), 1-2; Philipp Lottholz and Nicolas Lemay-Hébert (2016) 'Re-Reading Weber, Reconceptualising Statebuilding: From Neo-Weberian to Post-Weberian Approaches to State, Legitimacy and Statebuilding', *Cambridge Review of International Affairs* (forthcoming).
- <sup>xxix</sup> Sonja Grimm, Nicolas Lemay-Hébert and Olivier Nay (2014) "'Fragile States: Introducing a Political Concept', *Third World Quarterly* 35(2): 197-209.
- <sup>xxx</sup> Nicolas Lemay-Hébert (2014) 'The Semantics of Statebuilding and Nationbuilding: Looking Beyond Neo-Weberian Approaches,' in Nicolas Lemay-Hébert, Nicholas Onuf, Vojin Rakic and Petar Bojanic, eds. *Semantics of Statebuilding: Language, Meanings and Sovereignty* (London: Routledge), 89-105.
- <sup>xxxi</sup> A project described as quixotic, looking for liberal 'windmills' on hybrid donkeys and postliberal mares. Dominik Zaum (2012) 'Beyond the "Liberal Peace,"' *Global Governance: A Review of Multilateralism and International Organizations* 18(1): 130.

- 
- xxxii Lee Jones and Shahar Hameiri, 'Beyond Hybridity to the Politics of Scale: International Intervention and "Local" Politics,' *Development and Change* (forthcoming). See also the response to this anti-hybridity backlash from two of the main scholars on hybridity in peace and conflict studies: Oliver Richmond and Roger Mac Ginty (2015) 'Where Now for the Critique of the Liberal Peace?' *Cooperation and Conflict* 50(2): 171-189.
- xxxiii Jenny Peterson, 'A Conceptual Unpacking of Hybridity: Accounting for Notions of Power, Politics and Progress in Analyses of Aid-Driven Interfaces,' *Journal of Peacebuilding and Development* 7(2): 14
- xxxiv Suthaharan Nadarajah and David Rampton (2015) 'The limits of hybridity and the crisis of liberal peace,' *Review of International Studies* 41(1): 49 – 72. This argument is challenged by Visoka in this volume.
- xxxv Gearoid Millar (2014) 'Disaggregating Hybridity: Why Hybrid Institutions Do Not Produce Predictable Experiences of Peace,' *Journal of Peace Research* 51(4): 501-514; Gezim Visoka (2012) 'Three Levels of Hybridisation Practices in Post-Conflict Kosovo,' *Journal of Peacebuilding and Development* 7(2): 23-36. Contributions such as Kirkman's in this volume can certainly be located in the 'prescriptive' category.
- xxxvi Lisa Smirl (2012) 'The State We Aren't In: Liminal Subjectivity in Aid Worker Auto-biographies,' in Bliesemann de Guevara, ed. *State Building and State Formation* (London: Routledge), 230–245; John Heathershaw (2016) 'Who are the 'international community'? Development professionals and liminal subjectivity,' *Journal of Intervention and Statebuilding* 10(1): 77-96.
- xxxvii Nestor Garcia Canclini (1995) *Hybrid Cultures: Strategies for Entering and Leaving Modernity* (Minneapolis: University of Minnesota Press), xxvii.
- xxxviii Ibid., xxix.
- xxxix Seyla Benhabib (2002) *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton: Princeton University Press), 19.
- xl David Cohen (2007) "'Hybrid" Justice in in East Timor, Sierra Leone and Cambodia: "Lessons Learned" and Prospects for the Future,' *Stanford Journal of International Law* 43(1): 1-38; Chandra Lekha Sriram (2006) 'Wrong-Sizing International Justice? The Hybrid Tribunal of Sierra Leone,' *Fordham International Law Journal* 29(3): 472-506.
- xli Cohen, "'Hybrid" Justice in in East Timor, Sierra Leone and Cambodia'; Laura Dickinson (2003) 'The Promise of Hybrid Courts,' *American Journal of International Law* 97(2): 295-310; Helen Horsington (2004) 'The Cambodian Khmer Rouge Tribunal: The Promise of a Hybrid Tribunal,' *Melbourne Journal of International Law* 5(2): 462-482; Olga Martin-Ortega and Johanna Herman (2012) 'Hybrid Tribunals: Interaction and Resistance in Bosnia and Herzegovina and Cambodia,' in: *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism*, Oliver Richmond and Audra Mitchell, eds (Basingstoke: Palgrave), 73-87.
- xlii Cohen, "'Hybrid" Justice in in East Timor, Sierra Leone and Cambodia'; Dickinson, 'The Promise of Hybrid Courts'.
- xliii Martin-Ortega and Herman, 'Hybrid Tribunals'.
- xliv Dickinson, 'The Promise of Hybrid Courts'; Laura Dickinson (2002) 'The Relationship Between Hybrid Courts and International Courts: The Case of Kosovo,' *New England Law Review* 37: 1059-1072.
- xlvi Ali Wardak and Humayun Hamidzada (2012) 'The Search for Legitimate Rule, Justice and a Durable Peace: Hybrid Models of Governance in Afghanistan,' *Journal of Peacebuilding and Development* 7(2): 79-88.
- xlvi Bruce Baker (2013) 'Where Formal and Informal Justice Meet: Ethiopia's Justice Pluralism,' *African Journal of International and Comparative Law* 21(2): 202-218.
- xlvi Phil Clark (2014) 'Negotiating Reconciliation in Rwanda: Popular Challenges to the Official Discourse of Post-Genocide National Unity,' *Journal of Intervention and Statebuilding* 8(4): 303-320.
- xlvi Lisa Denney (2014) *Justice and Security Reform: Development Agencies and Informal Institutions in Sierra Leone* (London: Routledge); Paul Jackson (2011) 'Decentralised Power and Traditional Authorities: How Power Determines Access to Justice in Sierra Leone,' *Journal of Legal Pluralism and Unofficial Law* 43(63): 207-230.

---

<sup>xlix</sup> Cynthia Horne (2014) 'Reconstructing 'Traditional' Justice from the Outside in: Transitional Justice in Aceh and East Timor,' *Journal of Peacebuilding and Development* 9(2): 17-32.

<sup>i</sup> Chandra Lekha Sriram (2012) 'Post-Conflict Justice and Hybridity in Peacebuilding: Resistance or Cooptation?' in: Oliver Richmond and Audra Mitchell, eds. *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism* (Basingstoke: Palgrave), 58-72. See also: Nicolas Lemay-Hébert and Stefanie Kappler, "What Attachment to Peace? Normative and Material Dimensions of Peacebuilding," *Review of International Studies* (online first).

<sup>li</sup> For a study of the conflict between Weberian, national system of justice and traditional systems of justice in Timor-Leste, see: Nicolas Lemay-Hébert (2011) 'The "Empty Shell" Approach: The Setup Process of International Administrations in Timor-Leste and Kosovo, Its Consequences and Lessons,' *International Studies Perspectives* 12(2): 188-209.

<sup>lii</sup> Brian Tamanaha (2008) 'Understanding Legal Pluralism: Past to Present, Local to Global', *Sydney Law Review* 30: 395-396.

<sup>liii</sup> Martha-Marie Kleinhans and Roderick Macdonald (1997), 'What is Critical Legal Pluralism?' *Canadian Journal of Law and Society* 12: 46. See also: Victor M. Muniz-Fraticelli (2014), *The Structure of Pluralism* (Oxford: Oxford University Press).

<sup>liv</sup> Tamanaha, 'Understanding Legal Pluralism', 376.