

# Legitimation of security regionalisms: grasping the normative justifications<sup>\*</sup>

Gustavo G. Müller<sup>†</sup>

Following the multiple waves of regionalism in world politics, regional arrangements have acquired and developed bigger roles within security governance. Organisations such as the European Union (EU) and the African Union (AU) are capable of framing and implementing security policies, from conflict prevention and mediation to police missions and military operations. Despite their fundamental inter-governmental vis-à-vis security policies, it is clear that they present ever-growing authoritative claims towards multiple communities such as their own population, their member-states, the local population of places where policies are implemented, and the international community broadly.

The international response to the ‘slow motion’ genocide in Darfur, Sudan, and the crisis in the adjacent regions in Chad and Central African Republic (CAR) illustrates the presence of regional institutions in security governance, their interaction among each other and with the United Nations at the global level. Authoritative claims and policies of (in)security raise questions about the legitimacy of such institutions in particular, their projects of regionalism and the security governance of which there are part. Yet, in the literature, the questions of legitimacy are often analysed through one of these two approaches: normative criteria established by researchers that usually anchored on liberal values or simply by a static view of public support towards the security policies.

This paper suggests a more dynamic approach to legitimacy of security regionalism by following a growing literature concerned with the process of legitimation in world politics. With this framework, it is possible to access and analyse the justification process in which organisations construct their claim to have the right to rule within security governance, itself a system of rule. The first section presents security regionalism and the puzzle of legitimacy, and offers the conceptual framework of legitimation. As an illustration, the second section provides an overlook on the regional and global responses to the crisis in Darfur from 2003. The third section looks at the narratives the European Union has used to legitimate its actions

---

<sup>\*</sup> DRAFT VERSION, PLEASE DO NOT QUOTE OR CITE WITHOUT PERMISSION.

<sup>†</sup> PhD Student at the Université libre de Bruxelles (Belgium) and University of Warwick (UK) under Erasmus Mundus Fellowship Globalization, Europe and Multilateralism – GEM PhD School. Contact: [gmuller@ulb.ac.be](mailto:gmuller@ulb.ac.be) or [G.Gayger-Muller@warwick.ac.uk](mailto:G.Gayger-Muller@warwick.ac.uk).

in Sudan, CAR and Chad until from 2004 to 2009 while suggesting a method of document analysis. Finally, the conclusion presents venues for research based on legitimization of regional governance and what else we can learn from it.

### ***Security regionalism and the question of legitimacy***

Traditionally, the provision of security and the use of force have been an almost exclusive responsibility of sovereign national states. Max Weber famously presented the state as the sole source of the right to use physical force (Weber, 1978). The historical moment symbolically establishing this monopoly is the signature of the Peace of Westphalia in 1648, but it was gradually until the end of the eighteenth century that the westphalian sovereignty was articulated, underpinning a system composed of unitary, territorial, non-overlapping and autonomous polities. Less than a century ago, the global dimension has been added to this system and international organisations such as the League of Nations from 1919 and the United Nations (UN) since 1945 have been given the responsibility, by its member-states, of maintaining the international peace and protecting human rights. More recently, and especially since the rise of post-hegemonic new regionalism (Fawcett, 2005; Hurrell, 1995, 2007; Telò, 2009), we witness the emergence of regional security governance both empirically and as research object in academia (Breslin and Croft, 2012; Kirchner and Dominguez, 2013).

Be it through simple arrangements or highly institutionalized organisations, the regional level of governance can, in some cases, be more effective and perceived as more legitimate than global or national means (Breslin and Croft, 2012, 7). Even if most, if not all, regional organisations in the security field are no more than intergovernmental bureaucracies (Finnemore and Barnett, 2004), hardly making into more demanding criteria for actorness (Caporaso), they still lay down authoritative claims and, as every political institution, engage in a system of domination where there are rulers and ruled-over (Lagroye, 1985). Therefore, security regionalism not only adds more layers to security governance, but it also raises questions about what norms underpin the actions and the existence of regional organisations. In other words, one might ask what is behind their political right to rule.

Questions about the right to rule and about political authority are ultimately questions about the legitimacy of institutions and their acts. Legitimacy, broadly speaking, is a virtue of political institutions (Peter, 2010). But what institutions are legitimate to provide security?

What makes an institution and its decisions and acts legitimate? What are the founding principles of their legitimacy? Is its democracy, general will, consent, efficiency, moral values, or the general belief that the institution is indeed legitimate? When someone points out to the lack of legitimacy of security governance, for example, are they questioning the democratic representation of different actors and regions within the decision-making processes or if people actually believe in global governance as legitimate? When the legitimacy of the European Union is criticized, is it because of its deliberative mechanisms, the quality of the decisions, its (in)efficacy in dealing with threats to European and international peace and human rights, or all of the above and more? Finally, where can we fit regional organisations within the pre-existing system of security governance, and how legitimate are these institutions?

The literature has traditionally offered two approaches to answers these questions (Gaus, 2011). A scholar adopting the so-called ‘normative approach’ to legitimacy establishes criteria, usually anchored on liberal values or other branches of political philosophy, for an institution, and its actions and decisions, to be legitimate. These criteria can be based on the researcher’s own values or be a synthesis of the dominant discourses and norms referring to acceptability of political power. A regional organisation, in particular, is legitimate as long as it meets the criteria in practice. A second approach, known as descriptive or sociological, establishes that institutions are legitimate when people believe they have the right to rule. Of course, the choice for this criterion alone – people’s belief – and the choice of which community of persons matter, is ultimately also an arbitrary choice as much as in the normative approach. Furthermore, the result is rarely more than a simple and static picture of public support towards the institutions and its policies, which hardly distinguish the institutions from its leaders, for example.

Both approaches have been transferred from the study of domestic politics to levels above the state. Both remain of course relevant to different purposes, and *grosso modo* everyone has his or her own ideas about what constitutes legitimate government and institution, therefore exercising both normative and sociological approaches. But it is important to acknowledge this arbitrary character. More importantly, both approaches look at legitimacy as a static concept. Yet, social reality is dynamic, and even more at levels above the state, making it unsustainable to treat legitimacy an inherent ‘substance’ belonging to institutions that meet criteria or have a certain community’s support.

Thus, it is the process of continuous justification of power and domination that sheds more light on political life, including especially the field of security and use of force. An analysis of legitimation, more than that of legitimacy, help us understand the continuous move of justification of power and obedience. Legitimacy, therefore, “is about providing persuasive reasons as to why a course of action, a rule, or a political order is right and appropriate.” (Hurrell, 2005, 24)

The literature on political legitimation is already extensive, concerning both domestic and international politics. Legitimation, following most of the definitions, refers to the establishment, by discourse and practice, of a link between the social reality of the institution and its acts and decisions, on one side, and the values and norms that are held by given communities on the other (Olsson, 2013). Legitimation is about justifying the domination as something necessary or even good (Lagroye, 1985). In this sense, in a constructivist perspective, attempts to legitimate an institution or policy – the language of legitimation – ‘speak’ the normative context (‘we should obey because these are our values and this is who we are’) (Finnemore, 2003). It allows for comparison in time and across different institutions and different policies. Going even further, in a critical constructivist or post-structuralist approach, attempts to legitimate also alter the normative context in the long run (‘we should obey because those should be our values and that is who we should be’).

Based on old and new scholarship on legitimation, we know that every political institution, every system of domination, seeks to legitimate itself. By doing so, it doesn’t rely on coercion and self-interest alone but can cover its power with a veil of legitimacy in the eyes of the subjects, of those outside the hierarchical relation and even of the rulers themselves (Barker, 2001; Steffek, 2011; Weber, 1978). Regional organisations are no different, and yet little research has been done on their self-legitimation.

### ***The crisis in Darfur and the global-regional response***

This intersection between regionalism, security and legitimation has the potential to shed light on the normative underpinnings of regionalism vis-à-vis the foundational aspects of use of force and security. The crisis in Darfur and its adjacent regions in east Chad and northeast Central African Republic offer an interesting case for empirical analysis.

The current crisis in the Sudanese region of Darfur, the ‘Third Darfur Rebellion’, called international attention in 2003 when local rebel groups raised against the Government of Sudan (GoS) in Khartoum. Many factors contributed to this clash, including desertification, population increase, reduction of available land, and rivalry between Arab nomads and non-Arab tribes in the region. But the overwhelming factor is the political exclusion and neglect of non-Arab Darfuri from the politics in the GoS and the concentration of power under president Al-Bashir and the Arab elite – a policy of arabization of Sudan and Darfur (Collins, 2008, 284; see also: Natsios, 2012, 117-21). Rebel groups such as the Justice and Equality Movement (JEM) and the Sudanese Liberation Movement/Army (SLM/A) raised in opposition to the arabization of Darfur, the social and economic marginalization of the region, and the brutal oppression orchestrated by the GoS. As the army could not suppress the rebellion, Khartoum reacted by calling upon, arming and unleashing the Arab militias infamously known as Janjaweed who raid villages and spread violence in the countryside (Collins, 2008, 289). The death toll over the last decade amounts to hundreds of thousands as result of not only violence but also famine and disease. The number of displaced persons amounts to millions, including internally displaced and refugees who have massively crossed the border with Chad and CAR trying to escape the conflict.

Actions by the government of Sudan and the Janjaweed militias in Darfur have been called ‘slow motion’ genocide (Weiss, 2012, 56). An arrest warrant has been issued by the International Criminal Court against president Al-Bashir for war crimes and crimes against humanity. Furthermore, the situation in the ‘borderlands’ has also deteriorated considerably not only due to the movement of refugees, but also due to cross-border banditry and general mistrust among governments in Khartoum and N’Djamena. In crucial moments, this led to a virtually complete halt in humanitarian assistance.

Despite the large death toll, the duration of the conflict, and an alarming consensus about ethnic cleansing and war crimes happening in Darfur (Natsios, 2012, 148-55), the response of the international community has been ambivalent and feeble (Weiss, 2012, 8) at best, relying heavily on the local government’s approval to any kind of military and humanitarian action. The international community remained hesitant, fearing that a harsher language and actions could undermine the North-South peace process or even endanger the humanitarian efforts (Natsios, 2012, 158). In a nutshell, the euphoria of multiple declarations

calling for the international community to intervene was “soon tempered by the reality of geopolitics” (Collins, 2008, 293).

In the absence of a *stricto sensu* humanitarian intervention – without the local government’s approval – security organisations have put in practice a set of missions to address the crisis and avoid further escalation of violence. International institutions and third-countries also sponsored settlement and negotiations. Firstly, a humanitarian cease-fire in 2004, then a peace agreement in Abuja in 2005, and finally a second agreement in Doha in 2011. In these cases and others, most of the engagements were not fulfilled by the parties involved: dissident rebels coming from outside the agreements continued the fighting while the GoS failed to control the Janjaweed and assure a more comprehensive participation of Darfuri in national politics. It is fair to say that humanitarian assistance and diplomacy did save thousands of lives that would have been lost without such efforts, but the international community was not able to avoid further violence or ultimately bring peace in a reasonable time. Arguably, the rising idea of responsibility to protect, which had been developed at the dawn of the XXI century and would allow for circumvention of sovereignty in extreme cases of violation of human rights, failed in its first major challenge (Badescu and Bergholm, 2009; Weiss, 2012, 62). As a former US practitioner involved in Darfur stressed: “the real failure was in how long it took for outside help to arrive in Darfur”. (Natsios, 2012, 160)

Yet, military and relief mission have been initiated in the Darfur, Chad and CAR by regional and global organisations. Among the organisations, the African Union, the European Union and finally the United Nations are the most notable examples. The table bellow presents the different missions.

<b>Mission</b>	<b>Organisation(s)</b>	<b>Launching</b>	<b>End</b>
<b>AMIS / AMIS-II</b>	African Union	18.09.2004	31.07.2007
<b>Support to AMIS II</b>	European Union	18.05.2005	31.07.2007
<b>UNAMID</b>	African Union, United Nations	01.01.2008	On-going
<b>EUFOR Tchad/CAR</b>	European Union	29.01.2008	15.03.2009
<b>MINUCART</b>	United Nations	15.03.2009	31.12.2010

Arguably, these mission and operations came too late and contributed too little to improve the situation on the ground and to avoid the escalation of violence, especially in the initial years of the crisis when it peaked, from 2003 to 2005. Despite this criticism, and

perhaps also because of it, the organisations responding to the conflict are engaged in legitimating their policies in the field and justifying their presence in the regional security governance.

The context of Darfur serves as an example of at least five phenomena of regional security governance: **a.** the ‘bottom-up’ regionalization of (in)security where porous national-state borders are largely ignored by local actors and do not hold in front of humanitarian crisis and escalation of violence, and internal conflicts are ‘regionalised’; **b.** a more ‘institutional’ regionalization of security in which regional organizations such as the African Union have a role to play when addressing the security issues; **c.** the global-regional interplay, in both normative and empirical realms, between the United Nations and regional bodies which consists of hybrid missions or a transfer of responsibilities; **d.** the interaction among regional organization as in the case of EU-AU relations; and finally **e.** regional organisations, notably the European Union, acting beyond the territory of its member-states and beyond its region or ‘neighbourhood’. In the next section, we focus on this last point by presenting and analysing the EU’s discourse under the framework of legitimation.

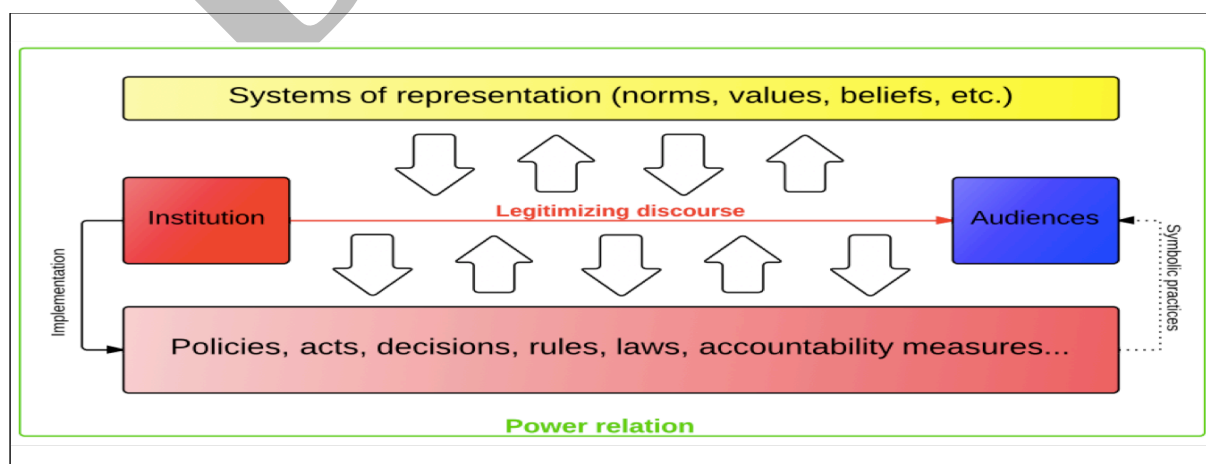
### ***The EU’s legitimation of EUFOR Chad/CAR and Support Mission to AMIS II***

From the beginning, and following the reluctance of France and UK to intervene in the isolated region of Darfur, the EU pushed the African Union and the United Nations to act. The African Union launched African Union Mission in Sudan (AMIS) in August 2004, a monitoring mission to supervise the cease-fire, which was supported by few hundred soldiers from Rwanda and Nigeria. The mission quickly evolved to a more robust military component as the Security Council urged its enhancement (Resolution 1564) on September 18. The mission was then called AMIS II. Up to this point, EU’s involvement in Darfur had been rhetorical, with condemnations by the Union’s High Representative, member countries and by the EU Parliament, which passed a motion calling the situation in Darfur a ‘tantamount to genocide’ (EU Parliament). It was not until May 2005 that the EU eventually institutionalized its support to the African Union and AMIS II with a support mission that would last until July 2007 when both the AMIS mission and the EU’s support would be followed by the hybrid mission UNAMID. In sum, EU’s involvement in the Sudanese region of Darfur has been limited to financial, humanitarian and diplomatic support in general and specifically under the framework of the CSDP support mission to AMIS.

Chad and in CAR have witnessed a more robust military involvement from the European Union. In the areas bordering Darfur, the EU launched in January 2008 the operation EUFOR Tchad/CAR, which would last for over 14 months until March 2009. In this military operation, the EU stepped into the Darfur crisis “as part of its regional approach to the crisis”. Clearly, there is a connection between missions, the region of Darfur being geographically closer to important areas in Chad and CAR than to Khartoum. As a matter of fact, the mission aimed at contributing to the protection of refugees coming from neighbour Darfur, the protection of humanitarian workers, and the delivery of humanitarian aid. At its highest point, 3700 troops were deployed. Finally, it has been presented as a successful case of EU’s comprehensive approach to external action.

### *Discursive legitimation*

A theoretical and conceptual framework of legitimation allows for the understanding of social phenomena that are context-specific, rather than the explanation these phenomena. It refers to the unveiling of the processes rather than establishment of causation mechanisms, prediction or extrapolation. Finally, empirical analyses of legitimation are ultimately interpretations – reliable and replicable – and do not imply tests of generalizable hypothesis. The main methodology behind these assumptions depends on which aspect of the process one aims to analyse, but it remains largely qualitative. A look at the legitimation of regional organisations and their policies raises different questions: what, who, to whom, how, why: **a)** what is being legitimated and to do what? **b)** who are the legitimating actors justifying these actions? **c)** who is the community, or audience, the discourse is addressed and where it actually reaches? **d)** how is discourse produced within institutions? **e)** why are these actions legitimate, what are the arguments of legitimation.





All questions are relevant to understand the process as depicted in the figure above. However, this paper proposes of method and an illustration to last one, to grasp the normative arguments of legitimation. Thus, discourse or content analyses of discourse and narratives, which are verbal but mostly written, seem to be more appropriate. Such choice refers to the ‘discursive legitimation’ of regional organisations and their acts, as proposed by Jens Steffek (2003, 2011) who argues that, empirically, the legitimation of technocratic global governance refers to a justificatory discourse, and explicitly and verbalized justifications must be given. In modernity, “traditional sources of legitimation [...] are exhausted; what remains is rational argumentative justification” (Steffek, 2003, 263).

The legitimation of modern governance is reflecting this universal turn to rational communication in that ‘reasoning’ or ‘giving reasons’ becomes paramount in the communicative process that legitimates political institutions. In the modern age, traditional legitimating sources such as holiness, providence or taboo are exhausted and what remains is rational argumentative justification. (Steffek, 2009, 315)

Hence, there is a communication between rulers and ruled over, and within each group, as they discuss the justification of power in place and the normative criteria for legitimacy. In this process, the “perception” of legitimacy is then constantly created and challenged. This communication process may take the form of a direct dialogue, but it is usually accessible by means of mass media and electronic communication. Many actors are involved in the process of ‘giving reasons’. We choose to focus on the institutions themselves, in what can be called *self-legitimation* (Barker, 2001).

### ***Methods of discursive legitimation***

More specifically, we focus on the public discourse of the European Union in relation to its involvement in Darfur and adjacent areas between 2003 and 2012 and its two missions. To this end, documents containing the narratives of different EU institutions have been gathered: EU Council decisions, press releases, and declarations by the rotating presidency; mission’s factsheets, and magazines published by the CSDP bodies (ESDP during most of the time) such as the military staff; speeches, articles and statements of High Representatives Ashton and Solana. Since most of the events taking place in Darfur, and much of EU’s involvement took place before the entry into force of the Lisbon Treaty, these were the parties involved. The following section presents the findings of for the latter group of data, the discourses of the High Representatives.

Once these documents were collected, the texts were coded with the help of the qualitative software Nvivo in its latest version. These arguments were anticipated deductively by the reading of secondary literature on security regionalism and peace operations and the broader literature on legitimization, and inductively by previous research. The table below lists different patterns of arguments grouped into four main categories for the legitimization of regional security organisations.

<b>Patterns of legitimization for security governance</b>			
<b>Security</b>	<b>Input</b>	<b>Output</b>	<b>Reciprocity</b>
Peace Dramatization Urgency Human Rights Responsibility Stability Regional Order Global Order Interdependency and impact	Participation Legality Local ownership Multilateralism Impartiality Internal consensus Regional identity Tradition Historical ties	Efficacy Efficiency Contribution Necessity	Mutual reference Acknowledgement Recognition Authorization Support UN Endorsement Partnership

The distinction between output and input is clearly based on Fritz Scharpf's scholarship (Scharpf, 2003) and the debate within EU studies (Gaus, 2010; Schmidt, 2013), although here they are here understood more as patterns of legitimization than dimensions of legitimacy. Most of the arguments of security and peace would fall into arguments of input as human rights or maintenance of peace can be promoted as duties. Similarly, reciprocity would be a subset of the latter input pattern as it is about general endorsement. In the case of regional security governance, it seems relevant to distinguish between them and present four general patterns instead of two precisely to understand the specificities of arguments related to security and to the 'horizontal' interplay between international and regional organisations.

The text within the box below exemplifies the process of coding. It consists of a message by EU High Representative for Foreign Policy, Javier Solana, at the moment the EU's support action in Darfur came to an end in 2007. This message was published by the official website of the European Union and reproduced fully or in parts by the media.

*I thank and congratulate all the personnel, civilian and military, who over two and a half years have taken part in the EU action in support of AMIS. The action will now complete its mandate on 31 December 2007 in the context of the handover from AMIS to UNAMID.*

*In a difficult context, AMIS has contributed significantly to the protection of the civilian population and to efforts aimed at improving the security and humanitarian situation in Darfur.*

*An innovative effort, the EU supporting action has provided AMIS with key military and civilian assistance, financial and logistic support, as well as support for its civilian policing capacity. It has done so at the request of the African Union and in full respect of its ownership. I am grateful to the African Union and its personnel for the cooperation at all levels.*

*The EU supporting action to AMIS was a concrete example of the ever closer relations that are developing between the EU and the AU and that were highlighted by the recent EU-Africa summit in Lisbon. EU and African leaders noted then that the African peace and security architecture is taking shape under the AU's leadership and that the EU has been a key partner for African countries and organisations to help create conditions for lasting peace and stability.*

*After having supported AMIS, the EU will continue to remain engaged and help UNAMID in its efforts to solve the crisis in Darfur.*

First of all, such writing is an example of a *posteriori* legitimization, meaning that the effort has been made after the policy's come to its end. It is safe to say that the ending of a policy marks a period of strong (de-)legitimation efforts within a given system of governance. The differences between *a priori* and *a posteriori* legitimization are non-neglectable. For now, one can say that while the former is underpinned by expectations (sometimes based on previous and similar policies), the latter refers in retrospective to the output, efficiency and contribution of the mission already accomplished – or at least the organisation' own version of such results.

Solana's speech is useful as an example because it counts at least four patterns of legitimization. Firstly, the wave underline marks a constant trend in such sources analysed of what I chose to call *dramatization* of the context or issue being described. The reality on the ground is constantly portrayed as dramatic (e.g. humanitarian crises, massacre, difficult context, etc.), leaving behind an element of urgency and necessity to protect the population

and restore order and peace. Arguably, this pattern is more salient before the policy is implemented. Logically, the policy in place is legitimated because it is portrayed as necessity.

A second pattern of legitimation is marked by a double underline. It refers to the use of the positive output, which in this case a retrospective account of the policy's contribution, as argument of legitimation. The words 'contributed significantly' mark the positive evaluation of the policy outcome. Ultimately, it refers to a consequentialist argument. The EU action in Darfur has been successful; the argument goes, by providing the AMIS mission with the necessary financial and logistical support along with assistance and support to various actions. Thus, as far as the legitimation formula is concerned, EU's policy is legitimated because it had efficient results according to accepted standards or, in other words, was something 'good'.

A third element of legitimation is highlighted by a dotted underline. It refers to the legitimacy of the policy that is based on the input. Words such as 'ownership' and 'request' indicate participation and approval by the people or by the organisations representing it. This kind of argumentation points to the fact that relevant actors (e.g. population, representatives, regional organisations, etc.) have an input in the processes of ruling and decision-making of the policies affecting them. In many cases, it also refers to the legality of such actions since organisations are usually bound to act only in case of approval by competent parts. Generally speaking, actors' participation, legality and consensus are recurrent elements within the deontological debate on the democratic and input legitimacy

Finally, the last passage, marked by a thick underline, exemplifies a recurrent habit of such international institutions: the reference to other organisations' policies, and to the mutual recognition of their values. In this case, words such as 'cooperation', 'key partner', and 'ever closer relations' highlight a process of reciprocal legitimation between the African Union and the European Union. The last paragraph contains references to the United Nations mission UNAMID, which took the main responsibilities in Darfur. Words such as 'engaged' and 'help' also highlight the relationship between organisations.

### ***The legitimation of EU's actions in Darfur, Chad and CAR***

The first observation coming out of the document analysis is the heavy reliance on the arguments relating to the positive output – the contributions to peace and stability – of the

policies that are being implanting in the region. When not intervening militarily, as in the case of Darfur, the emphasis is on the economic, development, diplomatic and logistical contributions: “[the EU] has funded the African Union force to the tune of €212 million. It has trained, equipped and transported the African troops and it has dispatched European military experts and police officers to the field.” For EUFOR Tchad/CAR, the narrative includes the military aspect, in both the projection output and the assessment of the contribution: “Thus the EU will be helping to lay the foundations for lasting peace and stability in the region” and “Chad mission shows EU is effective in giving stability”.

Of course, in absolute terms this observation would be empty, but the relevant aspect is that arguments related to input legitimacy are much less invoked than those of output. The exception lies not on democratic arguments, but rather on the EU’s ‘tradition’ in both responding to crisis and acting in the region: “The decision to deploy troops in Chad is in line with the European Union's tradition of helping people in need”. There is also a tendency of highlighting the involvement of numerous EU member states, portraying consensus and participation at the state level: “The 3,700 EUfor troops [...] come from 21 EU member states, 14 of them in the field”.

As would be perhaps expected, since it is acting beyond its region, EU doesn’t bring about its own regional element, or regional identity, as argument but rather the idea it would be a global actor: “EUFOR operation demonstrated how the EU has become a global provider of security and stability.” This global actor, according to the narrative cannot stand still and has a responsibility to react to crises such as Darfur: “This humanitarian and political crisis is unacceptable, an affront to our conscience. Standing by is not an option.”

As a ‘complement’ to this responsibility to act, it is impressive how much of the discourse actually focuses on presenting the crisis as dramatic and requiring urgent measures: “Darfur crisis erupted in 2003. This is a major crisis. Crimes against humanity and war crimes have been committed there” and “[t]he long-suffering people of Darfur need help - not next week, or next month, but today. [...] That is why the European Union is engaged, on all fronts [...]” This aspect connects with the language of securitization: urgency, violence and threat. In most cases, it is the regional stability is the ‘object’ being threatened: “[t]he war in Darfur risks spreading to the whole of the region. Chad has already been engulfed by it.”

Instead of highlighting its regional identity, the legitimization discourse focuses on local organisations and actor's identities. Thus, references to the African Union and to the local governments of Sudan and Chad seem to serve two purposes. Firstly, it reaffirms the local support for EU's involvement by highlighting the partnership between the continent and the EU. *"In December we and the countries of Africa adopted our first joint EU-Africa strategy. This has as a top priority the establishment of peace and security on the African continent. Sending a peace mission to Chad and the Central African Republic is therefore a logical step."* Further on, 'local ownership' adds a less state-centric perspective to governments and organisations.

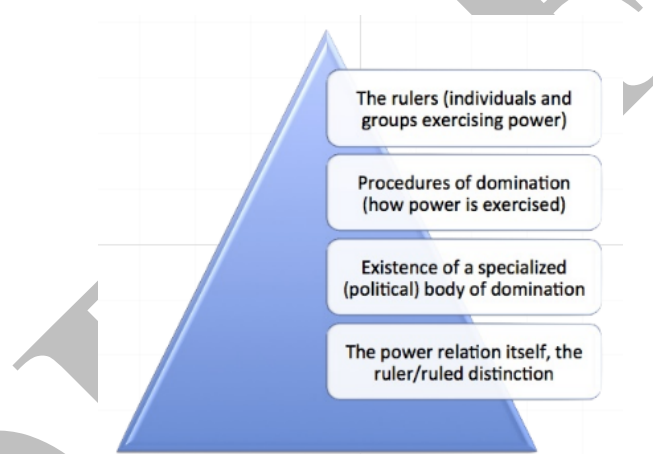
Secondly, this constant references to the AU and the local governments serves as a transfer of responsibility and a justification for not being as active and decisive as expected: *"What we can do and are doing is supporting African efforts with political, financial, logistical and other forms of assistance."* This is particularly important in the case of Darfur where the international community as a whole as well the EU in particular were accused of inaction and failing to answer to the violence in appropriate time. The narrative also presents the EU actions as a necessity AU's response to happen in the first place: *"without the European Union, there would probably not have been any AU force to offer a degree of protection to the people of Darfur."*

In general, however, there is little difference between the discursive legitimization of EUFOR Chad and the support mission to AMIS II despite clear differences in mission scope and mandate. Of course the positive output is presented differently, but other elements such as the inter-organisational partnership between EU and AU and the dramatization and sense of urgency persist. Much of these arguments are salient because EU's is acting beyond its region, a comparison with the AU's argument for the same context would shed more light on the normative advances of regionalism. This is of course a brief analysis of a small sample, but it can point to relevant questions about the normative underpinnings of security regionalism, as presented below.

### ***What else can we learn from legitimization?***

This brief account of EU's arguments of legitimization is one of multiple possibilities of empirical analysis of legitimization in general and legitimization of regional security organisations in particular. Other promising analysis relate to the specific features of

legitimation framework applied regional security governance. First, drawing on the work of Jacques Lagroye (1985, 463), it is possible to distinguish four different levels of legitimation. The first one concerns the power relation itself, the necessity and the desirability of a distinction between rulers and subjects, governors and governed. The second level is about legitimizing the existence of a specialized body of domination that exercise the legitimate coercion and is distinct from other forms of domination (e.g. economic, religious, etc.). The third level concerns the procedures of domination: how the power is exerted, how rulers are nominated, and how the political relation is actually established within the society. Finally, the last level relates to individuals or groups who are exerting power in an authoritative relation. Thus, a process of political legitimation, or de-legitimation, may focus on a combination of these four levels. For example, one can contest the leader and the institutional design in place while asserting the necessity of the very same specialized body. The chart below illustrates this point.



It is logical to assume that different institutions face legitimation challenges in different combinations of the four levels. A closer look at international politics shows that this division is relevant. While the legitimation of and in national states concerns mainly the last two levels – the rulers and the procedures of domination – the legitimation of regional security organisations would happen in deeper levels: the justification of the existence of an additional specialized body of domination (why should we have an additional institution?) and even the power relation itself (why should we be subject to a power relation outside borders?)

Secondly, the framework of legitimation when applied to security governance allows for the comparison both across time and among different organisations. The legitimation of

the EU action beyond its border such as in Darfur certainly differs from the legitimization of the African Union or the Arab League, which are 'local' organisations in the same context. One might also include the argument of global organisations such as the United Nations and further analyse the global-regional interaction, which potentially (de-)legitimizes both ends. The crisis in Darfur offers an example for this interaction where multiple institutions coming from different regions are involved, but there are other contexts that can be added to provide a broader picture such as Somalia, Congo, Afghanistan, and the like.

Thirdly, a closer look at the debates concerning global governance and peace operations reveals that inaction, as much as the actions, of international institutions must be justified, and therefore legitimized. For organisations, to justify the inaction in front of crisis to which they were expected to respond is of paramount importance. Currently, this is even more salient due to norms such as responsibility to protect that can be extrapolated as far a duty to intervene and react on the part of the international community. Much of the harsher criticism towards high profile organisations such as the UN does not concern their actions, but the lack of it. A closer look on the way the regional organisations address debate – from sharing the burden to transferring the responsibility – is a very important move to understand security governance. The ultimate question is then, in relation to deeper levels of legitimization, why are these power relations necessary if they do not act when they are expected to.

A final question refers to the audiences of legitimacy in particular to the transfer of this idea from national to international politics. It has been usually assumed, with a certain degree of consensus, that the audience for states' legitimacy and legitimization are their own population, or citizens. Of course, globalization and the rise of more complex interdependency undermine this equation as states and governments, for example, act and influence populations beyond their border. When it comes to regional and international organisations, the location or the 'relevant community granting legitimacy' is even more complicated. In the case of the military operation of the EU in Darfur, whose opinions and beliefs matter and who 'grants' legitimacy to the EU's actions? Is it the EU's member-states or their citizens; the international community or the UN; the governments of Sudan, Chad or CAR; the local population in Darfur; or all these groups? Ultimately, the 'choice' of a specific community, from locals to humankind, remains a normative one. However, an analysis of the legitimization process can point to the audiences that are considered by the organisations



themselves when producing their discourses and by other actors in the process. Finally, it would be possible to check if different groups are addressed with different arguments.

## Bibliography

- Badescu, C. G., and L. Bergholm. 2009. "The Responsibility To Protect and the Conflict in Darfur: The Big Let-Down." *Security Dialogue* 40:287-309.
- Barker, Rodney. 2001. *Legitimizing Identities: the self-presentations of rulers and subjects*. Cambridge: Cambridge University Press.
- Breslin, Shaun, and Stuart Croft, eds. 2012. *Comparative Regional Security Governance*. Abingdon: Ashgate.
- Collins, Robert O. 2008. "Disaster in Darfur." In *A History of Modern Sudan*, 272-293. Cambridge: Cambridge University Press.
- Fawcett, Louise. 2005. "Regionalism from an Historical Perspective." In *Global Politics of Regionalism: Theory and Practice*, edited by Mary Farrell, Björn Hettne and Luk Van Langenhove, 21-37. London: Pluto Press.
- Finnemore, Martha. 2003. *The Purpose of Intervention: changing beliefs about the use of force*. Ithaca: Cornell University Press.
- Finnemore, Martha, and Michael Barnett. 2004. *Rules for the World, International organizations in global politics*. Ithaca: Cornell University Press.
- Gaus, Daniel. 2011. "Dynamics of Legitimation: Why the Study of Political Legitimacy Needs More Realism." *RECON Online Working Paper*.
- Gaus, Daniel (NOT QUOTE). 2010. "Two kinds of democratic legitimacy for the EU ? Input- and output-oriented legitimacy as a case of conceptual misformation." *Democracy as Idea and Practice*:1-26.
- Hurrell, Andrew. 1995. "Explaining the resurgence of regionalism in world politics." *Review of International Studies* 21:331-358.
- Hurrell, Andrew. 2005. "Legitimacy and the use of force: can the circle be squared?" *Review of International Studies* 31:15-32.

- Hurrell, Andrew. 2007. "One world? Many worlds? The place of regions in the study of international society." *International Affairs* 83:127-146. doi: 10.1111/j.1468-2346.2007.00606.x.
- Kirchner, Emil J., and Roberto Dominguez. 2013. "The Security Governance in a Comparative Regional Perspective." *UNU-CRIS Working Papers* 8.
- Lagroye, Jacques. 1985. "La légitimation." In *Traité de Science Politique*, edited by Madeleine Grawitz and Jean Leca, 395-468. Paris: Presses Universitaires de France.
- Natsios, Andrew S. 2012. *Sudan, South Sudan, and Darfur: what everyone needs to know*. New York: Oxford University Press.
- Olsson, Christian. 2013. "'Legitimate Violence' in the Prose of Counterinsurgency: An Impossible Necessity?" *Alternatives: Global, Local, Political* 38:155-171.
- Peter, Fabienne. 2010. Political Legitimacy. In *Stanford Encyclopedia of Philosophy*: Stanford University Accessed
- Scharpf, Fritz W. 2003. "Problem Solving Effectiveness and Democratic Accountability in the EU." *MPIfG Working Paper* 03/1.
- Schmidt, Vivien A. 2013. "Democracy and Legitimacy in the European Union Revisited: Input, Output and 'Throughput'." *Political Studies* 61:2-22.
- Steffek, Jens. 2003. "The Legitimation of International Governance: A Discourse Approach." *European Journal of International Relations* 9:249-275.
- Steffek, Jens. 2009. "Discursive legitimation in environmental governance." *Forest Policy and Economics* 11:313-318.
- Steffek, Jens. 2011. "Tales of Function and Form: The Discursive Legitimation of International Technocracy." *Normative Orders Working Paper* 2.
- Telò, Mario. 2009. *International Relation: A European Perspective*. Farnham: Ashgate.
- Weber, Max. 1978. *Economy and Society: An outline of an Interpretative Sociology*. Berkley: University of California Press.
- Weiss, Thomas G. 2012. "Humanitarian Intervention."