



Understanding legitimacy: Perspectives from anomalous geopolitical spaces



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ABSTRACT

This special issue explores the production of political legitimacy, approached from the angle of the legitimacy claims of the governing authorities of anomalous geopolitical spaces. Legitimacy sits at the heart of theories of sovereign power, a position that has drawn a range of scholars – be they political geographers, political anthropologists, international lawyers or political scientists – to focus on the state as a primary source of political legitimacy. This special issue starts from a different premise: namely, that by studying alternative sites of legitimacy, so-called de facto states, annexed territories, governments-in-exile, liberation movements or unrecognised governments, we may shine a light on the wider arena of political actors, forms of agency and sites of contestation through which legitimacy is produced. This special issue introduction draws attention to, first, the centrality of questions of legitimacy to the enactment of political authority; second, the plural disciplinary and political interpretations of legitimacy, staking a claim for why this study has interdisciplinary significance; and, third, the spatial and temporal importance of studying anomalous geopolitical spaces. The latter are presented as zones that have often been neglected areas of comparative study but may hold the key to understanding the complexities of political legitimacy in the modern world. The introduction concludes with an overview of the themes contained within the individual papers that comprise this special issue.

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1. Introduction

This special issue explores how concepts and practices of legitimacy shape claims to political authority. It does so through a lens of ‘anomalous geopolitical spaces,’ signifying sites that constitute unrecognised, contested or alternative forms of geopolitics from that of the sovereign state. From the outset we are keen to unsettle an image of political legitimacy that has often foregrounded the sovereign state as the sole arbiter and provider of legitimacy within a territory. This focus on the state is no surprise, as the concept of legitimacy is at the heart of some of the most established theorisations of the state sovereignty, most notably perhaps in Max Weber’s definition of the state as a “human community that (successfully) claims the monopoly of legitimate use of physical force within a given territory” (1958: 78). But, of course, legitimacy is not as spatially or temporally straightforward as this image of state sovereignty would suggest. The world is replete with exam-

ples of sites where legitimacy is contested or where there are a number of claims to legitimacy existing in a given territory. This special issue brings together an interdisciplinary array of scholars to consider precisely the plural and unfinished nature of legitimacy claims in geopolitical entities that are unrecognised states, aspiring states, or simply non-state arenas of political contestation.

As a starting point we want to place this study of the legitimacy claims of anomalous geopolitical spaces within the context of existing – and emerging – examinations of the material, discursive and ideological processes through which authority over space has been accomplished. There is an immediate danger of referring to these works as studies of ‘the state’, since in many respects they are attempting to decentre, pluralise and contest the state as a coherent and singular geopolitical actor (for more on this linguistic challenge see Abrams, 1988). In part this danger stems from the hegemonic position of the state within geopolitical knowledge production, hence it is a reflection of the enduring ‘territorial trap’ (Agnew, 1994) within which research concerning legitimacy risks becoming ensnared (see also Bilgin and Morton, 2002). In an attempt to subvert this danger, scholarship over the past thirty years has brought to bear new theoretical and methodological

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tools that help deconstruct and make visible the techniques of power employed by states while also illuminating the purportedly 'non-state' sites, institutions and bodies that emulate or contest performances of state sovereignty (Jeffrey, 2013; McConnell, 2009a; Wilson, 2015). In these opening remarks we draw attention to three characteristics of this emerging work that frame our subsequent discussion of legitimacy.

In the first, scholars have revisited established state theory to examine how a particular authority (individual, group or institution) emerges as a legitimate sovereign actor, focusing on the practices and performances through which legitimacy is secured (Painter, 2006; Biersteker and Weber, 1996). In doing so, and as the papers in this special issue attest, this work on legitimacy weaves together a more challenging array of different impulses, including legality, loyalty, morality and force. This approach has required a focus on the ways in which states operate to render problems 'legible' in order to enact administration, a process often connected to the emergence of the modern state from the seventeenth century onwards (Foucault, 1979; Scott, 1998; Tilly, 1992). Highlighting the privileged symbolic resources of states, such scholarship illuminates how the production of legislation, and the consequent enactment of law, underpins many understandings of legitimacy (Bourdieu, 1986; Engler, 2003). Crucially, such arguments illustrate the forms of occlusion enacted by the reification of the state; for example, in Bourdieu's (1986) analysis the state uses law to categorise and structure society in such a way as to obscure underlying economic inequalities. Yet such categorisation is not simply a 'mask' of real social relations but a mechanism through which the legitimacy of state power may be assured. For example Ferguson and Gupta (2002) refer to a process of 'state verticality', where state practices are presented as 'above' society, thereby producing a rigid – if arguably fictive (see Painter, 2003) – distinction between state and society. This sense of verticality is reproduced through the rubric of governance, of 'top-down' policies or 'heads of state' and so on.

The second characteristic – related to the first – has been to widen the methodological tools used to study where and how political legitimacy is conveyed. Again, and perhaps ironically, this work proceeds through the rubric of the state, but rather than looking at the gaze of the state and working outwards, ethnographers have sought to trace the complex social and material worlds within which the idea of a particular state – or the state system – is embedded. Consequently, this work is less interested in 'the state' (as a concept lying at the core of political theory) and more in the production of 'state effects', roughly defined as the social practices or dispositions that emerge as a response to the imagined existence of the state (Mitchell, 1991; Painter, 2006). Such an approach necessarily shifts attention away from formal institutions of the state (such as governmental bureaucracies) and onto the lived experience of individuals and groups as the state is constituted in their everyday lives, a shift from *Seeing Like a State* (Scott, 1998) towards the more bottom-up *Seeing the State*. For example, Navaro-Yashin (2002, 2012) has undertaken ethnographic fieldwork in Turkey and the Turkish Republic of Northern Cyprus (TRNC) to highlight the ways in which the state is lived and embodied, highlighting the role of documents, sites and materials through which ideas of state legitimacy are secured. Reflecting this focus on a more materialist framework, Navaro-Yashin draws on Latour's Actor-Network Theory to argue that sovereignty is not a "top-down act of political will or event", but is instead "a worked-on terrain of relationality between human actors, material land and property, and tools or devices of measurement, numeration, and allocation" (2012: 44). The consequence of such ethnographic studies of the enactment of legitimacy has been to highlight the dynamic nature of state practices (they are always unfolding), their distribution beyond classical

understandings of state territoriality (for example through diasporas or refugees camps) and their prosaic existence within people's everyday lives.

The third characteristic has been the widening of the empirical gaze beyond established states and looking instead at those groups and movements that are either seeking to establish themselves as legitimate state actors in the future or are performing unrecognised state-like activities – and are hence loci of potential legitimacy – in the present (Clapham, 1998; Feldman, 2008; Wilson, 2010). We are referring to these as 'anomalous geopolitical spaces', though as we outline below, in many instances these are not unitary spaces and such terminology is suggestive of a norm against which these examples are constituted as anomalies (Caspersen, 2012). As we will argue, these debates draw into sharp relief the contestation over different interpretations of legitimacy and the hybrid nature of many of these geopolitical actors, which are simultaneously – depending on perspective – considered sources of political legitimacy and illegitimacy. Perhaps most importantly, they help us move away from a state-centric notion of legitimacy, to challenge dominant narratives of sovereignty and think instead of situations where the loci of legitimacy is dispersed and situated outside of formal state structures.

These research characteristics inform the motivations for this special issue, where an intellectual desire to expand the remit of studies of legitimacy was coupled with a political desire to illuminate the plural understandings of legitimacy that circulate within anomalous geopolitical spaces. In the subsequent sections of this introduction we, firstly, probe the concept of legitimacy, to identify the leverage this term provides within debates concerning both legal and normative concepts of political authority. We then explore the lens of autonomous geopolitical spaces, illustrating the varied practices of governance and the political that is gathered under this term. Finally, before a brief conclusion, we trace these themes through the seven papers within the special issue.

2. Unsettling legitimacy

'Legitimacy', especially the legitimacy of governing authorities, is a key concept in political theory and practice. Clark (2007) even goes as far as to argue that the principle of legitimacy forms the cornerstone of what is meant by an international society. More recently, Fukuyama (2011) posits that, as a precondition for institutional accountability, legitimation is a fundamental question facing the current geopolitical era. As such, legitimacy is a term frequently used by practitioners of and commentators on international affairs. It has framed recent discussions around Russian annexation of Crimea, controversial elections in Burundi, humanitarian interventions in East Timor and Kosovo, and Western military campaigns in Iraq, Afghanistan and Libya. As well as challenges to the legitimacy of pluri-national states and their territorial boundaries, the issue of legitimacy is also central to new types of political formation such as the EU (Gualini, 2004), the 'Islamic State' (Jabareen, 2015) and the increasing international presence of sub-state governments (Aldecoa and Keating, 1999; Cornago, 2010).

The pervasiveness of the notion of legitimacy in (geo)political discourses means that it is perhaps unsurprising that it is a difficult concept to define. This is compounded by the fact that scholars from a wide variety of fields have sought to examine the vexed question of political legitimacy. Two broad schools of thought can be identified, which map onto two distinct definitions of legitimacy: an entity or action being genuine and valid, and conformity to the law. The first emerges from political theory, broadly defined, which attends to questions of political obligation. Political philosophy, for example, generally understands legitimacy in a

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