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Rebels & Legitimacy; An Introduction

Isabelle Duyvesteyn

Institute for History, Leiden University, the Netherlands

Please direct correspondence to Isabelle Duyvesteyn, Huizinga Building Room 135, Doelensteeg 16, 2311 VL Leiden. The Netherlands. Email: i.duyvesteyn@hum.leidenuniv.nl

Isabelle Duyvesteyn is Professor of International Studies/Global History at the Institute of History at Leiden University in the Netherlands. She completed her PhD at the Department of War Studies at King's College in London. Previously she has worked at the Royal Military Academy in the Netherlands, the Netherlands Institute for International Relations and Utrecht University. She is a member of the Netherlands Advisory Council for International Affairs assigned to advise the Netherlands government on issues of peace and security, a member of the Scientific Advisory Board of the Netherlands Defence Academy and a member of several book and journal editorial boards, among others the *Journal of Strategic Studies*.

Rebels & Legitimacy; An Introduction

This introduction to the double special issue on the theme of rebels and legitimacy aims to set out the parameters for the discussion. It looks at legitimacy as a concept and at legitimation as a process. To date most of the literature on legitimacy has focused on the state. However, rebel groups such as insurgents, terrorists, warlords and guerrillas have all had claims, and continue to claim, legitimacy as well. How and when are these rebels seen as legitimate actors? Existing suggestions of rebel legitimacy focus heavily on state models of social order and the social contract. This first contribution discusses how to conceptualise legitimacy and how to make it operational. A two-pronged approach, borrowing heavily from Max Weber, is proposed. Legitimacy is investigated based on beliefs and belief systems about what is considered legitimate. This is combined with practices whereby legitimacy is enacted, copied and emulated by the population the rebels claim to represent. The aim of this introduction is to set out the main questions that the subsequent contributions, each in their distinct way, will address.

Keywords: rebels, legitimacy, legitimation, political order, violence

When the civil war in Somalia started, in the early nineteen nineties, one of the main protagonists in those early days of the conflict, Mohammed Farah Aidid, claimed that Somalia had a very long- standing democratic tradition and was one of the most democratic countries in the world. Perhaps contrary to expectation, Aidid had written a book containing his political ideas.¹His reasoning was that in Somalia, for centuries, men had been gathering in the shade of a big tree to openly discuss the matters that were important to the community. This public debate legitimated their decisions. What could be more democratic than that?

In East Timor, at the end of the 1990s, after an independence struggle lasting several decades, the East Timorese were offered the opportunity to vote in democratic elections. The United Nations Special Representative Sergio Viera de Mello, in an address to the Security Council, admitted that he had observed first-hand that the local population had little conception of democracy.² In East Timorese society traditionally family and kinship ties legitimized political rule. The term democracy itself was foreign and was initially translated as *biti boot* or big mat referring to public consultations by elders on grass mats on issues of communal interest.³

In the case of Afghanistan, after the removal of the Taliban regime at the end of 2002, a Loya Jirga or Grand Council was organized. As one scholar wrote, '[i]t provided a consensus decision-making forum for tribal chiefs in a multi-ethnic environment and its 2002 reincarnation followed precedent in that it had been used before in times of national crisis'.⁴ An attempt was made to use the pre-existing format of a grand council to address the vacuum in political decision-making. It was expected that the decision-making process of the Loya Jirga would help in legitimating the re-establishment of political order in Afghanistan.

What is fascinating in these three examples are not only the widely diverging interpretations of the concept of democracy, but more importantly, the claims of legitimacy that were expected to emerge from particular practices of consultations under trees, on big mats or grand councils. The aim of this double special issue is to focus on legitimacy as a concept and as a process in contexts of disorder. In particular, we argue, there are important and under-investigated processes of legitimation of a variety of actors that deserve more of our attention, most notably the non-state actor. The aim is to rethink legitimacy beyond its currently dominant state paradigm. How do non-state actors, some of them violent or with a violent past, legitimise themselves? To what extent are, or can rebels be seen as legitimate actors? How do violent non-

state actors legitimate their actions? It is highly unfortunate that we do not have a proper label for the variety of actors that interest us here and we seem unable to escape the reference to the state as touch-stone for deliberations on legitimacy. In fact, we would like to focus on actors as diverse as guerrillas, terrorists, drug barons, warlords, insurgents, and militias prevalent in societies experiencing violent conflict. The problematic binary distinction between state and non-state will be questioned by Ulrich Schneckener, who points out that collusion is very common, as is overlap with criminal outfits and criminality, as Ana Arjona argues below.

In this introduction we aim to discuss the different approaches to legitimacy and link them to the discussion about these rebels. The idea is to sketch an area of investigation and identify some of the most interesting and pressing questions at present. At the end of this contribution we will outline the set-up of the double special issue devoted to this topic and provide some vistas along which investigation might be most fruitfully conducted.

Legitimacy; The Debate

In the discussion about legitimacy there is a logical starting point in the work of Max Weber. Weber was one of the first authors to theoretically develop legitimacy; ‘His [Weber’s] exposition of the three types of authority, or the three grounds upon which claims to legitimate authority can be based, has the same status in social science that an older trinity has in Christian theology’.⁵ Weber’s sociological approach, however, is today far from the only method to approach legitimacy. Historians, legal scholars, philosophers, political scientists and psychologists, among others, have since also tried to dissect the idea of legitimacy and the practices of legitimisation. We can, in general, distinguish between normative and descriptive approaches. In a normative perspective legitimacy in essence addresses the rightfulness of power relationships; ‘legitimacy

entails the *moral justifiability* of power relations'.⁶ What norms provide the justification claims? Alternatively, in more descriptive approaches, 'legitimacy is a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just'.⁷ What are these beliefs that substantiate the empirically observable claim? Why is a particular claim of legitimacy accepted, by whom and at what point?⁸ Below Lee Seymour suggests that in the case of recognition of rebel secessionist claims by other actors in the international system, a crucial tipping point is discernable after which the claims become perceived as legitimate. Is there for legitimacy also a development, as Martha Finnemore and Kathryn Sikkink have suggested elsewhere, where a legitimacy claim emerges that turns into a norm, which cascades and is eventually internalised?⁹ When does this lead to what Ana Arjona below calls 'massive obedience' and Martijn Kitzen 'unquestioned dominance'?

Max Weber identified three main grounds for legitimacy: rational-legalistic, traditional, and charismatic.¹⁰ Power that is exercised by a particular ruler needs to be legitimized. Max Weber's conceptualization of legitimacy consisted of both beliefs and actions. Individuals can perceive power to be legitimate, first, based on beliefs that conform with established norms or rules. This is called legal validity. Second, beliefs about what is legitimate can inform the power to be perceived as containing legitimacy. This is monarchical, religious or traditional legitimacy. Third, actions confirming these beliefs are important, such as pledging allegiance, paying taxes or voting.¹¹

Weber's work has been subject of debate since it appeared. In recent years, first, scholars have criticised his conceptualisation of legitimacy as too strongly linked to beliefs, with too little attention for the moral and normative categories on which these might be based.¹²

Second, Weber has been charged with reductionism; legitimacy is reduced to a belief or merely an opinion, which runs the risk of subjective reasoning. It gives ‘no adequate means of explaining why people acknowledge the legitimacy of power at one time or place and the other’.¹³ What David Beetham proposes is that legitimacy needs to be made explicit via emphasis on the link between beliefs and how they are made operational as justifications; ‘a given power relationship is not legitimate because people believe in its legitimacy, but because it can be *justified* in terms of their beliefs’.¹⁴ In an attempt to further explicate the essence of legitimacy, it can be argued to consist of three main elements. First, legitimacy revolves around the extent to which it can claim overlap with pre-existing formal and informal rules in a society. Second, it revolves around the extent to which these rules can be justified by beliefs that are shared in a community and third, the extent to which these are confirmed in practices demonstrating compliance.¹⁵

A third set of challenges of Weber’s ideas revolves around scholars who have claimed that a focus on practices rather than beliefs is most productive when it comes to gauging legitimacy.¹⁶ When legitimisation processes take place, the idea of legitimacy tends to be fluid. In those circumstances, it makes more sense to focus on practices that are adopted and emulated rather than on legitimacy as a fixed concept.¹⁷

Finally, there are those scholars who have put forward arguments that dispensed with the concept of legitimacy all together. The argument focuses on the unstable nature of the concept and its potential measurement. Xavier Marquez in a recent contribution talks of discourses of legitimacy, which are only accepted because others are accepting them; ‘The discourse of justification is merely the form of the commitment, not the cause of the commitment’, which

might entirely be based on pragmatic reasons rather than any measure of conviction as is presumed by the existing literature.¹⁸

Legitimacy; The Concept

Legitimacy seems to be a concept that only appears as an interesting topic for discussion when there is an apparent lack of it, or there is a perceived crisis of legitimacy. Otherwise legitimacy in its many shapes and guises is most of the time taken for granted. When a crisis of legitimacy occurs or legitimacy is lacking, the overwhelming attention in the academic literature relates this to the state and its institutions or representatives. Few scholars have devoted attention to the legitimacy of other political actors than the state. In recent years there has been attention for rebels or violent non-state actors and their capacity and ability to provide governance.¹⁹ Rebels have been found to be capable and able governance providers, both as alternatives to the absent state and as stand-alone ‘governors’ with neither claims nor ambitions to state power. The underlying question of where the governance provider derives his/her legitimacy from has received only scant attention. Rebel governance, consisting of at least three basic elements according to Nelson Kasfir, ‘territorial control, a resident population and violence or a threat of violence’ is preceded and undergirded by claims to legitimacy.²⁰ What are these?

Any political actor, beginning with the discussion about state formation, ultimately seeks to make its claim on authority appear legitimate. The rebel actor is no exception. Klaus Schlichte and Ulrich Schneckener, in one of the few contributions focusing on rebels and the legitimacy question, have argued that ‘[l]ike regular political actors, they [the rebels] need to explain and justify their agendas and actions; they need material and moral support from communities both inside and outside the conflict region. Without minimal legitimacy, an armed group is bound to

fail in its attempts to stay in power'.²¹ There is thus an inherent necessity to legitimise authority relationships.

In the existing discussion about state actors, a transition from coercive power to authoritative rule needs to take place or, it is argued, the exercise of power will ultimately be exhausted. Exhaustion will occur because pure coercion is a very costly way to rule. According to an authoritative account by political science scholar Robert Dahl: 'naked (that is, coercive) power always seeks to clothe itself in the garments of legitimacy'.²² Furthermore, his colleague Dennis Wrong asserts 'every stable political order strives to convert coercive into legitimate authority'.²³ It is therefore seen as an inherent process in the formation of stable political orders. As such, legitimacy forms 'the master question of politics'.²⁴

However, these insights provide challenges for the category of actors this contribution is interested in. An important paradox is present when looking at rebels and the transition from coercive to authoritative rule. For a rebel group, authority and stability can very well be based on a certain measure of coercion and deterrent power rather than compromise and trust.²⁵ The binary conception in the political science literature that coercive power has to be transformed into authoritative power in order to come to sustainable rule does not seem to apply in a similar straightforward fashion to rebel rule. The sources for authoritative power largely exclude coercion as a source, or resource.²⁶ For the violent non-state actor, however, coercion can be an important source of authority, as Sukanya Podder, Ana Arjona and Lee Seymour all stress below.²⁷ Furthermore, as James Worrall points out in this special issue, order and disorder can exist at the same time. The binary and proposed transition between order and disorder form ideal types rather than reflect reality in many cases around the world. These insights demonstrate that

there is indeed a gap in our understanding when it comes to the gestation of legitimacy claims in the case of violent non-state actors.

Furthermore, Klaus Schlichte and Ulrich Schneckener claim that violent non-state actors cannot really use legality as a sources of legitimacy.²⁸ Their claim supposedly rules out on of the main categories of Weber's conceptualisation of legitimacy. This means, they argue, that rebels need to rely on other sources for their legitimacy claims. However, as noted in the introduction, the example of Afghanistan begs the question to what extent the Loya Jirga cannot be seen as possessing some legal aspects when looking at the role of tribal law. We should perhaps be wary to not equate rational-legal categories of legitimacy with the Western understanding of them.

What this special issue is particularly interested in are indeed those beliefs and belief patterns that substantiate legitimacy. We subscribe here to the political science and historical approach to legitimacy. This is an approach which 'sees legitimacy as a symbolic commodity, which a political system generalizes, not because of its substantive content, but through reference to the belief patterns or the social structure of a given society'.²⁹ We importantly distinguish between legitimacy as a concept and a given in contrast to legitimation, which focuses on the process; 'legitimacy is the quality, or the *condition* of being legitimate; legitimation expresses the process, or the act of making legitimate'.³⁰

Summarising, legitimacy as a concept has several important characteristics. First, it is a relational concept, which relies on an interactive relationship between a social/political actor and his/her supposed constituents. This relational perspective will be discussed and debated below in particular in the contribution by Sukanya Podder. Second, it is a dynamic relationship with evolving claims, progressive acceptance and increased actions demonstrating allegiance to the emergent social order. And most likely the process of legitimation will also show reversals in

that relationship. The dynamism of legitimacy will be addressed in the contribution by Mirjam de Bruijn and Jonna Both who will look at two cases in Northern Africa where legitimacy is very much in flux. Third, legitimacy is context dependent and one of the challenging questions would be to what extent there are universal characteristics to the development of legitimacy and legitimation in the case of rebel activities in contexts of disorder. The aim of this special issue is to explore whether there are, as Weber suggested, universal characteristics and to think through this question for violent non-state actors.

Legitimacy; The Process

While some scholars have applied a rational choice approach towards the question of legitimation, in which actors have weighed costs and benefits in the process of awarding legitimacy, there are others who have deemed a logic of appropriateness or rule following more suitable to dissect the process. The process of legitimization involves not only rational interests but importantly belief systems, which include cultural codes and norms. Many of the contributions below emphasise indeed the importance of the cultural and historical dimension to legitimation. Legitimation should be correctly seen as a historically and geographically bound, subjective process.³¹ It forms a strategic process geared towards the right to rule within a particular normative context and is confined in time and space. As a process, '[l]egitimation can be defined as 'an action or series of actions –speech, writing, ritual, display-whereby people justify to themselves or others the actions they are taking and the identities they are expressing or claiming'.³²

One of the most important parameters for legitimation seems the social boundedness of these processes. The case study by Eric Schoon in this volume underlines this dynamic and

embedded nature of legitimation processes. The social boundedness leads to pressing questions; when legitimation is a social process, to what extent does personal legitimacy of the group leader precede group legitimacy? Klaus Schlichte has previously concluded that '[t]he empirical record shows that many armed groups who were able to fight in civil wars for extended periods had strong forms of inner legitimacy. It is likewise implausible to assume that a group could keep its organization intact through long periods of fighting connected with suffering, hardship, and huge costs in so many regards without such inner bonds'.³³ James Worrall argues along similar lines below.

Furthermore, as Schoon points out below, not only does legitimacy need to be established for the collective but at the same time it needs to be accepted by the individual. This is Max Weber's differentiation between the '*validity versus propriety*' of legitimacy. This leads to several puzzles here; De Bruijn and Both but also Andrew Gawthorpe below place large emphasis on legitimacy as coming from 'below', as being local rather than anything else. If indeed it is individual and local, how do processes of wider appeal – regional, national or international- develop? Furthermore, to what extent does the internal group legitimation need to precede external society legitimacy? And in what ways can external legitimation reinforce internal legitimacy? In his contribution below Seymour stresses the importance of external legitimation by a crucial number of external actors as pivotal for the success in the case of the Kosovo rebels.

Most contributions to this double special issue subscribe to the multi-dimensional and relational perspective of legitimacy. Sukanya Podder focuses on the civilians, the state and the international actors involved. Ana Arjona zooms in on the link with the population and the question of how to arrive at a situation of massive obedience. James Worrall brings in the three

pronged approach of looking at the internal group dynamics, the social environment in which the rebels operate and the external actors involved. Lee Seymour identifies three sources of legitimation; deliberation, procedure and effectiveness for rebels seeking secession. These are the specific suggestions for unlocking the legitimation process. All share a focus on an actor based approach.

It has been noted before that external recognition of a political actor can help fortify legitimacy and power claims. The role of outside actors, such as international intervention forces, NGOs and other states can be pivotal for international recognition. This recognition can be beneficial: ‘external actors acknowledge (formally or informally) that an armed group is entitled by international humanitarian law or accepted as a (potential) partner for cooperation, dialogue and negotiation’.³⁴ Three contributions in this special issue by Lee Seymour, Martijn Kitzen and Romain Malejacq argue along these lines. Seymour sees a significant role for outside actors, in particular the United Nations. Kitzen, similarly looks at outside forces engaging with key leaders in intervention operations. He argues that these key leaders might be a viable route towards legitimation, but recognizes the many problems and pitfalls. Malejacq looks at one of the Afghan warlords, Ahmad Shah Massoud, who by engaging in ‘warlord diplomacy’, managed to strengthen his position both inside and outside of Afghanistan.

Other contributors are far more skeptical about the contributions of external actors in legitimation processes. Gawthorpe, who focuses on the concept of counter-insurgency and the American conceptualization of legitimacy in its counter-insurgency doctrine, notes that there are serious shortcomings in thinking that putting the population centre stage will automatically lead to (more) legitimacy. When legitimacy is culturally delimited and locally defined, as he argues in his contribution, there is little room for maneuver for outsiders. De Bruijn and Both point to the

negative effects of external legitimation in particular the reinforcement of state legitimacy in the context of the War on Terror. It produced a detrimental effect by strengthening legitimacy claims of authoritarian states, such as Chad and compromised the expression of, and room for maneuver, for counter-state actors. Also in the case of Colombia, Abbey Steel and Jacob Shapiro conclude that the outside efforts to reinforce the central and local state capacities at the expense of rebel claims, did not really have a positive outcome for the Colombian state.

Apart from the internal and external processes and their interaction, the literature has paid negligible attention to the differentiation of legitimation processes for different social strata. There are indications, however, that different social groups might perceive legitimacy differently. There might be centre-periphery divisions at work. The prevalence of patrimonial politics in many areas of conflict indicate that those involved in power relationships have an incentive to invest more in legitimacy, as indicated by de Bruijn and Both. There might also be geographic variation. Similar to social divergence, geographical variation seems logical. Are norms, beliefs and actions related to legitimation different for rural and urban populations? How and to what extent does legitimacy diverge? James Worrall in his contribution below notes that indeed order and legitimacy might be perceived differently depending on where you stand.

A fourth set of observations, apart from the personal and the group legitimation, the internal and the external dimensions and its possible territorial and time bound nature, is the predominance in the discussion about the social contract. We find below that rebel groups as diverse as the PKK, Hezbollah, the Islamic state and the Afghan warlords base a large part of their legitimacy claims around the offer of a social contract. There is substantial evidence that the process of providing a social contract is an important route for rebels to attain legitimacy. Recently we have of course witnessed in the case of the Islamic State an emergence of an

alternative social contract to the Iraqi and Syrian state. Scholars have claimed that ‘rebel movements gain legitimacy because they actually provide public goods to the ordinary people – in particular, the ones that the population asks for ... security, justice, and other public services, but they seldom do so in the same way as the former state’.³⁵

Both Schoon and Worrall in their contributions correctly note the prevalence but also the problematic features of the unidimensional and unidirectional process of legitimation via the social contract. If the social contract is so significant for legitimation, can rebel groups that are unable or unwilling to offer this to the population not/never be seen as legitimate? De Bruijn and Both address this tension for the cases of the youth in Mali and Chad.

If legitimation processes are linked to bounded rationality, to context, environment and geography, to what extent can this process be influenced or manipulated? An instrumental approach towards legitimation can mostly be found in organizational or governmental studies, with questions focusing on how legitimacy can be gained and maintained.³⁶ Several authors have brought forward arguments that legitimacy can be willfully constructed provided the correct procedures and instruments are employed.³⁷ Most of these studies focus on the state. The question is whether this malleable nature of legitimacy applies to the violent non-state actor, which has to operate in a different environment with a different incentive structure and different capabilities. Can legitimacy be demanded or does it need to be freely conferred? If so, how can we assess the instrumental function of legitimacy?

A second set of questions revolves around the idea whether the loss of legitimacy for one actor means an automatic gain for the other. We know little about how legitimacy is lost. Furthermore, is legitimacy a zero-sum or a non-zero sum concept? Sukanya Podder below provides some food for thought when claiming that Hamas and Hezbollah can no longer be seen

as operating based on a conceptualization of legitimacy as a zero-sum game with their participation in government. De Bruijn and Both suggest that in the cases of Mali and Chad there was a zero-sum game between the legitimacy claims of the state and the non-state societal actors.

A further question is to what extent is legitimacy transferable? Can we borrow it or buy it? A scientific challenge is posed by the idea of a transfer of legitimacy between actors. This is, for example, a central presumption in international interventions in armed conflicts. It is presumed that intervening states can temporarily take over essential state functions, such as the provisioning of security. And subsequently the interveners hand them back to the local government. It is presumed that by building schools, digging wells and providing security and health care, the population will come to see that it is in their interest to support the external intervening party. By providing a social good, it is expected that automatically a transfer of legitimacy will take place from the warlords and militia leaders towards the intervening states, and subsequently the local state. We do not know whether a transfer of this nature is really possible. Andrew Gawthorpe in his contribution below elaborates on the problematic aspects of these ideas and claims. Ulrich Schneckener, for the case of militias, which are associated with the state, claims that they benefit and indeed ‘borrow’ from the legitimacy of the state.

Summarising, legitimation is amenable to the versatility of locality, temporality and rationality. The questions on the table relate not only to the issue of universality in legitimation processes but also the role and necessity of legitimacy need to be further explored. An interesting question that so far has not been answered is whether the rebel movement, when it experiences an existential need to legitimate itself, has a choice to refer to one or other category for legitimacy. To what extent can legitimacy act as resource that can be manipulated? These

implicit assumptions - that legitimacy is uniform and transferable– are in urgent need of further scholarly attention.

Sources of Legitimacy

In order to make legitimacy operational and provide a basis and method for investigation in the domain of rebellion, Schlichte and Schneckener have proposed to focus on, first, symbolic claims of legitimacy.³⁸ Zachariah Mampilly similarly, in the context of a discussion about rebel governance, talks about ‘symbolic repertoires, mirrored on the nation-state, which rebel movements use in the quest for recognition’.³⁹ In this first category of symbolic repertoires, Schlichte and Schneckener include: 1) ‘communal myth-symbol complexes and ... popular belief systems, traditions and cultures’, 2) ‘socio-economic and political aspirations of a local community’, and 3) ‘outside threats and established enemy images’.⁴⁰

Second, they propose to use the idea of performance-centred claims of legitimacy to investigate armed groups.⁴¹ In the category of performance legitimacy, they focus on 1) charisma 2) credibility through sacrifice 3) patrimonial loyalty 4) output in the shape of a social contract 5) formal procedures.⁴²

What this list of factors seemingly omits is the understanding of practices as those activities that the supposed constituents adopt, enact and emulate in a relational understanding of legitimacy. The rebel might offer a social contract or a formal procedure for complaints, however, if the claimed constituents do not use these offerings and participate in the performance, the legitimacy claim remains void. Indeed, Stephan Malthaner, in attempt to explain the dynamics of popular support for rebel movements finds that legitimacy is an active and participatory relationship; ‘Legitimacy is not an abstract political preference but a social

relationship that translates into particular forms of social interactions with tangible effects, triggering or facilitating forms of social control, and it represents a symbolic resource that *both* sides can use to influence each other'.⁴³ As noted, most of the contributions below subscribe to this relational perspective.

If we want to unpack these tenets of beliefs and actions, we need to focus on practices. Rule cloaks itself in the garments of legitimacy by referring to beliefs about the content and process of rule. For example, the right to rule might be seen as a god given and by tapping into religious custom and norms, legitimacy can ensue. The European Enlightenment led to a reconfiguring of these religious norms and subsequently a rational legalistic tradition formed in the Western world. In the words of Joel Migdal 'Master narratives – often founding societies- are both *constructed by the state* and help to *construct the state*'.⁴⁴ How does this conversion process occur in the case of violent non-state actors? In a study into the legitimation process of warlord Charles Taylor in Liberia in the first half of the 1990s, Felix Gerder concludes that Taylor substantiated his legitimacy claim most importantly by his personal charisma.⁴⁵

In an attempt to further unpack legitimacy, it is worthwhile to take a closer look at the state-building literature and the European experiences. As noted, the incipient state formulates its own narrative, which helps in the further development of the state. In the discussion about state-formation and legitimation, several mechanisms have been found that relate to the emergence of state legitimacy. Western experience brings forward in particular three important legitimating mechanisms. These are based on social order, good government and democracy. The question is, of course, to what extent they are relevant and/or applicable to the category of actors we are interested in.

First, based on social contract theory, legitimacy can emerge as a result of the establishment of social order by the actor and the ensuing predictability in social relations. The creation of social order is a vehicle by which legitimacy can be bestowed on the responsible actor. However, the credibility of the order precedes the legitimacy. In the European case this was indeed how the process unfolded. For the non-state actor, coercion can lead to security which can result in order. The establishment of order is the legitimation process and the participation in the order, confirms the existence of the legitimacy.

A second mechanism focuses on the delivery of government. The idea of good government undergirding a legitimate political order is based on output. When the government shows itself trustworthy and transparent, citizens become willing to defer to the state institutions of police, courts, and tax department. The process focuses on the legitimation via provision of good government and the legitimacy claim is supported via practical compliance. Similar to the idea of social order, good government needs to be established first. This is a large challenge for the violent non-state actor, who often operates on the basis of a limited capacity and limited funds.

Third, democracy is seen as an important legitimating mechanism. Based on Western experience, holding elections is the recurrent act of confirming the legitimacy of the political order. The process of legitimation is focused on carrying out the will of the people via the organs of the state. Legitimacy is the result of the exercise of individual freedoms and participation in political decision-making. In short, these insights from the existing political science literature provide very little solid ground when it comes to furthering our understanding of the legitimation processes of violent non-state actors. It is, furthermore, apparent that also in the case of state-building focused on Western experiences, coercion plays a vital role.

Which sources of legitimacy does the rebel appeal to at what juncture in the struggle and how does the rebel gain recognition and obedience? Pre-existing norms in a society can form a vehicle for the development of legitimacy. Norms can appeal to accepted normative categories or to existing categories of legal validity. Beliefs about the legitimacy of authority can refer to monarchical, religious, traditional or ideological categories. Actions that could point to the existence of legitimacy are, for example, collaboration, seeking social goods, voting, using a currency, paying taxes and pledging allegiance. These issues have, so far, been brought forward in a handful of studies. They contain several important ideas but also presuppositions that are in urgent need of further questioning.

Conclusion

Our premises are the following; we observe so far many rebel groups that are, or are not particularly, interested in taking over state-power. These actors are engaged in a process of legitimation. We aim to move away from the dominance of the state norm in the discussion about legitimacy and further think through processes of non-state actor legitimation. We aim to study this legitimation as a strategic process geared towards the right to rule within a particular normative context, which is confined in time and space. We hope to contribute by shedding light on the theoretical lacunae in the field of political legitimation processes. The aim is to add to the picture of violent non-state actors and their distinct legitimation processes as worthy of further study.

The discussion below proceeds in two parts. In the first part we focus on the conceptual and theoretical debate. With the use of categorization, the thinking through of several existing claims in the literature, the questions outlined above will be addressed. Sukanya Podder starts the

discussion with a conceptual overview. She explores three sets of actors which give shape to the relational approach to legitimacy, the civilians, the state and the external actors. Not all of these relationships are in harmony and sometimes the link with the population contravenes with the interest in pursuing international legitimacy.

James Worrall puts centre stage the problematic binary of order and disorder. By looking at the activities of Hezbollah, he demonstrates that order is a continual process of negotiation. He concludes that this process of order negotiation takes place in an environment with multiple orders, social, political and territorial, and this forms a large challenge for rebel groups. Subsequently Eric Schoon bases his arguments also on an interactive perspective of the legitimation process of the PKK. In a significant way, Schoon argues, the counter-measures of the Turkish government and the responses of the population provided a dynamic in which legitimacy came to the fore. Ana Arjona focuses in particular at the interactive relationship between the rebels and the civilian population. She looks in particular at the choice of the population to obey, to take a neutral stance or to defect in order to further understanding of the phenomenon of massive obedience. How can we explain this? Mirjam de Bruijn and Jonna Both in their contribution, using their field work and anthropological investigations in Mali and Chad, look at the case of legitimation from below; at the African rebels that are not able to offer a social contract or a viable alternative to the state do provide an alternative social order. To what extent are they perceived as legitimate? They argue that the war on terror, the rise of social media and alternative citizenship played pivotal roles in the development of legitimacy from below. At the end of part one, Ulrich Schneckener focuses on the legitimation of militias, state affiliated rebel groups, and argues that their legitimacy derives partly from the collaboration with the state and is partly of their own making.

The second part is devoted more to the external dimension of legitimation. The focus on the external mechanisms of legitimation have been found to be important not only in the state-building literature, where external and internal processes tended to reinforce each other, to paraphrase Charles Tilly with states making war with other states to strengthen, through warfare, the internal structures of the state to sustain both.⁴⁶ Also in the literature on sovereignty, the external dimension of recognition by others, as essential in the reciprocal nature of sovereignty, plays a crucial role.⁴⁷ It is surprising to find that legitimacy, in its dominant state-based treatment, has not substantially dealt with the external aspects. Beetham, for example, whose work together with Weber forms a bench-mark in this discussion, only mentions it in passing.⁴⁸ As several authors in the second part show, for the case of rebels, external dimensions of legitimacy claims and legitimation processes can be seen as of paramount importance.

Lee Seymour, by looking at the case of Kosovo and the establishment of an independent Kosovar state, finds that the role of legitimation via external reinforcement played a crucial role in its success. The subsequent contribution by Andrew Gawthorpe looks at the approach to legitimacy in the American counter-insurgency doctrine. He points to the flaws of argument and logic in the document when contrasted with the essence of legitimacy and legitimation as being local and culturally bound. In contrast, Martijn Kitzen sees a role for outside intervention forces and processes of legitimation in their engagement with key leaders as a route to gaining a foothold in local orders and political and social structures. Romain Malejacq, in his case study of the Afghan warlord Ahmed Shah Massoud, shows, in a similar fashion to Seymour, that gaining international recognition, even on a personal level, does have important repercussions for legitimacy claims at home and abroad. All contributions underline the significance of the external dimension to legitimation and form invitations to further think through these processes.

The final article in the collection shift the focus to the state. Abbey Steel and Jacob Shapiro investigate the effectiveness of reinforcing state legitimacy claims through exogenous state-building in the shape of sub-contracting. This exercise to help build up the state is intended in an important measure to reduce the appeal of the rebels. Their assessment shows that the sub-contracted state-building in the case of Colombia via American aid-entrepreneurs was not very positive for the reinforcement of state legitimacy. It ended up undermining state-capacity and dis-incentivized local investment and social contract provision.

Overall the picture of the role of external actors and processes is mixed. While Gawthorpe and Steele and Shapiro point to the negative aspects, Seymour, Kitzen and Malejacq Malejacq see positive roles for outside forces. Inviting us, indeed as intended, to further reflect on the idea and process, possibilities and impossibilities of supporting and/or undermining the legitimacy of rebels.

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Endnotes

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