Introduction

Practicing Legitimation

Legitimacy: Crisis or Continuity?

‘Legitimacy’ has held an unwavering prominence within Western political philosophy. It is to an extent its founding debate as to the rightful use of power (Mulligan 2006). Weberian-influenced legitimacy studies have more recently aimed to prise empirical legitimacy from normative, what is over what should be, in the service of good social science. In this book, I argue that empirical legitimacy remains poorly evinced. This poverty is due to an entrenched focus on the actions of state elites and state, or interstate, institutions. From legitimacy’s earliest framings, theorists have conflated political power with state power. The state is legitimate force: ergo legitimacy is the state. Its study is thus hamstrung by recursive, state-based rationalities, which mask the extent to which Western norms and normativity imbue world politics and its study (Dodworth 2014; 2018a). Relatedly, legitimacy studies are hampered by positivist-leaning epistemologies, which fixate on legitimacy as a binary state, freely and rationally exchanged and distilled down to a number of variables. Such accounts veer towards an instrumentalist, ‘transactional’ account of legitimacy that is rooted, I argue, in the ‘fictions’ of liberal individualism, wherein the freedom to so-transact remains the purview of the privileged few.

The quest to fix legitimacy’s shifting content has helped fuel the recurrent ‘politics of crisis’ (Clark 2003, 75, drawing on Kitromilides 1986). Domestically, there is a chronic legitimation crisis (Habermas 1976), whereby states do not possess the capacities to fulfil what is demanded (Crozier, Huntington and Watanuki 1975). As inequalities and stagnation become entrenched, disaffected and disenfranchised voters lose trust in the institutions of democratic governance (Rosanvallon and Goldhammer 2011, 8–11; Pharr and Putnam 2000), turning to populist, more illiberal forms of political engagement (Ikenberry 2018; Fitzi, Mackert and Turner 2018). Beyond the state,
intensified by the end of the Cold War, there are crises in ‘international legitimacy’, wherein states’ actions are curbed by other actors and institutions (Scharpf 1999; Ikenberry 2018) and where global governance institutions confront their own legitimacy deficits (Seabrooke 2007; Tallberg, Bäckstrand and Scholte 2018b; Gronau and Schmidtke 2016; Zaum 2013). Non-state actors (NSAs), not least the non-governmental organizations (NGOs) that are the focus of this book, precipitate further crises for interstate arrangements (Tallberg 2013; Lang 2012; Slim 2002) while similarly grappling with deficits (Mitchell, Schmitz and Vijfeijken 2020; Collingwood and Logister 2005). For NGOs, there is an irresolvable double legitimacy crisis, wherein such organizations fall short of democratic norms at the same time as such norms unravel.

I move away from the staid ‘politics of crisis’ towards a more global picture of continuity and cumulative change within the politics of legitimation. The entrenchment of NSAs such as companies and NGOs into complex and ambiguous modes of governance that has caused consternation in the North has a long, generative history in the colonized South. The conditions fuelling crises in late capitalist states, of disaffection or dispossession, are not new either (Chatterjee 2004; Comaroff and Comaroff 2012). I do not see any deficit but expanding productivity on the part of NSAs as they embed themselves within ambiguous, multifaceted matrices of governance. NGOs are ascendant globally, and are unprecedented in numbers and scope (Mitchell, Schmitz, and Vijfeijken 2020; Davies 2019) in this, the ‘era of NGOs’ (Lang 2012, 1, quoting Kofi Annan). In Africa, NGOs flourished in the wake of market liberalization and structural adjustment, taking up roles that conventionally fell to the state (Hearn 2007; Brass 2016), as part of the ‘new indirect rule’ (de Sousa Santos 2015, 128; also Manji and O’Coill 2002). Legitimation remains the core problem of this expansion of NGO activity: a practice shaped by global and local forces and negotiated on a daily basis. Indeed, it is much of what NGOs do (Hilhorst 2007, 298).

In turning to an African context, I do not seek to integrate Africa into International Relations (IR). Africa’s ‘contribution’ has been long-debated, as to whether Africa poses a fundamental ‘challenge’ to IR (e.g. Dunn 2000; Dunn and Shaw 2001; Cornelissen, Cheru, and Shaw 2012); whether there are rather supplemental lessons (e.g. Lemke 2003, drawing on Clapham 1996; Englebert 2000); or whether the
More driving Africanist critiques of IR is a misdirect meant for the neorealism already abandoned (Brown 2006, 119). These debates are already obsolete, but they still reveal something of IR’s ambitions to universalize, to encompass and to predict, which still pertain to contemporary presentations of legitimacy. Within this study, I do not see change or challenge on the part of NGOs but continuity and co-production between state and non-state. This phenomenon I term the non-state, whereby the practices, practicalities and even people of governance intertwine, yet still ‘work’ the ideational divide. In this, Africa is not an aberration (Abrahamsen 2017; Comaroff and Comaroff 2012; Death 2013). As author and commentator Nanjala Nyabola said recently, things happen in Africa first. Often, things happen in more pronounced forms (Nkiwane 2001; Mbembe 2001). It is thus more productive to stop wrangling as to what is exceptional or concerning about Africa in favour of what phenomena encapsulate global shifts in the order of things.

I move, therefore, towards a radical shakeup of the insulated, Eurocentric approaches to studying legitimacy, in favour of a decentred and more global understanding of legitimation as practice. Legitimation is an accumulative practice of claim-making (Barker 2001). It infuses the exercise of power with ideational and material capital, crafting ephemeral authority in a process of constant making. I construct a historicized, sociological account of how NGOs craft their authority to act in Tanzania. It is grounded in many months of ethnographic fieldwork, shadowing NGO staff and mapping their everyday ‘sayings and doings’ (Leander 2010, 67) to legitimate interventions into people’s lives and livelihoods. At the same time, this does not suggest legitimation to be a one-way imparting of particular norms, values or symbols on the part of elites; that is only half the story. Legitimation is iterative and relational, which demands the insertion of the ‘collective’ in the negotiation, affirmation and rejection of such interventions ‘all the way down’. I thus challenge understanding of legitimacy as a formalized, contractual exchange between the state and the invisible subject in favour of legitimation as negotiated

2 I converge with Barker only on this fertile notion of ‘claim-making’.
practice, undertaken by an array of ambiguous institutions, in this case NGOs, as they reproduce and compete for public authority.

Legitimation as Political Practice

Everyday authority is produced, shared and contested by changing, mobile constellations of actors in Africa, most recently NGOs. Legitimation is core to that production but there are few empirical accounts of this process outside the air-conditioned rooms that denote the international sphere. Legitimation is performative, through the symbolic positioning vis-a-vis other actors. It is spatialized, creating space to govern through symbolic proximity and distance, and the entreaty and repudiation of Others, as part of what Lund terms legitimation’s ‘countervailing currents’ (2006b, 699). In building this account, I do not construct legitimacy as a binary, attributive state driven by a set of variables. There are no flowcharts, tables or causal inferences in this book. This could undermine its potential to translate easily to existing legitimacy debates or gain traction in policy and practitioner circles, as hinted in the Foreword. I would counter that causal models of legitimacy have not only foundered in their goal to explain and predict, but that they have routinely discounted ‘most of the world’ (Chatterjee 2004) as illegitimate and excluded de facto from theorizing.

Many eminent critical, poststructuralist and feminist IR scholars forcefully challenged IR’s centrisms and exclusions (e.g. Cox 1981; Ruggie 1993; Ashley 1988; Enloe 2000; Campbell 1992). Despite the profound influence of such contributions on IR as a whole, two interrelated centrisms have endured in the study of legitimacy specifically. The first is the stubborn durability of the state as the primary determinant of world affairs; state-centrism shores existing accounts of legitimacy but legitimacy in its various Weberian adaptations shores the comforts of this state-centrism. This is fuelled, I submit, by an underlying concern for the prospects of a state-based system, an oft-termed order, that has served some far better than others. State-like practices form one part of legitimation in the everyday, as part of nexuses of governmental practice, within which both nominally state actors and NSAs participate. Indeed, as explored in empirical detail, the once-definitive typologies of the state and non-state spheres carry less analytical weight than the ideas, materialities and practices to which they give rise.
The second centrism is that of positivism, wherein legitimacy is conceived as a binary, attributive state, rationally and freely exchanged and able to bear considerable weight. I cannot, however, conclude from my study any individual NGO, or the NGO sector as a whole, to be legitimate or otherwise. I expect none of my interlocutors would either. Rather, non/state intervention is negotiated on a case-by-case basis, which ultimately inverts the ‘preconcept’ (Ouedraogo and Cardoso 2011b, xxvii) of legitimacy. For many, the legitimacy of a political institution, typically in liberal democracies, allows us to separate the legitimacy of a regime from the rightfulness of a specific intervention. Enlightenment thinking, notably via Locke and Rousseau, is formative, wherein there is a founding moment, a contract, that binds us to obey the state’s endeavours (also Hurrelmann, Schneider and Steffek 2007, 5). This notion endures in legitimacy classics, wherein legitimacy is ‘the conviction [...] that it is right and proper [...] to accept and obey the authorities and to abide by the requirements of the regime’ (Easton 1965, 278). In the postcolonial non/state constellations I explore, there is no such moment of inception, only intervention: intervention is the regime. Each intervention is legitimated and contested iteratively, and a static belief in the legitimacy of that NGO has no real meaning.

I therefore challenge Eurocentric recursions in favour of a decentred and more global understanding of legitimation. I endeavour, rather than abandoning legitimacy scholarship entirely, to scrutinize its ‘imperial debris’ (Stoler 2008). I examine Weberian-affiliated thought in particular but brought into dialogue with insights from non-Western canons and, as importantly, non-Western contexts. Methodologically, I draw on practice-based enquiry, locating common praxeological ground between Western theorists, with Bourdieu and Foucault’s legacies as well as blind spots made apparent, and non-Western thinkers with regard to how colonially operates and percolates day to day. African scholars, with the works of Mbembe and more recently Ndlovu-Gatsheni pertinent, have often been left to salvage space for the agency of Africans living within ‘tight spaces’, in the face of assumptions of Africa’s fortunes as wholly determined elsewhere (Mbembe 2001; Ndlovu-Gatsheni 2010; 2013; also Kinyanjui 2020; Musila 2017; 2018). More profoundly, such scholars are also often left to preserve notions of common humanity and of personhood, where ideas still matter despite, as Mkandawire evinces, the monotonous narrative of Africa’s rapacious elites (2015; also Mustapha 2002).
This book focuses on coastal Tanzania in the wake of ‘peak liberalization’. In one sense, my findings are confined to that context, shaped by unique precolonial, colonial and post-independence histories. At the same time, Tanzania encapsulated something of the reconstituting public, experienced globally (Best and Gheciu 2014b; Best 2014), having seen a new wave of NSAs claiming publicness. Tanzania witnessed mushrooming NGO registrations following market liberalization under presidents Mkapa (1995–2005) and Kikwete (2005–15). This reinserted the global into the local in new and adaptive ways, in a country enmeshed with the transfer of development resources and expertise over centuries (Green 2014). After President John Magufuli assumed office in 2015, Tanzania took a more visibly ‘authoritarian turn’ (Paget 2017), restricting such transfers but also space for dissent. Tanzania is not alone: China, India and Russia, among others, have shut down space for NGOs to criticize governments (Bornstein and Sharma 2016; Heiss 2020; Cooley 2015). In the United Kingdom, recent governments have taken steps to keep NGOs outside ‘politics’ (The Guardian 2014; Jennings 2014; BBC News 2020). Many parts of the world are witnessing the successful fusion of authoritarianism with experiments in capitalism (Bloom 2016). What then, as I return to in the Conclusion, are the prospects for NGOs in tight spaces?

My fieldwork comprised twelve months in Bagamoyo district between 2012 and 2013, supplemented by a scoping visit in 2011 and telephone calls and email correspondence during 2013–21. I undertook many months of observation, mainly of NGOs at work at village, ward and district levels, with additional shadowing of government and private consultancies. I interviewed representatives of thirty-three NGOs as part of a ‘mapping’ exercise in conjunction with Bagamoyo’s umbrella NGO. This exercise and my positionality proved problematic (Chapter 7) but immersed me rapidly into the politics of legitimation, information and authority and provided a springboard for follow-up interviews, observation and document collection. I spent an additional eight weeks living in two seemingly contrasting villages: Kiharaka and Kibindu. This comprised mainly observation of NGO interventions and their negotiation but also interviews and informal discussions. Lastly, I conducted a small number of ‘elite’ interviews, both with Bagamoyo district staff and NGO managers in Dar es Salaam. This fieldwork provided a rich and varied data set with which to explore legitimation in practice.
Six legitimation practices emerged from this ethnography: extensity; territoriality; state relations; representation; voluntarism; and materiality in the form of information. They emerged inductively, tried and honed over time. This in itself created ethical quandaries and confusion among those I worked with (see Foreword). Nevertheless, the notion of an NGO’s legitimacy (ubalali) as a collectively held belief proved an empirical void and, for all purposes, immaterial (Chapter 1). I quickly abandoned any attributive account of ubalali. In its place, there emerged patterns in how specific projects or interventions were embedded within structures of coloniality. In these contexts, foreign-financed intervention remained very much the regime. The question then is how such interventions were interrogated and negotiated by their intended subjects. The ‘always implied, never seen’ legitimation subject, assumed to consume dutifully the legitimation efforts of others, is given equal billing in these pages. This study had shortcomings: its own biases and blind spots and its own politics of legitimation (Chapter 2). But it is still, I contend, a more recognizable, more global account of crafting everyday authority.

Structure of the Book

The book comprises two theoretical chapters, five empirical chapters – each centred on a practice – and a conclusion as to the implications for non/state legitimation. Chapter 1 surveys three key developments in social and political enquiry that lay the book’s intellectual groundwork. The first is within legitimacy scholarship, wherein empirical enquiry is now prioritized over normative. This is always challenging, given that presentations of legitimacy historically have melded the two and also given that legitimation comprises moralizing work. Nevertheless, I agree that empirical enquiry is possible. Rather than defaulting to the same keystone texts as incontrovertible, however, most prominently Weber, empirical studies of legitimacy/legitimation must be more attuned to ‘imperial debris’ (Stoler 2008). The second development is the continued movement away from the state as the primary locus regarding legitimacy/legitimation, drawing on late modern work on power and authority as well as long-established insights from scholars within the Global South. The third is the field of practice-based enquiry, providing a shared space in many disciplines and many contexts to spotlight the practices through which power is
exercised, its conditions (re)produced and contested and to locate the legitimization subject.

Chapter 2 lays out the epistemological, methodological and ethical considerations in answering this question of how. Legitimation, in this case on the part of NGOs, requires a considerable amount of work and indeed creativity that has been rendered invisible by some methodologies to date. A practice-based approach, bolstered by the use of critical ethnography, brings the agential, iterative and interactive aspects of legitimation to the fore. It matters here less what an NGO *is* or is not than what they produce through relationships (Skumstrud Anderson 2015) and, I add, what conditions that production. Chapter 2 also sets out a moral concern regarding the need to locate the research ‘subject’ in the shadow of theory-making or of developmental problem-solving, which has profoundly shaped the trajectory of social science in Africa (Ouedraogo and Cardoso 2011a, xxi). It argues that interpretive, reflexive praxeology can speak to both methodological and ethical concerns, although my own praxis at times fell short. While these challenges are not easily overcome in contexts of coloniality, practice-based enquiry proved the best available fit to aid decentred, less verticalized research.

Chapters 3–7 set out the six legitimization practices within five chapters: extensity/territoriality; state relations; voluntarism; representation; and the materiality of information. They are grounded in extensive empirical research brought into dialogue with Western and non-Western thought. These practices were discernible throughout the fieldwork, although varied in configuration and intensity. Each chapter offers points of comparison in that regard, whether that is ‘scalar’ in comparing district and village, comparing urbanized village with remote (Chapters 3 and 6), comparing two organizations (Chapters 4 and 7), or comparing NGOs and their intended subjects (Chapter 5 and throughout). The terms I have given these practices will be familiar to political geographers, political sociologists and political anthropologists, as well as theorists, but they have been reworked in new ways. These practices, crucially, are not reducible to instruments of individual preferences, determined by material interest. Ideas matter (Mkandawire 2015, 598) and their interweaving with materiality is central to the process of legitimation, yet ideas remain largely absent in predominate drawings of African politics.

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Legitimation practice is intrinsically spatialized, meaning NGOs create political space to govern (Yanacopulos 2015; Dodworth 2018a). The first two practices are the encapsulation of that spatiality and I deal with them together in Chapter 3. The first is extensity: the projection of scale and presence. Here I build on Held et al.’s term (1999, 15), arguing it admits of two forms: spatial extensity as the projection of geographical scale and depth and temporal extensity as the projection of longevity. The second practice, countervailing extensity, is territorality. Territoriality is the demarcation of boundaries of inclusion and exclusion and is ‘the primary spatial form power takes’ (Sack 1986, 26) in efforts to control the behaviour of others. Within IR, at least where the state is taken as the primary agent in world affairs, territoriality and extensity have often been assumed to be congruous along borders. In exploring the spatialized practices of NGOs, however, which may both contend and actualize the state, I argue that territoriality and extensity are not the same.

Chapter 4 explores perhaps the starkest legitimation practice in how NGOs positioned themselves vis-à-vis the state and vice versa. While state–society divisions do not hold much water (Mitchell 1991), they nevertheless remain pertinent as an ideational template in Tanzania’s contemporary political landscape. This chapter maps the use of state relations and Lund’s ‘state-like practices’ (2011) primarily through the fortunes of Bagamoyo’s two formally international NGOs, one ostensibly service provision and one increasingly advocacy focused. The former was heavily aligned with local government practices to the point of mimicry and indeed the co-production of the state, with the other increasingly distant and antagonistic. For both NGOs, however, positionalities vis-à-vis local government were not fixed but relational, as they varied their stances when expedient: working through as well as against the state. The state and non-state co-produce and increasingly co-depend, what I term the non/state, with NGOs working their ambiguity on both sides of the line (de Sousa Santos 2015, 118). Nonetheless, positionality vis-à-vis the idea of the state remains strategic and deliberately visible.

Chapter 5 explores a core legitimation practice of NGOs: voluntarism. Voluntarism, and its associated virtue, has long been a legitimation device in the construction of public authority. It has been theorized, in Western political philosophy, as a necessary
counterweight to the excesses of big government or big business. In some studies in Africa, voluntarism has been married to enduring instrumentalist accounts of doing politics. Chapter 5 highlights the complexities in invoking voluntarism in Tanzania, its ideational and material components, and the multifaceted opportunities and obligations it affords. It demonstrates clear continuity, rather than confrontation, between government and non-government within this form of public authority. As argued throughout, however, legitimation is negotiated by these very ‘publics’. In this case, volunteers must negotiate the vertical, often extractive pressures from external actors of their physical and emotional labours as well as lateral contestation by peers of their authority to act in the interests of others. Chapter 5 explores the ideational and material legitimation that volunteer networks afford, as well as the negotiation and contestation of voluntarism’s work on the part of volunteers themselves.

Chapter 6 revisits representation, drawing on much-needed insights from anti/postcolonial thought. The representative claim is existentially critical for NGOs in the absence of meaningful consent or authorization. The need to compensate in this way is manifest in claims to be ‘one of the people’, to be close to the people and ultimately to stand for the people, challenging state representative monopolies that had unravelled in Tanzania as elsewhere. Claims to stand for the people, however, are fleeting and give way to the conclusive need to act for the people when perceived failures or aberrance solicit a more authoritative stance. Notions of trusteeship were the cornerstone of colonialism’s subjugation and violence, forged through alterity. Chapter 6 expounds the hybridity of representational practice, whereby non-state and state actors negotiate but cannot reconcile claims to stand and to act for Others. In doing so, the chapter identifies a confluence between recent developments in representation theory in the West and long-established anticolonial writings in understanding representational hybridity in the world today.

Chapters 3–6 focus on ideational aspects of legitimation, which are often absent in accounts of African politics. In Chapter 7, however, the materiality of gathering and holding information, whether on beneficiaries or other NGOs, is strongly visible. With such information being fungible, a core ‘currency’ (Read 2019), the collection and sharing of information proved a highly contentious legitimation practice. While NGOs’ material concerns and anxieties therefore came strongly to the