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## **On Legitimacy: Multidisciplinary Reflections**

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## *Introduction: Debating Legitimacy*

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Ethnographic research on the dynamics of legitimacy and legitimation is clearly both timely and futuristic, the latter adjective being justified by the foreseeable developments — too often, very worrying — of these dynamics across the democratic world. This Special Issue, published as a Supplement to *Urbanities*, springs from this belief. It is intended to enrich the ongoing multidisciplinary discussion. It offers to the readers of *Urbanities* this Introduction to the debate and sixteen essays by anthropologists, sociologists, historians and urbanists who draw on their diverse ethnographic knowledge and wide-ranging perspectives to address the thorny issue of legitimacy in response to the book on *Legitimacy: Ethnographic and Theoretical Insights* (henceforth, *Legitimacy* volume) recently published by Palgrave Macmillan in the Series ‘Palgrave Studies in Urban Anthropology’.

The book is a direct result of an intensive six-day workshop held in Sicily in September 2017.<sup>1</sup> It brings together the work of a strong field of fourteen social scientists. An introductory essay on the ‘Methodological and Theoretical Issues of Legitimacy’ (Italo Pardo and Giuliana B. Prato) is followed by chapters on ‘The Legitimacy of Political Representation: Institutional Adaptations to Challenges from Urban Europe’ (Giuliana B. Prato); ‘A Conundrum of Democracy: Naples as a Test Case of Governance that Lacks Legitimacy’ (Italo Pardo); ‘Unemployment, Urban Poverty and Political Legitimacy: The Dark Side of Governance’ (Manos Spyridakis); ‘Legal but not Legitimate: Changing Practices of Financial Citizenship in Turkey’ (Z. Nurdan Atalay); ‘Changing Ideas of Legitimacy in Neighbourhoods: Reflections from a Town in Kerala’ (Janaki Abraham); ‘Privatization of Urban Governance and the Disputes for Legitimacy in a Social Housing Megaproject in Soacha, Colombia’ (Adriana Hurtado Tarazona); ‘Undermining Governmental Legitimacy at the Grass Roots: The Role of Failed Promises and Inflated Expectations of Community Accountability’ (Jerome Krase and Kathryn Krase); ‘Detachment and Commitment in the Competing Legitimacies Surrounding the Ephemeral Opposition to the Redesign of Viger Square, Montreal–Quebec’ (Nathalie Boucher); ‘In or Out? Claims and Practices of Legitimacy in Urban East Africa’ (Lucy Koechlin); ‘Citizenship and Legitimacy in India: Kolkata’s Anglo-Indian Experiences’ (Robyn Andrews); ‘Conflicting Loyalties and Legitimate Illegality in Urban South Lebanon’ (Marcello Mollica); ‘Mourning Through Protest in Seoul: Debates over Governance, Morality and Legitimacy after the Sewöl Ferry Disaster’ (Liora Sarfati); and ‘Morality, Ethics and Legitimacy: The Roma and their Legitimization of Power Relations in Everyday Life’ (Zdenek Uherek).

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<sup>1</sup> The workshop benefited from a generous grant from the Wenner Gren Foundation for Anthropological Research (Gr. CONF-751) and the organizational support of the International Urban Symposium-IUS.

*Urbanities* has long been committed to promoting the study of the empirical complexity and ramifications of legitimacy and foster debate on its theoretical significance. Several articles published in past issues and a *Supplement* to this journal (Pardo and Prato eds 2018) testify to the commitment of *Urbanities* to addressing this topic in the awareness of its growing importance in the social, economic, juridical and political sciences and of the magnitude of its significance in today's world. The aforementioned works expand on the sophisticated intellectual effort that originated in social anthropology in the mid-1990s (Pardo 1995, 1996), stimulating a small group of high-calibre scholars to engage in dedicated seminars and publications (Pardo ed. 2000a and 2000b; Pardo 2000, 2004), and has since involved a growing number of studies (see, for instance, Pardo and Prato eds 2011). This ongoing effort has helped to develop a theoretical framework that contributes to clarify the empirical significance of the complex ramifications of legitimacy and the processes of legitimation in the political, economic and moral life of today's urban world.

The complex, highly problematic and often rocky dynamics that mark these processes and their ramifications are absolutely central to democratic society, electing, we have argued, legitimacy to the status of a 'keystone' of democratic society 'that makes structurally sound, and fair, the complex interaction among morality, values, interests and responsibilities that determine our associated life . . . In the absence of this keystone, the spectre of authoritarianism arises' (Pardo and Prato 2019: 19). It ought to go without saying that, as associated life in democratic society changes, so does legitimacy: the keystone that prevents society from falling apart.

Today, as the long-festering acute crisis of rulers' responsibility and accountability that mars many democracies has become evident, the legitimacy of the traditional democratic set up has become increasingly questioned. Citizens' grounded distrust in rulers who, often blatantly distrust and dismiss them, is visibly growing, raising fundamental questions that point directly to the dynamics of morality, action, law, politics and governance in the articulation of what is legitimate and what is not in our society. Significant examples, unfortunately, abound. One is given by the Italian rough treatment of the fundamental division of power that, since the early 1990s, has polluted the political system. Notably, until recently, powerful groups' legal but widely questioned manipulation of political competition and the democratic process has allowed, among other things, a succession of unelected governments to rule the country. Another example lies in the grassroots motivations of the American voter that marked the last US Presidential election. Other examples are offered by the strong ways in which similar motivations are reflected among most of the Britons who voted to leave the European Union and of the French, Austrian, German, Dutch, Hungarian, Czech, Polish and Italian electors who amply support 'anti-establishment' parties that just cannot be (conveniently) dismissed as 'populist'. Of course, while acrimony and its many expressions may satisfy some, it solves nothing and may even end up working as appeasement in disguise.

Dissatisfaction with the élite in power is igniting grassroots protests of assorted types. Every day there are reports from across the world of objectively justified grievances that expose

power that lacks legitimacy, in many cases so much and blatantly so that rule is received and seen to be authoritarian, as opposed to authoritative (Pardo 2000, Pardo and Prato 2019). Unmistakably, such grievances bring to light the obnoxious ways — obnoxious, that is, to reason and citizenship rights — in which dominant élite exercise power. As discontent generates grassroots opposition to rulers' rhetoric and behaviours, citizenship is confronted with the appalling spectacle of 'the powerful' panicking into combating unlikely strawmen, inventing inexistent threats, implementing authoritarian actions and hollow accusations of populism, and worse, that demonstrate a dearth of credible, sustainable arguments and implementable actions that meet the fair demands of a justly exasperated citizenship.

It is almost a moot point that now, more than ever in the recent history of democratic society, discontent and its roots have acquired urgent and critical importance. But, moot or not, this is a point that must be raised. This is indeed a point that we must argue robustly, if we accept that one of the duties of the engaged intellectual is to study mankind in order to improve mankind. 'What will happen to us?' is a question being asked around the world, and it is the responsibility of the ethnographically-informed scholar to help answer the question with particular attention to the morality of what is broadly deemed as legitimate. Discussions of morality are notoriously sensitive, if not controversial. For many years a select number of scholars have engaged in this overall debate consistently addressing this question with strong scholarship and logical presentations. They animated the cited publications with warnings on worrying developments that are now for all to see. Drawing on ethnographic evidence, the cited publications have unequivocally pointed to the nature and complications of the growing gap between the rulers and the ruled and have warned against the consequent dangers. Now, such long-ignored worries and warnings have evidently come to bear as this gap has often grown into an unbridgeable chasm. Perhaps naturally, this problematic is especially evident in the urban field.

It is of such urgent and critical importance that the contributors to this Supplement are cogently aware. And it is in such awareness that they have endeavoured to offer their reflections to this ongoing debate. Like the publications that have preceded it, this new collection aims to offer a disenchanted view that firmly eschews conforming to fashionable trends, however convenient such conforming may be. This collection acknowledges that the empirical reality of today's crisis of legitimacy must be addressed, seriously and in depth. The essays that follow have been written specifically for this Supplement by scholars from various disciplines who engage in the analysis of the realities, ramifications and complexity of the dynamics of legitimacy, legitimation and, indeed, de-legitimation.

The significance of an ethnographic understanding of the changing nature of the legitimacy across time runs through most of the reflections brought together in this Supplement. Niccolò Caldararo addresses this issue with reference to a number of cases from ethnohistorical sources and cross-culturally. His anthropological analysis of recent American housing conflicts illustrates how ideas of legitimacy have been challenged by tenants and property owners, when threatened by eviction or development. Caldararo investigates the relation of law and power to



legitimacy in the context of changing community interests and their political recognition. He looks at the use of the media and developer's ideology of hierarchies of use in the context of delegitimizing community resistance to change and at the nature of delegitimation and its construction to confuse communities and defuse public support for local issues. The changing nature of legitimacy and the problematic relationship between governance and the governed are brought out by the historian Peter Jones, who recognizes the key point that legitimacy entails a capacity of a state to sustain political order. He notes, for example, how the collapse of Communist ideology in the late 20<sup>th</sup> century and the associated policies and governance represented a crisis of *legitimacy* not only of the Soviet Empire as a political entity but also a crisis for the revolutionary ideology of Marxism and the various Communist Parties of Western Europe. He develops an important methodological argument drawing primarily on his historical research and on Prato's essay in the *Legitimacy* book. Jones offers a comparative historical analysis of legitimacy and its complications, revealing in the process stimulating common ground between socio-cultural anthropology and history and especially, he argues, the benefit of socio-cultural anthropology to history. The anthropologist's fieldwork method, Jones points out, could provide a template for the historian conducting archival research of primary sources. He notes that historians have long been wedded to the narrative form and that their interest in momentous events has led to a search for turning points or great moments which became their stock-in-trade. Stimulated by the *Legitimacy* volume, he argues that the insights of anthropologists can lend weight to new histories outside the narrative of events and their alleged consequences.

The importance of gaining an ethnographic understanding of the culture conundrum brought out world-wide by the dynamics of legitimation and de-legitimation resonates strongly in the contribution of the qualitative sociologist Bella Dicks, who draws on her specialism in the field of cultural heritage and experience as Head of Research at the National Museum of Wales to discuss the currently-dominant instrumental approach to culture in relation to UK museum funding. She takes inspiration from the *Legitimacy* volume to examine the social processes through which competing sources of legitimacy are constructed for cultural institutions. Dicks addresses the key question why people do and do not choose to participate in, and thereby legitimise, the formal spaces of engagement offered by museums and galleries, whether through outreach work or inside visitor sites themselves. Noting that a full picture of how citizens themselves construct the legitimacy of museums using their own criteria and practices is missing, she argues the unique value of ethnographic knowledge on the striated dimensions of public participation in the formal cultural sphere of museums, galleries and other cultural institutions. Dicks makes a compelling case for future research into the ground-level legitimacy of cultural institutions, especially where governments are now seeking to instrumentalise culture for economic, policy and ideological ends.

The problems raised by ideological or ill-thought-out top-down policies resonate strongly in James Rosbrook-Thompson's essay. He draws on the intellectual challenges raised by debate on legitimacy to address the UK government's adoption of a public health approach to urban



violence. Based on the findings of three years' ethnographic fieldwork carried out among front line professionals such as police officers, youth workers and youth offending teams, Rosbrook-Thompson frames a set of questions relating to the public health approach and how it is perceived by those tasked with its implementation. He argues that consent for the approach is both partial and conditional, with many respondents being cynical about the reasons for its endorsement by politicians. This stems from the approach's compatibility with ongoing austerity measures and a failure to address the role of structural inequality in urban violence, which links to Daina Cheyenne Harvey's analysis of the fragility of legitimacy. Harvey examines categorical shifts in legitimacy, and the relationship between capitalism, class and legitimacy. He looks at legitimacy in times of social disorder to highlight some central issues of the text, with specific reference to his work on the long-term aftermath of Hurricane Katrina in New Orleans, Louisiana and the crisis of legitimacy that ensued the widespread abandonment of the Lower Ninth Ward by local, state and federal government. Ultimately, he poses several questions for legitimacy scholars to consider moving forward, pointing especially to distortions of citizenship, such as those exemplified in many societies by the unconscionable fabrication of 'liminal' citizens or what Pardo (2019) calls 'second-class' citizens.

The relationship between citizenship and governance is a critical dynamic of democratic society (Pardo and Prato eds 2011) that, more or less explicitly, runs throughout the *Legitimacy* volume and interests the contributors to this Supplement. Recognizably key to this debate, Anna Waldstein discusses legitimacy in relation to three anthropological conceptualizations of citizenship: biological citizenship, cultural citizenship and spiritual citizenship. Referring to various chapters in the *Legitimacy* volume and other related literature on citizenship, she draws on her ethnographic work with Jamaican migrants in the United Kingdom to consider the legitimacy of the different citizenships that migrants enact in a hostile environment created by unlawful government policies. Windrush generation migrants, like others, have forced the Home Office to recognize their legitimacy as British residents and citizens. Thus, Waldstein argues, work in the anthropology of legitimacy gives us hope that citizens of all sorts will ultimately retract the legitimacy of governments that act unlawfully. There is a direct link, here, to Pamela Stern's historical and contemporary research on the Canadian state's understanding of the Inuit. In the Cold War era, her anthropological work shows, the Canadian state understood the concentration of Inuit, an indigenous people, into government administered towns and villages as both a problem to be tackled and an opportunity to assert its sovereignty over northern peoples and their lands. While many Inuit were pleased to have access to government services, including healthcare and housing, residential concentration exposed them to capricious administration and naked racism. In part, to legitimate its control over Inuit lives and lands the Canadian Department of Northern Affairs and National Resources employed young anthropologists and geographers to document what it regarded as Inuit problems of adjustment to living in the new communities. In her essay, Stern reports on the experiences of one young anthropologist sent to the Mackenzie Delta region of the Northwest Territories.

The intersection of urban governance and cultural practices is at the centre of Andrés Salcedo's comparative analysis of legitimacy and placemaking processes in Bogotá. He draws on his anthropological fieldwork to argue that low-income workers understand legitimacy as their right to protect their housing environment in areas where city planning has imposed legal but damaging urbanization. Upper-class groups, he goes on to say, have forged a socially legitimated entitlement to preserve an exclusive, safe and beautiful enclave by creating legal agreements that favour their perceived interests and enforcing practices of social exclusion. On the streets of Bogotá, an intricate proliferation of social norms tied to the naked rule of violence seems to render law and rights useless. For example, linking to a central issue in urban anthropology (Pardo 1996: Ch. 2 and 2017; Seligman 2012; Marovelli 2014) Salcedo tells us how street vendors negotiate their claims over informal work spaces in the face of city programmes aimed at recovering public space, whereas transsexual and heterosexual sex workers face both the surveillance, abuse and exploitation of powerful bosses and health-oriented public programs aimed at controlling them instead of enforcing their rights to dignifying living and working conditions.

The qualitative sociologist, Judy DeSena, engages with the key issue that presently, around the world, there is failed legitimacy through broken democracies that lack effective leadership and governance. Most important, she points to the fact, too often unforgivably underestimated and underreported, that ordinary people have grown frustrated with those in power inciting mass protests and other forms of activism. DeSena highlights the conflict between élites and masses on a local level. In New York City, she suggests, ethnographic research on gentrification and large-scale development indicates that neighbourhoods have been reconfigured and refashioned with new residences, which has led to a crisis of adequate services greatly affecting the quality of life. It is in this regard that DeSena focuses on neighbourhoods in North Brooklyn looking specifically at alternative transportation and sanitation services.

Complementing Stern's analysis of Canadian residential policies, and Salcedo's and DeSena's neighbourhood-based work (see also DeSena 2017), Motoji Matsuda points out that the present era has been characterized as an age in which people are connecting with each other in a dimension different from the spaces in which they live, as typified by such developments as IT (Information Technology) and IOT (Internet of Things). Drawing on his anthropological research and activism in Africa, he argues that among heterogeneous urban populations there is a strong need for morality and social norms that can ease tensions arising from mutual differences, mediate conflict and resist domination (see also Matsuda 2017). These are ensured by the notions of *legitimacy* and *justification*. Modern political science, he notes, has operated on the premise that justification and legitimacy are fundamentally assured by the notions of justice presided over by the nation-state or the notions of universal justice. However, it is not uncommon for the course of events to diverge from such understandings and assumptions. Matsuda's urban ethnography focuses on how legitimacy and justification are conferred,

articulated, appropriated and domesticated within the grass roots cultural practices of ordinary people.

Top-down ungrounded constructions of legitimacy — superimposed through ever-powerful traditional and new media — may not be a novelty but they do need empirical attention as they clearly have growing strategic influence in today's world. Ebru Thwaites Diken addresses the contentious matter of how borders of legality and legitimacy are defined through an analysis of cinematic narratives on the foundational issues of law. She addresses the paradox of the legitimacy of law in the context of the tension between politics and religion in contemporary Turkish films that polarize formalized religion and socialist interpretations of Islam, acknowledging the legality of the former while according legitimacy to the latter. Thwaites Diken first discusses this polarization in terms of the distinction between morality and universalistic ethics, then looks at legitimacy in relation to the hegemonic status of non-formalized religion, questioning the assumption of actors' free will in the production of consent and legitimacy. These questions reverberate in the industrial relations studied by Corine Vedrine, who engages with the complex links between legitimacy, recognition and identity. Inspired, she says, by her reading of the *Legitimacy* volume, Vedrine offers a re-interpretation of her French ethnography, pointing out how in Clermont-Ferrand the Michelin Company built a mythical justification of its system of labour exploitation. This myth was meant to legitimate the norms and values of the spirit of capitalism according to Michelin. The impact at the local level of the world-wide transformations of capitalism raised strong feelings of injustice among the workforce. Without social protection, what seemed legitimate became illegitimate, unbearable, immoral and intolerable. Workers have publicly denounced injustice, reclaimed dignity and demanded public recognition. Bringing out the complex links between moral and justice, these feelings have concretised in a demand for moral reparation *via* successful mobilisation of the justice system.

The link between justice and citizens' rights is addressed with reference to the urban environment in Karolina Moretti's and Julian Brash's essays. From an urbanist viewpoint, Moretti notes that a comparative view of the complexity of legitimacy in today's urban settings — in their set up and in their development — evidences the fundamental importance of the formal and the informal in the social, political and economic dynamics of everyday life. Moretti emphasizes the significance of legitimacy as a reciprocal process in the relationship between the rulers and the ruled. Aware of the impact of processes of globalization on the local level and the significance of local dynamics in the global context, she castigates the uncritical implementation of urban policies on specific urban environments, arguing that it could easily damage the very essence of democracy and deprive ordinary people from their fundamental right to citizenship. In tune with a widely recognized topic in current anthropology (Pardo and Prato 2017: 17, Shortell 2017, Markowitz 2017, Spyridakis 2017, Matsuda 2017, Lindsay 2017, Vedrine 2017, Gonzalez 2017), Julian Brash's essay highlights the importance of a legitimate use of urban space. He connects his anthropological research on the High Line in New York City to the explorations of legitimacy in contemporary urban public space put forward in the

*Legitimacy* volume, and particularly to the Canadian case studied by Nathalie Boucher. Meeting a point long argued in the literature on legitimacy (Pardo 2000a, Pardo and Prato 2011) and developed throughout the *Legitimacy* volume, Brash suggests that it is the closure of debates over what is legitimate that poses the true threat to democracy.

As repeatedly argued in the cited literature on legitimacy, trust is an essential element in a democratic process based on power that enjoys authority. Laszlo Kürti's essay focuses on legitimacy and trust in the political arena. Kürti meets the critical point (Pardo 2000 and 2019; Pardo and Prato 2019: 6-8) that democratic states need authority and in turn must rely on citizens' trust in order to rule. For anthropologists, he suggests, the real challenge is to identify how and in what ways citizens rely on state institutions at the local level, and how state policies influence citizens' loyalty. He discusses how, under Socialist rule, institutionalized Committee of Grievances may have aimed to promote trust in the population by allowing discontent to be voiced but failed to gain citizens' confidence. Kürti also points to the fact that popular support and trust of regimes are fundamentally intertwined issues of state legitimacy that concern not only European post-socialist states. The Supplement concludes with Michalis Christodoulou's argument that ethnographers should not restrict themselves to description (notwithstanding its merits), that ethnography is a valuable tool for pursuing theoretical explanations and that the logic of 'causal process' could play that role. On this basis, he outlines how a critical dialogue between an existential ethnography and a critical-realist-inspired social anthropology could provide ethnographers with the tools for constructing empirically grounded theoretical propositions regarding the morals of legitimacy (see Pardo 2000). Drawing on the comparative insights offered by the urban ethnographies collated in the *Legitimacy* volume, he discusses how the form that 'fragmented legitimacy' takes in non-western countries could be explained by the process of 'urban transformation'.

It is the hope of the Editors of this Supplement and the Board of *Urbanities* that a collective reading of the essays offered here, alongside the cited body of literature, the *Legitimacy* book and the work previously published in the journal may encourage others to join this debate in the future.

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## *The Assessment of Legitimacy in the 21<sup>st</sup> Century*

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### **Introduction**

My comments regard the discussion of the topic of legitimacy as presented in the book, *Legitimacy: Ethnographic and Theoretical Insights*, edited by Pardo and Prato in 2019. Immediately, one is directed back to Malinowski's (1945) attempt to address the issue in the wake of the ruins of indigenous cultures by colonialism, and especially those of Africa. The essential element was power and how power was exercised by the colonial administrator in relation to both the indigenous leaders and the local custom of authority as defined by culture and history. To Malinowski, what was legitimate was not some ossified report of a people from the past, or retained custom in myth, but what worked to benefit the people at that time and place and was considered essential for their survival in the practical challenges of the moment. Malinowski's ideas were augmented by Hoebel's (1954) compendium of indigenous law and practice. In both cases the focus was on the living means of negotiating practice within and between communities, more difficult to achieve in Malinowski's descriptions of failed attempts of administrators to address power asymmetries. But, in general, Hoebel's selections were often based on early reports that had attempted to design a picture of indigenous life without regard to European contact and power.

The task today is as difficult as developed countries are made up of waves of immigrants and historical amendments of custom (for example, Common Law vs. Code of Napoleon) and in the postcolonial world the effect of colonial law on top of indigenous custom has been a history of repression and compromise so thorough that the performance of agreement is often more a dance of charades than a process of compliance and consent. The postcolonial world, whether in New York, Paris, Moscow, Kinshasa, Hong Kong or Cusco, extends and intensifies the effects of colonialism creating unified monetary and social structures that define roles and goals.

Parsons (1937) reviews the attempts by Durkheim and Hobbes to construct a system of constraints or contracts that, in his assessment, relies on an unrealistic degree of enlightenment, as opposed to the 'biology' of game theory which Dawkins (1976) and Trivers (1985) situate at the core of choice, while others, for example Tooby and Cosmides (1989) in evolutionary psychology, see genetic limits to choices based on psychological adaptations. Many newer theories are built on earlier work; for example, Durkheim's Deterrent Theory is at the centre of the game theory. Weber (1922) makes the simple statement that, 'Legitimacy may be ascribed to an order by those acting subject to it...' and so our understanding of legitimacy must be derived from observation and interpretation of the motives and history of the performers. He goes on to give 4 basic ways that these performances may be ascribed: 1) By tradition; 2) By emotional attitudes revealed by a model that actors have come to be associated with; 3) By



rational belief; 4) As recognized to be legal. Given Weber's emphasis on the rationalization of human society, all these could be grouped under number 3 as variations of this theme.

Pardo and Prato (2019) cite the OECD's (2010) focusing on 4 similar explanations. They are: 'Input or process legitimacy, which is tied to agreed rules or procedure; output or performance legitimacy, defined in relation to the effectiveness and quality of public goods and services; shared beliefs, including a sense of political community and beliefs shaped by religion, traditions and "charismatic" leaders; and international legitimacy, i.e. recognitions of the state's external sovereignty and legitimacy'.

Recently, Pengfei Su (2018) related the similarities in institutions and history of two of the great states of the ancient world, China and Rome. He found the success of these two entities to be derived from the similar focus on integration policies and the creation of internal legal mechanisms to achieve goals of domestic peace. The Greek historian Polybius writing in the 3<sup>rd</sup> century B.C.E. found, after a long study of Roman history and law, that it was both the existence of a constitution and the belief of citizen and subject that justice was a practical principle. In my own study of the Goodman Building 10-year rent strike (Caldararo 2019), it was clear that the strike worked, the building was saved and a new one built because the former owner, who asked the tenants to sue him to prevent the San Francisco Redevelopment Agency from taking possession of the building, believed he had rights. But success was also due to the fact that the tenants acted as if they had rights; many SFRDA employees agreed with that belief and undermined the Agencies semi-legal acts, and the elected officials and many citizens of the City also held these beliefs. As the OECD paper states, legitimacy rests on the performances of actors from several segments of society — citizens, bureaucrats and enforcers of social rules.

### **Building Legitimacy and Delegitimization of the Periphery**

Edward Said (1981) most clearly defined the process of creating the other and manufacturing spurious boundaries of the other. I have addressed in several publications this process in the conflicted space of rebellion and repression in the 20<sup>th</sup> and 21<sup>st</sup> century battleground over contemporary modernity and its legitimacy (Caldararo 2002, 2006, 2015). Douglas (1966) frames the process of the conception of delegitimization as contamination or foreign attack on purity and health in the body of the society. We see this with the victimization of Jews in Hitler's Germany and in the Otherness of the Rohingya people (Green et al. 2015).

Prato and Pardo (2019) describe the responsibility of rulers, the problem of authority and the effect of the use of power where in many of the ethnographies people find themselves asking, 'What will happen to us?' The contradictions in the misuse of institutions (the referendum in Brexit) and the attack on them (as in the USA by President Trump on the FBI) are felt across the globe. In the example of the UK, the use of the referendum to achieve a political goal was an exercise in the production of legitimacy by undermining the political process and confusing how authority is engendered. It was obvious that while Britain lacks a formal constitution (though for some, like Bagehot [1867] it existed, in unwritten form, [see Blick and Blackburn 2011]), the failure of the Chartist Movement in the 19<sup>th</sup> century (Chase

2007) was a final example of the supremacy of Parliament over democratic movements within the country's legal system. This brings up the question Pardo (2000) asked about the responsibilities of élites to the governed, a central problem since before Cicero's discussion of the morality of the state. The nature of consent versus coercion.

### **Morality and Legitimacy**

Historically, the conceptions of moral and legitimate authority were often derived from perceptions of the gods' favour. The tale of Oedipus Rex is one example; another is the loss of the 'Mandate of Heaven' for the Chinese (Reischauer and Fairbank 1960); and in Confucianism legitimate rule is demonstrated by the approval of the people (Meng K'e, ca. 319-314 B.C.E.). We find the same relationship in the ancient Egyptian idea of Ma'at, often translated as justice, order, truth and righteousness (Wilson 1951). This is seen also in the Arabic idea of legitimate rulers, where the responsibility to maintain order and law as well as consensus in the community, the 'ulama', is central (Hourani 1991).

Anthropologists, as Pardo and Prato (2019) note, are situated in their work to be exposed to the increasing questioning of legitimacy across local, national and supranational decision-making that affects their lives. Yet, the outcome of changes in policy that have been products of long-fought struggles to achieve equity in housing, for example, were destroyed with the assassination of Mayor George Moscone and Supervisor Harvey Milk in San Francisco in 1978. The milieu of authority and legitimacy that had been built up by decades of work was challenged in the wake of the violence. The 'shifting' nature of legitimacy noted here was also seen in traditional societies, as among the Hopi in Ruth Benedict's words, 'It is only in time of epidemic that they pursue witches' (1934: 122).

Prato (2019) has produced a telling comparison of two countries, one western democratic, Italy and one socialist, Albania. The interesting link between these two countries is not just the Italian colonial adventure in the early 20<sup>th</sup> century, but the continued immigration of Albanians into Italy after WWII. In the case of Italy, its regional differences have come to the fore in the post-WWII period. As an Italian with ancestry from the south (Basilicata), I experienced being called an 'Arab' more than once in the 1970s in the north. There is certainly a difference in history for the two regions, the Italian south experienced occupation by Muslims, Normans, Germans, Spanish and French after the fall of the Western Roman Empire. The north also saw similar invasions but mainly from Germanic tribes and then, later, German and French states. The perception of difference is what is critical and here Italians do see considerable otherness in the peninsula. The appearance and success of the Northern League and the Five Star Movement in the south are consequences of different perceptions of identity and different histories of investment and of government policy. In Albania one also sees regional variation, which is historically based as well as affected by geography. While there has been a history of emigration to Italy, a massive influx of Albanians also has arrived in Greece in the past 30 years, and the southern areas of Albania have been considerably affected by this movement of people, loss of labour and permeability of the border for illegal traffic (Dalakoglou 2010).

Prato brings up the contradiction in Weber's writings concerning forms of authority and legitimacy. She focuses on the German term he uses, *herrschaft*, power, rule and domination as English equivalents. The imposition of control via the threat of violence is conceived as 'a power without authority'. This distinction is from the work of Pardo (2000) but power is often the means to legitimacy, as Mary Beard (2015) has written in the foundation of early Rome or Coulton (1925) on Medieval villages. The manufacture of legitimacy is a process of both power and conditioning or acceptance. Forms of power can be constructed for different institutions (Etzioni 1961). Executions and ritualized legal murder (for instance, police shootings of African Americans) become legitimate when they are imbued with the power of the state and its local institutions (Grand Juries, see Caldararo 2016). This is just as clear as in the partition of peoples in colonialism or in treaties signed at the end of wars as in the division of the Ottoman Empire and the creation of the states of Iraq and Syria (Howard 1931).

### **Expectations, Theory and Practice**

Prato is right to address the issue of legality and acceptance. People do not always respond to legalisms, rather they often find common ground in shared values and impress these onto what even legal framework is present (Erllich 1975, Gruter and Bohannan 1983). The contradictions in Weber's work are underlined by Prato where she notes that assumptions in theory, as in 'rational bureaucratic authority' or representations of authority in mass democracies, present difficulties in describing the function of theory in the practice of institutions. This was a central theme of Gans' (1967) description of the perversion of democratic institutions in local small government. As Prato finds, there are differences among citizen expectations of how systems are supposed to work, how they function in practice, how transparent inequalities are and how they are defined, hidden and made exceptions to the social contract in any particular area. These inequalities can persist only if local social action can be expressed as discontent that results in practical change or modifications of benefits. Efforts to reconstitute institutions, to bring 'integrity' back to them can also result in increased apathy as is taking place on a larger scale in Italy with the failure of the Five Star Movement to produce change or benefits, while strangely the Northern League's national and international criticism of the status quo has satisfied its base. As Prato describes, the failure of Brindisi's political structures to produce laws that could deliver on benefits or real change in institutional behaviour resulted in a demoralized population and could not rebuild trust between rulers and citizens. This situation undermines citizen participation and induces cynicism based on a lack of observable change as well as display of a continuing lack of integrity.

The situation in Albania parallels that in Italy, the demonstration of corruption among officials without beneficial change only leads to apathy and reinforces local corruption. The nature of corruption and inequality — no matter who is in power, communist or not — creates a culture of patronage, with exposure and punishment as sidelines of entertainment without real change. This fosters an atmosphere where charges of fraud, true or not, simply reinforce the status quo. A magnified example of a crisis of legitimacy is the situation in Venezuela in 2019.

Here an elected president is challenged by an elected representative, backed by foreign governments and minority parties. The quality of legitimacy is the issue brought out by disagreement based on ideas of how elections represent communities of citizens recognized as legal voters and under what conditions their votes are counted. This could easily be compared to the US election in 2016 where charges of voter roll tampering and foreign involvement by Russia undermined the legitimacy of the election. Pardo (1996, 2017) has demonstrated the self-interest of élites and power blocks in the mismanagement of Naples. In California, we find numerous examples. One, Proposition 13 (officially named the *People's Initiative to Limit Property Taxation*), was passed in 1978 by the real estate industry and apartment owners to reduce their tax burden. In a massive public relations campaign, they argued that property taxes had outstripped incomes, especially for the elderly, and had produced massive loss of homes for retired people. Given an adroit combination of well financed TV and radio commercials, door to door and mail delivery of propaganda, these stakeholders were able to distort political debate and hijack the electoral process for their benefit. Using false claims and supposed experts, they overwhelmed labour and community groups' opposition. Without any recognized agency to force factual statements in the media, voters were confused and misled. Actually, a study of tax irregularities in the early 1960s had led to reforms aimed at more equitable and standard property tax collection (Chapman 1998). The passage of Proposition 13 was followed by laws promoted by the same interests to outlaw rent control, except in those municipalities that already had such local laws in place (House of Representatives 1978).

Proposition 13 affected housing law regarding taxation and stripped the relationship between community needs and dwellings as home from the profits to be made from commodifying housing as an asset. Some 200 years of housing law and policy regarding the quality of a home, safety of occupation (substandard vernacular as well as commercially built housing) was ignored as a goal. Part of the rationale was derived from the failure of governments to build sufficient affordable housing and maintain it in a safe and secure fashion (Fossum 1965, Keith 1973, Mann 1975).

Pardo (2019) describes the struggle on the community level of the effects of élite politics and the contending strategies of radical groups and community needs. He terms this confluence of force the 'moral relativism of law' in Italy. An example he gives is the occupation of a renovated historic building by radical groups who use their occupation to create a political confrontation based on their perception of priorities. The conflict of needs of local citizens, historic preservationists and élite politicians created a moral crisis. Whose demands are legitimate? Can the value of legitimacy be parcelled out in percentages of a moral hierarchy?

We found a similar crisis in the USA in the 1970s when housing policy had collapsed into a paralysis due to the failure to maintain public housing projects and the increasing speculation in housing that left whole blocks of major cities ghost towns with abandoned buildings. The number of vacant units skyrocketed in major cities in the USA (Fried 1976). Speculation of land values along with a recession and tax breaks allowed investors to purchase blocks of housing in cities like New York and left them vacant and profit from the situation. We have

experienced a similar rise in abandoned dwellings since the credit crisis of 2007 (Mallach 2018). Today this growing vacancy rate and demolition rate of affordable units is being termed, ‘hypervacancy’. A number of factors are functioning to increase the cost of housing, dilute efforts to build more affordable housing and remove useful units from the market (Lama 2006).

One of the responses in the 1970s to this speculation-induced vacancy was squats and occupations. The other was the legal routes of rent strikes and initiative to limit methods in speculation, as in planned vacancy. The rent strike was a means for tenants to act within the law and their actions either condemned or legitimized by the courts on evidence of conditions (see essays in Bratt, Hartmann and Meyerson 1986). Political action attempted to address redlining, rent discrimination against minorities and unmarried couples. The occupation of the I-Hotel in San Francisco lacked legal standing, and the eviction of the tenants was conducted legally but lacked legitimacy by wide margins among the city’s citizens and thus the owners were blocked politically from developing the site and forced to sell to a community development corporation that built affordable housing there (Choy 2005, Yu 2017). Where speculators had stopped maintaining buildings and were profiting from large tax benefits in depreciation, they often also stopped paying property tax. This created a legal opening for occupation and what was termed adverse possession (Doskow n.d., Anon n.d.). A historical treatment of the origins of adverse possession can be found in Thayer’s culture history of the practice (Thayer 1913). Under this theory of law, a building or property is deemed abandoned by the owner if a person can maintain themselves upon it (in an agricultural setting they can produce crops or animals, in a dwelling they can house themselves in it as their only home). They must do so with obvious possession, where there is a public stance plainly visible to all members of the community. The supposed basis for this occupation is a benefit to society, where the owner has abandoned productive use and the neglect depreciates his ownership as a member of the community. Thus, the value to all is to its use. All tax must be paid by the adverse possessor.

### **Law and Power**

Inevitably, legitimacy is also determined by the perception of the law and the exercise of power. Some judges have supported rent strikes and occupations; others have denied them based on the same laws — this is especially true of the use of Eminent Domain in the history of Redevelopment. Another example would be how the media interpret the nature of claims of different parties to legitimate power. Comparing President Trump’s election, some analysts have argued that, since Hillary Clinton won the popular vote and there were widespread voting irregularities and substantial evidence of voter suppression, Trump’s election is tarnished and his claim to the presidency questionable. Yet, at the same time, President Trump and his administration have denied legitimacy of the Maduro Presidency based on claims of vote irregularities and recognize a simple lawmaker, Juan Guaido, as the legitimate president of Venezuela (Editorial, *The New York Times* 2019). By the same logic, Democrat Nancy Pelosi could claim to be the legitimate president of the USA. The difference in the two cases is power



and the interpretation of history in the context of possession of power. Venezuela has a long history of contested elections and extra-legal power transfer. In the USA, Trump presents an anomalous challenge to institutions (including the media) that are key to maintaining legitimacy.

This resort to extra-legal means to achieve power based on what Pardo describes as ‘bombastic rhetoric’ that diminishes the authority of institutions, normality and social dialogue has been utilized by Trump and other ‘populist’ politicians in recent years, including Putin, Erdogan, Duterte, Orban and others. Validating lawlessness, including voter suppression, threats of violence, illegal campaign activities and money and violence are becoming a means to legitimacy, as Richard Wright (1945) predicted in his Introduction to the St. Clair Drake and Cayton ethnography on Chicago’s Black community. This parallels the demise of the Roman constitution and the legal institutions of the Republic described by Lintott (1999) and the rise of Hitler and the Nazi party studied by Shirer (1941, 1960). Pardo has described this succinctly, as ‘...a blurring of the dividing line between what is legal and legitimate and what is legal and not legitimate in public life’ (2019: 74). This is, as he notes, a change in the style of government that begins to characterize a movement and then manages power by replacing the moral agreement on how things are done. This blurring becomes a strategy, as in case of the changes in the relationship between what is legal and what is legitimate in Turkey described by Atalay (2019). This process was seen in the USA in financial transactions that were illegal in 2000 and prosecuted under existing law; for example, fraudulent transactions, paper companies acting as off-balance sheet repositories of debt for Worldcom and Enron and selling of stock based on false information and data (Bratton 2002, Eisinger 2014).

Atalay (2019) goes farther in the analysis of legitimacy and financialization. As Barth (1967) found in Darfur, the process of placing cash value and advantage on every exchange undermines local social capital and the means to build community relations based on gifting or reciprocity. The process where hedge funds have exploited every economic transaction and where merger and acquisition specialists have attacked any corporate lag or monetized value to the highest degree possible (Caldararo 2009) has created an economy that requires constant governmental liquidity to function. The massive inflows of state money in the credit crisis, and after in the Quantitative Easing (QE), is a necessity created by the explosion of financial services since 2000. This process has gone further in forcing the monetizing of every aspect of life today, where people spend an increasing amount of their time at work, or producing ‘apps’ to get rich, or using their cars as Uber/Lift drivers, or renting their homes to vacationers in systems like Airbnb (Caldararo 2018). The process has kept demand high but wages low, and with the collapse of unions it is likely to continue. QE, however, as described and promoted over 100 years ago by Walter Bagehot (1873) — as a solution for national and regional panics as occurred in 1857 — has no end point except the theorized creation of massive amounts of new capital by technological innovations. Wilkinson’s (1973) convincing argument has been the framework to view progress and its ever-successful handmaiden, capitalism. Each need for growth to avoid a Malthusian disaster (Hutchinson 1967) fills the gap yet creates new threats

to prosperity and order, with new crises of capitalism appearing in various form (for instance, war). This is evident in the contrast between the legitimacy established and performed by neighbours in North Kerala as reported by Abraham (2019) and the conflict over the legitimacy of the government of Syria since 2011, when the uprising began there.

The government engaged in terror to protect the power they possessed as rulers and made no compromises with rebels. With the help of the Russian military that crushed Chechen neighbourhoods to install a legitimacy of power, they destroyed whole cities like Aleppo in their savage pursuit of absolute control. In the end, legitimacy resides in those who can express it, be it a wedding in Kerala or the streets of Homs in Syria. The process of holding power can depend on the social environment and the forms of legitimacy by which power is held and exercised. But in the case of Syria, the historic context divided Shia and Sunni into two communities that held different views of legitimacy and thus separated them into two concepts of how power was exercised as an expression of traditional values.

Of course, Syria is a colonial construction and bears the institutions of colonial rule established in the history of al-Assad and his family connections. The process of disenfranchising people, of creating spaces where no clear means exist for people to determine their own form of living is part of the new urban world. As Hurtado-Tarazona (2019) notes in Ciudad Verde, the horizontal nature of the housing project that she studies and the lack of formal organization creates a vacuum where residents deny one another citizenship based on assumed rights of one group or another. The ‘lack of citizenship culture’ is one example of this rejection of membership concerning the local street vendors. This is related to the destruction of old sections of cities during modernization or gentrification, with the original population largely left homeless to be incorporated into other sites with separate histories. Indeed, relocation — especially in recent years, as in Libya, Syria and Iraq — but also internal wars — as in Colombia and Burma — are creating a new status. People now find themselves to be natives and citizens of no location, and their status in the camps and temporary housing, from Sweden to South Africa, leads them to conflict with native populations that fear, hate and exploit them. Eviction of whole populations follow, as in the case of the Rakhine in Burma, following a campaign of propaganda that stripped them of their legitimacy as citizens and the subsequent pogrom of terror (Anon. 2012). On the other hand, the undermining of governmental legitimacy in Ukraine led to the ousting of the elected president Victor Yanukovich (Aslund 2003) and his replacement by one of the many oligarchs who have looted the country’s assets. As Krase and Krase (2019) note, this process of delegitimizing government can produce complex and confusing local results. Popular movements with local support can be depicted falsely in the media as terrorist and can thus lose their legitimacy not only in a nation’s view but also in the eye of their own local supporters. The status of citizen with rights associated to locations is under threat and the attendant transformation is a most worrying trend.



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## *A Modest Rejoinder from a Historian*

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It is a pleasure to participate in this debate on *legitimacy*. I cannot match the range of learning and scholarship that has gone into the fascinating work edited by Italo Pardo and Giuliana B. Prato (2019); and, therefore, I have concentrated on Giuliana Prato's illuminating chapter 'On the Legitimacy of Democratic Representation: Two case studies from Europe' (2019), which takes a 'turning point' in European history: the post-1989 collapse of the Soviet Union and its client state empire in Eastern Europe. The collapse represented a crisis of *legitimacy* not only of the Soviet Empire as a political entity but also a crisis for the revolutionary ideology of Marxism and the various Communist Parties of Western Europe and, especially, in Italy. We are probably familiar with Francis Fukuyama's, *The End of History and the Last Man* (1992) which suggested that the fall of the Berlin Wall marked a final stage in the evolution of liberal democracy and the 'end point of mankind's [sic] ideological evolution' (see also Fukuyama (1989)). Such optimism now seems hollow as even Western European states struggle to eliminate corruption and electorates have in some states turned to populist-nationalist political programmes. In this sense, however, Giuliana Prato's fieldwork illustrates that the processes of change are more complex and drawn-out than the political headlines of the journalist and even sometimes of historians and political scientists. The conclusions that she draws are rooted in the cultural anthropologist's fieldwork notebooks, which can reveal what people, citizens really think, feel and believe. I am sure that the methodology of fieldwork has been subject to much debate and disagreement within the cultural anthropology academic community and is more complex than I suggest. For historians, however, the challenge of empathising with the thoughts, beliefs and feelings of people in the past is probably one of the greatest challenges as the work of R.G. Collingwood suggests.<sup>1</sup> What determines the beliefs and actions of human beings has generated a huge literature and has been inspired by a cultural anthropological perspective such as that revealed by Keith Thomas in *Religion and the Decline of Magic* (1971); and Robert Darnton, *The Great European Cat Massacre* (1984). Thus, I would imagine that the fieldwork notes of the cultural anthropologist can provide a unique window through which historians should gaze. Eventually, such field notes will be raided by historians as new primary sources akin to diaries and the transcripts of oral history (Thompson 1978).

However, Giuliana Prato's case studies reveal some of the problems when writing history, especially when it comes to 'turning points', 'watersheds' and 'moments'. I am reminded of A.J.P. Taylor's pithy comment concerning the 1848 Revolutions in the German States when the declarations of the Frankfurt National Assembly suggested that the German states would unite to form a national liberal state when it offered the crown of a united Germany to Frederick

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<sup>1</sup> See Collingwood (1946) and Laslett (1972).



William IV of Prussia only to be spurned by the erratic and unpredictable monarch. For Taylor ‘the course of German history reached its turning point and failed to turn’ (Taylor 1945: 68). The liberal nationalists who had assembled in Frankfurt sought *legitimacy* for their aspiration by appealing to a *legitimate* ruler, the King of Prussia, who had espoused numerous romantic notions of a united Germany. I encountered the issue of legitimacy again when trying to understand the establishment of the French III Republic after 1871. Following the French defeat at the Battle of Sedan in September 1871 the new German Empire was proclaimed, *ein reich, ein volk, ein gott*. Bismarck, the Prussian Chancellor, had apparently established a new state that possessed *legitimacy*. The Second Empire of Louis Napoleon collapsed, as Empires that were defeated in war could hardly claim *legitimacy*; and France descended into revolution although the Commune in Paris was brutally suppressed and a National Assembly was elected to decide upon a new constitution for France. What form would it take? Bonapartisme was discredited, Republicanism could not command a majority in the new Assembly but there were a number of deputies who called themselves legitimists. Who were these legitimists? Essentially, they were supporters of traditional monarchy as represented by the House of Bourbon. But surely their claim to be legitimate rulers given French history — the Revolution of 1789 and the execution of Louis XVI in 1792 — and the long-protracted struggle to determine the nature of the power of the head of state all point to the negation of the veracity of turning points. So, in 1871-75 the French National Assembly debated the constitution — should it be monarchist and therefore *legitimate* or should it be republican and therefore representative guaranteeing democratic rights? Eventually a compromise was reached when an amendment proposed by Henri Wallon to secure arrangements for the election of a Head of State to succeed Patrice de MacMahon was passed by one vote 353 to 352. Thus, the amendment Wallon enabled the turning point to be turned as Wallon in his speech had enabled the deputies to take a pragmatic approach and usher in the Third Republic and leave the ‘state of the provisional’ as he so adroitly put it (Cobban 1965). So, *legitimacy* was achieved by monarchist pragmatism and the acceptance of the Republic. Nevertheless, there were competing truths and it would take some forty years to turn peasants into Frenchmen (Weber 1976). Ironically, the French Third Republic never adopted a formal republican representative constitution — with a declaration of rights — unlike its two predecessors. It was an improvised regime that endured until its collapse in 1940.

So, now to the ‘turning point’ of 1989 and its consequences for Albania and for Italy: it used to be said that ‘when France sneezed the rest of Europe caught cold’. Such a homespun view apparently explained the chain-reaction revolutions in 1830 and again in 1848 (Jones 1991). So, if the Russian Bear had a sore head and was stuck in his lair was it that the smaller animals of Eastern Europe shed their fear — no Budapest as in 1956 and no Prague as in 1968. The Wall came down in Berlin; the Trabant drivers went on tour given their new found freedom; Albania came out of its self-imposed isolation; and communist parties in Western Europe, especially in Italy, lost their legitimacy. For Italians the *partitocrazia* could be overthrown and

Albania could take a liberal democratic path free from tyranny. Surely Francis Fukuyama was right to be so buoyant and optimistic?

In Italy, however, the regime's *sottogoverno* proved remarkably resilient and I would set that against Max Weber's classic model: legitimacy is the basis of power and authority; and a system of government as well as the conduct of politics. If a regime loses *legitimacy* in the eyes of its citizens or subjects then it dissolves. Legitimacy can be sustained by tradition; by charismatic leadership; by rational legal means where citizens believe or accept the enacted rules that are formed. Legitimacy entails a capacity of a state to sustain political order. The sustenance of such political order can be challenged by disaffected minorities within a state—Quebeois in Canada, Catholics in Northern Ireland, Basques and Catalans in Spain and *Lega Nord* in Italy. But nationalist aspirations of minority groups within a larger state are not the only sources that can erode the legitimacy of the state. Indeed, in Italy the rejection of the *partitocrazia* appeared to have been triggered by the events of 1989 and its aftermath. It was essentially corrupt which in turn produced a classical democratic deficit as citizens rejected those parties that had dominated Italian politics since 1948. The case of Brindisi and the coal fired electric power plant demonstrated, clearly, the inability of the state to intervene successfully for the sake of the citizenry's wellbeing. The power plant case revealed starkly the self-serving nature of the *partitocrazia*. This was not the only factor that made for a turning point as disillusion with the existing parties had already developed prior to the tangentopoli case in Milan the enormity of which became apparent in 1992. The combination of the events of 1989 together with long repressed disillusion with corrupt politics, politicians and other public office holders engendered new political language — *integro* (having integrity), *onesto* (honest), *fiducia* (trust) — and a radical transformation or ribaltone of the party system with new parties established: Forza Italia, Partito Democratico, Liberi e Uguali as well as a host of local and regional parties — the Lega d'Azione Meridionale, for example. There was a realignment of the parties and an energised civil society (Ginsborg 2005).

For Albania, a closed totalitarian state, aspirations for democracy and a sustainable economic life were increasingly apparent before the 1990s. Indeed, in 1985, Hoxha's successor, Ramiz Alia sought to establish trade relations with a number of Western European states, principally the Federal Republic of Germany which prompted the establishment of a number of new diplomatic missions in Tirana (Glenny 1990). Nevertheless, 1989 was a turning point for Albanians who now could look outwards beyond the mountain ranges and to Italy which provided a mirror, via television satire, which inspired the exposure of corruption within Albania itself. Readers may think that I have defaulted to conventional historical narrative but this is not the case. Rather the meeting of the anthropologist with the historian influenced by the 'cultural-turn' should enable a new debate whereby conceptual exchanges will establish new structured environments for arriving at new understandings (De Bolla 2007).



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## ***Competing Sources of Museum Legitimacy: Dominant, Residual and Emergent Definitions***

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The central message of the collection of essays edited by Italo Pardo and Giuliana B. Prato on legitimacy (2019; henceforth *Legitimacy* volume) is that ethnography can provide rich insights into the social construction of legitimacy. The insight that legitimacy is socially constructed is derived from Beetham's (2013 [1991]) reformulation of Weber's work (Pardo and Prato 2019: 8). Rather than a property of formal law, legitimacy is understood here as the contingent and provisional outcome of a social process where dominant conceptions of what is legitimate, promoted by governments and other formal agencies, encounter 'different morals of legitimacy on the ground' (Pardo and Prato 2019: 21). These we need to understand if we are to bridge the gap between dominant and civil spheres of society, allowing us to grasp how democracy ultimately depends on authority stemming from moral consent, or a sense of shared values and symbolism. This involves recognising 'the essential role of citizens as fundamental stakeholders in the social set-up of the democratic system and in their recognition of the legitimacy of such system' (Pardo and Prato 2019: 22). The volume explores this citizen-centred conception of legitimacy, whether legal or moral, and demonstrates how it can be studied ethnographically through unpicking the ground-level perceptions and actions of those at the receiving end of formal laws and policies (Pardo 2000).

Taken together, then, the chapters illustrate the centrality of citizens' experiences and perceptions in any claims to legitimacy. Therefore, top-down political or economic decision-making should not be concerned only with the legality of outcomes but also their wider legitimacy outside of formal rules, understood as constructed within the civil sphere. The ethnographies collected here, as Spyridakis puts it in his chapter, enable us to grasp 'the discrepancy between the regulations issued by top decision-makers and those who experience the outcomes of this process ... between what is perceived as technically legal and the extent of its legitimacy on grassroots level' (2019: 98). Ethnography allows us to question not only the legitimacy of power structures such as governmental regulations and public policies but also to enquire how those individuals and groups co-opted into public-policy interventions respond to and conceive of them. Spyridakis' study of the Greek Government's Minimum Guaranteed Income pilot programme shows how recipients' understanding of its legitimacy derives from their grasp, through daily lived practices, of the programme's 'calculations, institutions, knowledge and tactics' and how government actors use these to attempt to manipulate people's conduct. He reveals the intricate ground-level working-out of apparently legitimised policy interventions and how important it is to consider not only the ideology they express but also how they 'fashion the modern liminal agent and its identity' (2019: 101).

Many chapters in this volume interrogate ruling-class or establishment interests, initiatives and institutions and how these impinge on citizens (Pardo 2019: 65). These may themselves be characterised by internal struggles over the legitimacy of contesting policy lines. As many authors here recognise, there is not always a smooth transition from one type of dominant (serving ruling-class and governmental agendas) legitimacy to another; there are often contesting sources of legitimacy co-existing in the same period and within the same institution. Raymond Williams (1980), the well-known Welsh cultural theorist and historian, observed this coexistence of differing agendas in culture and proposed that their relationship to each other is that of a constant negotiation between dominant, residual and emergent cultures, mediated by the processes of selective tradition and incorporation. This can be applied to organisations (Bryson 2008). In any given period, complex organisations may be characterised by conflicting ideas of the best way forward, so that senior personnel may disagree, overtly or not, as to whether new agendas are needed, or whether existing approaches should be maintained. This can produce internal struggles over how to carve out and establish a new agenda for action and a new method to govern it. As power shifts, older approaches may become residual as a new dominant direction emerges, with adherents either clinging on or leaving to pursue alternative or even oppositional paths outside. These may in time go on to form new emergent cultures elsewhere. Importantly, as Bryson (2008) shows, these struggles over organisational mission-change are rarely internally-derived, and usually pick up on and reflect wider issues and debates in the cultural sphere at large.

The work in this volume takes forward the social construction of legitimacy and struggles over it in directions that chime well with Williams' thinking, and with Bryson's suggestions on organisational change. It could be useful to explore these linkages further in relation to the museum as public cultural organisation. For example, I am interested in the ways in which people informally draw on the past in identity-formation and additionally how they then become involved, or not, in the formal cultural sphere of heritage, museums and galleries. Currently democratic states are experiencing a period of intensified legitimisation crisis, in their financialised capitalism phase (Fraser 2015). In the UK, since the economic crisis of 2008 the last two governments have responded by imposing a permanent austerity in public funding for services in the cultural sector, resulting in cuts to museum budgets and closures. The culturally-dominant question for museums then becomes: on what grounds (ethical, political, aesthetic, social) is culture a legitimate area of spend for the austerity state? How is legitimacy built in cultural institutions and in the general public for the idea that culture is useful to society?

As Williams' famous study of 'Culture and Society' (1983) traces, the idea that 'culture is good for you' in the UK can be traced to the early utilitarians (for example, Jeremy Bentham) and their influence on the state's promotion of social improvement policies in the 19<sup>th</sup> century. The great public museum-building projects in the UK of the second half of the 19<sup>th</sup> century were one manifestation of this, with their emphasis on public access to (dominant and élites conceptions of) culture and education (Bennett 2013). This contrasted with more intrinsic evaluations of culture characteristic of romantic and progressive perspectives (Williams 1983).

In the current UK political policy context, the dominant conception of culture is this instrumental one, drawing on the selective tradition inherited from earlier utilitarian thought, which is competing with residual notions of intrinsic value that are still forcefully expressed in certain sections of the museum sector.

The governmental mission to instrumentalise culture for the public good was boosted in the second half of the 20<sup>th</sup> century through post-war public funding for museums' educational programmes and the establishment of museums education services in local authorities across the UK, although many of these later folded under pressure from Conservative government cuts to local government expenditures in the 1980s-90s. Thereafter, the 1997-2010 Labour governments reprised this role, redirecting cultural policy into a tool of social policy and proclaiming that the goal of museums and galleries should be to act as vehicles of social change (Department for Culture, Media and Sport 2001). They contributed a set of policies and funding schemes, including the influential Heritage Lottery Fund, which tasked museums and galleries — in exchange for public funding — to deliver improvements to a range of social policy indicators, including public health and wellbeing, engagement with civil society, poverty-reduction, educational attainment (Tlili et al. 2007). One of the key measures introduced was the introduction of free public entry into the UK's national museums, in 2001.

This policy direction of instrumentalising culture for social value coincided and was consonant with the adoption of neoliberal free-market economic policies initiated by the Conservative Governments in the 1979-97 period and then pursued by the Labour administrations thereafter (as well as the Conservative-led coalition with the Liberal Democrats, in 2010-2016, and since then the Conservative minority Government). Arguably, this has gradually brought into the collective 'structure of feeling', as Williams (1961) terms it, an image and ethic of the UK as a market-driven society, where consumer-citizens and public/third sector organisations must depend on themselves for their own prosperity, rather than on the State (Harvey 2007). Whilst by no means uncontested, this marketized, or financialised image — as also illustrated by Atalay's case study of Turkey in the *Legitimacy* volume (2019) — has come to dominate citizens' relationship with the state. In the UK, this has been accompanied by a turn to the *economic* — as well as social — value of museums and the wider cultural and arts sector.

Now, the arts sector is held up by the UK government as a major player in the nation's economic resource. This was recently set out in the Bazelgette Review, a Government-commissioned independent review of the UK's creative industries sector in 2017. It notes that 'on current trends, the Creative Industries could deliver close to £130bn GVA by 2025 and approximately one million new jobs could be created by 2030' (Bazelgette 2017: 11). UK Government Culture Secretary Karen Bradley commented that the 'UK's Creative Industries are an *economic powerhouse* and the government is committed to removing the barriers to its growth' (in DCMS 2017, cited in Belfiore 2018: 2). This embrace of an instrumental cultural policy is far from being a phenomenon limited to the UK, but a by now well-established European trend (Belfiore 2002). Belfiore observes:

‘This opens up fundamental questions of democratic accountability: whose ideas of “cultural value” drive decisions over investment and funding justified in terms of public benefits? And can the process through which cultural authority is exercised in this decision-making process be made genuinely democratic and accountable? What is the responsibility of public policy towards those who appear as “losers” in these struggles over validation of their cultural value?’ (Belfiore 2018: 12).

These questions address precisely the issues of legitimacy explored in the volume by Pardo and Prato. The contributions to the volume suggest that ethnography could play a vital role in revealing how ideas of cultural value circulate amongst different sections of the public — whether ‘losers’ or ‘winners’.

The policy framework concerning museums’ social and economic roles has two principal aspects, both of which challenge residual concepts of museums’ legitimacy: pronouncements about the need for museums to change in order to focus more on new roles, and a toolkit of audit measures that supposedly enable their impact to be measured. Of the two, it is the latter that have attracted most scepticism from researchers and academics. Auditing cultural impact is associated with the principles of New Public Management, which borrows from manufacturing models to measure ‘inputs’ and ‘outputs’, with the latter assumed to be predictable, measurable and to an extent modifiable (Newman 2013). Having been required to adopt business accounting practices by their funders, museums and other cultural institutions now pay careful attention to income generation through efforts to increase business sponsorship, private donations, visitor numbers and spend. This inevitably produces a situation in which museums’ marketing and development sections become preoccupied with counting visitors, sometimes at the expense of paying attention to visitors who count (Hooper-Greenhill 1988). The consequences of this for museums’ public legitimacy need to be further interrogated.

None of this policy-level and academic contestation necessarily resonates with civil society definitions of what a museum is, or ought, to be. In fact, most of the discourse about museums’ social and economic roles is audible only at an academic, institutional and governmental level, where it circulates in the form of academic critiques, policy documents, government statements, consultancy reports, third-sector and professional-association communications, and so on. In so far as the public is concerned at all with the state of museums, they are likely to derive their opinions of them largely from their experiences as visitors. Whilst the effects of cultural policy changes may be manifest in, for example, new kinds of exhibition topic, visitors are unlikely to be well-informed about the policy debates driving them, since these are not publicly aired except in occasional cultural commentary in the more highbrow media. As a result, struggles over legitimacy and debates around public benefit are conducted at a largely institutional level, within and amongst organisations themselves.

This ‘bubble’ of professional discourse about museums is problematic because organisational legitimacy is not derived from within organisations themselves, as the literature on organisational sociology has long recognised (Bryson 2008). The sources of legitimacy that cultural institutions now require are no longer, or less frequently, fields of high-cultural or

academic-disciplinary specialism in artworlds, scientific institutions or élites communities of cultural practice. Instead they are increasingly supplied by the domains of practice of governments (national and local), public and philanthropic funders, policy-makers and policy-networks, who wish to use their investment in culture for social and economic outputs and ends that they consider legitimate, which are not aligned with élites knowledge fields. Ultimately, legitimacy is located within the social spaces of real and diverse publics and non-aligned civil society groups who are intended actively to take part in the cultural activities and encounters that these top-down policies foster. Yet, changing role requirements in the dominant professional culture (that is, to be more instrumentally focused) present museums with significant legitimacy challenges in the civil society realm. These are arguably greater than the challenges they face in adopting the requirements of professional cultural policy-making, since the latter is a comparatively navigable field. Professional policy documents, statements and directives articulating clear goals and values for museums can be relatively straightforwardly reflected in their own policies and mission statements (although it is far harder actually to implement them, in so far as they require changing working practices, procedures and organisational infrastructures that may be ingrained and resistant to change). What is far less straightforward for museums is to be able to gain a clear sense of their role in the eyes of the general public, i.e. within the informal, highly diverse and non-organised spaces of public, non-aligned civil society actors that are the aimed-for participants in their cultural activities.

How can museums find legitimisation beyond the formal realm of policy? Beyond counting visitors, how can they measure their public ‘impact’? Although museums offer audiences a range of physical and digital interfaces through programmes of events, exhibitions, activities and the like, audiences are not the same as publics. Much research testifies to the fact that, notwithstanding two or more decades of effort on museums’ part to diversify these audiences, they remain overall (with some exceptions) stubbornly non-diverse (with the recent Warwick Commission on cultural participation showing that 87% of visits to museums were made by those from the highest social groups, with only 13% from lower ones). Even committed and active outreach work of the kind that many museums now attempt, which brings museum activities into public spaces that would not normally supply visitor streams (such as community or youth groups in disadvantaged areas), can at best be patchy and intermittent. In truth, sustaining outreach programmes is only becoming more difficult given the UK Government’s current public austerity regime that has imposed severe and ongoing spending cuts on the cultural sector, producing critical staff shortages and workload pressures over the past decade. The Museums Association, for instance, reported in 2017 that 64 museums had closed in the UK since 2010 — a rate of 9 per year. That year also saw the lowest number of museum openings since 1960, according to early findings from the Birkbeck Mapping Museum project<sup>1</sup>. The major cause is swingeing cuts to local government budgets (Gray and Barford, 2018).

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<sup>1</sup> Source: Larkin, J. blogpost 23/02/18

<http://blogs.bbk.ac.uk/mapping-museums/2018/02/23/museum-closure-pre-findings/>



The spaces of engagement and non-engagement that museums provide for citizens are currently not well mapped by research. Ethnography has a unique ability to shed light on the complexities brought into play in encounters between cultural institutions, their representatives on the ground and diverse publics. In Prato's case study of Brindisi, for example, the integrity of public policy actors is always in contest. Defined as 'a system of values that carries significant expectations of people's behaviour... [through] adherence to shared moral and ethical principles', integrity is a *sine qua non* for the establishment and maintenance of public trust in authority and a sense of its accountability (2019: 53). How people on the ground assess manifestations of authoritative discourse and actions depends therefore, for Prato, on its 'adherence to shared moral and ethical principles'. The extent to which these are perceived as possessing integrity will determine the legitimacy, for them, of the messages received. As citizens encounter power not in the abstract but in concrete forms, as Pardo's chapter (2019) also suggests, it is the perceived personal integrity of the representatives of authority with whom citizens encounter power not in the abstract but in concrete forms, as Pardo's chapter also suggests, it is the perceived personal integrity of the representatives of authority with whom citizens come into contact – whether via the media or more immediately in face-to-face encounters – that forms the basis for their judgements. This ordinary, everyday activity of making judgements about the actions of formal-sector agents encountered, and the perceiving of integrity (or the lack of it) in them, is what needs to be studied, since it is from this that legitimacy will be granted or withheld. This is a better way, it seems to me, of accurately evaluating the public engagement and inclusion projects pursued by museums (and policy-makers) than the routinely-used visitor surveys or tick-box questionnaires.

Ethnography can usefully shed light on why people do and do not choose to participate in, and thereby legitimise, the formal spaces of engagement offered by museums and galleries, whether through outreach work or inside visitor sites themselves. These interactions are always shaped by the ideas and images formed by participants of what is on offer in combination with their commitments and investments in all other spheres of their everyday lives. Pardo's study (2019) of the entrepreneurial actions of ordinary people living in a deeply dysfunctional governance regime in Naples brings out how managing and making do require a necessary and 'strong, continuous' everyday interaction between material and non-material dimensions of life. This is what his ethnography lays bare. As Boucher's chapter further illustrates, participation often involves 'a balance of commitment and detachment' on the part of participants (2019: 210), where people will get involved in a given public-oriented project only according to their immediate means and purposes, and no further. This will not necessarily mean signing up to public projects in active, committed or ongoing ways. In terms of participation in museum-initiated projects, participation is likely, for many groups, to be only sporadic, partial and apathetic, given that other dimensions of everyday life are making multiple and pressing demands.

The potential social stratifications to consider are many and varied. Retired people, for example, who may have fewer everyday competing investments, are often the most likely



demographic to turn up to museum-initiated events. Young people's attention, by contrast, is notably harder to attract and maintain, unless they find legitimate and meaningful purposes to lend it. In a museum, such a legitimate purpose could be through gaining accreditation for taking part or finding a stage on which to project a sense of meaningful identity or positive action. The volume by Pardo and Prato amply illustrates how ethnography could be better utilised by researchers investigating such striated dimensions of public participation in the formal cultural sphere of museums, galleries and other cultural institutions. As exemplified by many of the chapters in this volume, ethnography directs us to the 'study of what real people do, why they do it and how they attach legitimacy to what they do' (Pardo, p. 65). This sets out a compelling agenda for future research into the ground-level legitimacy of cultural institutions, especially where governments are now seeking to instrumentalise culture for economic, policy and ideological ends.

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## *Legitimacy, Urban Violence and the Public Health Approach*

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### **Introduction**

The recent spike in levels of knife crime across England has been labelled as a ‘national emergency’ by senior police officer Sara Thornton (Weaver 2019) and, more recently, by Prince Charles as a ‘pervasive horror’ (Christian 2019). The response of central government, foreshadowed by a number of local authority-led initiatives in cities around the country, has been to endorse a public health approach to combating knife crime and urban violence more generally. The hallmarks of this approach include seeing all of the people involved in urban violence as actual or potential victims and a concomitant emphasis on safeguarding (in combination with enforcement, which effectively becomes a last resort) and early intervention. The safeguarding element necessitates multi-agency collaboration and information sharing typically encompassing police, youth offending teams, youth workers, charity workers, probation and housing services, medical professionals and other local authority employees. Schemes are routinely monitored and evaluated, though no ultimate verdict should be delivered before a period of three-to-five years; unlike other approaches, success (or failure) should only be determined in the medium-to-long term. Given the scale and urgency of the issue, any quibbling with the framing of the public health approach is deemed frivolous and unhelpful — because, at bottom, it has been shown to work. The evidence for this comes largely from Scotland, where levels of urban violence and particularly knife crime have reduced significantly since its application in 2005.

In what follows I seek to examine the public health approach through the lens of debates around legitimacy that have taken place in the pages of *Urbanities* (Pardo and Prato eds 2018), in the recently published volume on *Legitimacy* (Pardo and Prato eds 2019) and elsewhere. In doing so I try to answer the following questions: Why is the public health approach to urban violence seen as legitimate? And, more specifically, are there other reasons — beside its successful application elsewhere — for it being seen as a legitimate strategy for combating urban violence? I draw on extensive ethnographic fieldwork conducted among those tasked with enacting the approach: police officers, youth workers, charity workers and local authority employees, among others. I begin by describing the approach in more detail, including its origins, principles and applications. I proceed to survey briefly the literature on legitimacy and consider how it might usefully frame an analysis of the public health approach and its endorsement by central government. Next, I draw on fieldwork accounts and interviews to document how the approach is perceived ‘on the ground’, before venturing some tentative conclusions on the implications of the approach both for the overall shape of government policy and the plight of young people living in cities.

## **The Public Health Approach and Legitimacy**

The public health approach originates in the United States and attempts to curb levels of gun crime in cities like Chicago. As the name implies — and this is perhaps fitting given the propensity for spikes in urban crime to be labelled ‘epidemics’ — the approach is rooted in an epidemiological framing of urban ills though, as we will see, is somewhat selective in its identification of the causes of these ills. As described by Malte Riemann (2019), an epidemiological framing involves seeing violence as a contagion and thus amenable to the kind of prophylactic methods employed in disease control. This emphasis on prevention marks a move away from enforcement-led strategies whose principal levers are punishment and deterrence. It was the initiative documented by Riemann, ‘Cure Violence’ in Chicago, that inspired the application of the public health approach by Scotland’s Violence Reduction Unit. Indeed, the approach has gone global, with 23 cities across the US and national settings as diverse as South Africa, Argentina, Honduras and of course the UK now implementing public health strategies to combat urban violence.

As Riemann outlines in the case of Cure Violence, the implications of seeing urban violence as a disease are important at the level of diagnosis and treatment. As he puts it, ‘by replacing political solutions with medical diagnosis and treatment models, violence becomes disentangled from socio-economic inequalities and explained by reference to individual pathology alone’. In other words, given the locus of pathology, intervention is proximate; therefore, any discussion of the structural causes of urban violence is foreclosed. This is even more problematic when, as in the case of Cure Violence, the identification of victims (in the broad sense) is bound up with racial politics. Compounding these issues are claims made about the natural scientific credentials of the approach. An emphasis on evidence-led intervention and quantitative methods creates what Riemann (following Foucault) calls a ‘regime of truth’ which discredits alternative approaches. For the most part these blandishments are accepted by policymakers and other senior officials as they complement existing managerialist strategies such as evidence-led policing.

As clearly indicated by the volume recently edited by Italo Pardo and Giuliana B. Prato (2019), in seeking to analyse these issues through the lens of legitimacy, there are a number of important conceptual innovations to take account of. These innovations (Pardo 2000a, 2000b, Pardo and Prato 2018) have moved debate around legitimacy beyond the basic Weberian assertion (1978 [1922]) that the authority to rule depends on recognition of rulers’ legitimacy. As noted by Pardo and Prato (2018: 2), such work has ‘examined in depth the socio-economic impact on urban life of policies, rules and regulations that are received in the broader society as unfair, slanted or punitive ... They have asked: How much more governance failure before legitimacy is withdrawn and, consequently, democracy is jeopardised? The need to address this question is now more urgent than ever; particularly in democratic systems across the world, for there governance and the law are broadly seen to fail the democratic contract as they fail to meet the challenge posed by the implications of this phenomenon.’ (see also, more extensively,

Pardo and Prato 2019: 6-8). As Pardo (1995, 2000a) observes, in answering these questions we must distinguish between legitimacy as a philosophical concept — that is, the principle of authority resting on consent rather than coercion — and a sociological analysis of legitimacy's various sources which include ideological commitments and everyday perceptions — or what Pardo and Prato call 'apperceptions (in the sense of critical consciousness, and recognition and valuation) of legitimacy' (Pardo and Prato 2018: 4; see also 2019: 9). Pardo and Prato follow Elias (1982 [1939]) as they argue that, 'the legitimacy of the political (and social) order is in constant transformation' (2018: 4). They go on to say that, 'Similarly, and most importantly, apperceptions of legitimacy are not static, but are subject to constant change, too, due to changes in the values, norms and needs within a specific socioeconomic and cultural context at a specific historical juncture' (2018: 4).

In bringing these insights to bear on the issues regarding the public health approach identified earlier, it is necessary to explore the apperceptions of legitimacy that surround this approach: what characterises the apperceptions and ideological views that endorse the approach and, conversely, what commitments and imperatives are behind the dissenting voices? There is also the deeper question of whether and to what extent there has been an attempt to manufacture legitimacy for the public health approach, given its compatibility with existing governmental logic. I now try to map these apperceptions using the findings of fieldwork conducted among front line professionals across the public and third sectors.

### **The Public Health Approach: Apperceptions of Legitimacy**

For those who bought into the public health approach, the fact that it 'worked' and perhaps more importantly, that its success was measurable, was key. For Tanya, member of a local community safety partnership, institutional imperatives were as important as more qualitative attempts to solve the problem of urban violence.

Tanya: I mean, we have targets. We care about these children, but we all have line managers and evaluations of our performance, and we have to demonstrate that what we're doing is effective. And my impression is that this will work in that sense, you know? It's worked (in) other places and it's about showing it will work here.

A London-based youth worker, Jeffrey, echoed this sentiment.

Jeffrey: I see some issues with it. But in terms of making my professional life that bit easier, it is appealing, yeah. We have to count and document everything, or someone does it for us, so it gets to the point where we're not really fussed how it works. If we can show it have the right sort of effect, then happy days. And if that has a connection with what's happening out there on the street, then it's a win-win (situation). I've been doing this a long, long time, and I've seen the changes. It's become a charade. But it's a game we're more or less forced to play if we want to stay in work.

Both of these statements indicate qualified support for the public health approach, but as apperceptions they are rooted in the realities and exigencies of New Public Management. This term was coined by academics in the late 1980s to describe attempts at making public sector organisations more business-like and efficient by applying models of management borrowed from the private sector. In simple terms, this meant treating the members of the public as customers, setting targets, introducing regular evaluation and auditing exercises together with quasi-market mechanisms. Such measures were consistent with the neoliberal policies embedded in the UK from the early 1980s (Connell et al. 2009).

It would be unfair to identify the public health approach with neoliberal regimes of governance and the forms of new public management these have inspired. However, one of the reasons the approach is seen as attractive and, indeed, legitimate by politicians and policymakers is that it goes with the grain of existing institutional regimes and assemblages. As local authority official, Ash, commented:

I'm pretty sceptical about all this, and I shouldn't really say this, but it's all very convenient isn't it? They're asking all of these people and agencies to work together to solve problems, when each of those agencies has been squeezed and squeezed. If you speak to anyone in any of those (agencies) they'll say, 'we need more resources', but the government can pull a policy off the shelf which conveniently fits with the way things are organised. And they were organised that way because of austerity.

Here Ash makes an important point: the legitimacy of the public health approach is drawn from ideas relating to neoliberal regimes of austerity on the 'problem' and 'solution' sides of the equation. It is not only that, as underlined by Riemann, the suppositions baked into the public health approach are consistent with 'neoliberal practices that aim to erode the political in favour of the market, because by reducing violence to individual factors, any form of structural critique becomes void and the relationship between austerity and violence can be disguised.' Furthermore, the principles and protocols of this approach are compatible with a public sector decimated by cuts in the name of austerity. To work effectively agencies must work together, sharing information, pooling resources and staging joint interventions. David, a housing officer in an outer-London borough, linked the adoption of the public health approach to the existing allocation of resources.

David: I've been doing this for long enough to be cynical. But this focus on safeguarding just happens to come when we've got record low numbers of cops to do the actual enforcement. So, it's over to all of us and the new focus is on 'partnership working' and collaboration ... You have to wonder whether it's not so much, 'how best to solve a problem' as 'how best can we solve this problem in light of the fact there's not enough people in each agency do stuff properly'.

Other workers were frustrated with the approach's lack of attention to structural issues. Detached youth worker, Jay, described the situation in his area.



Jay: It's all the rage, isn't it? There was this miracle in Scotland and now it's going to be copied down here. But things are different here. And, if I understand this thing correctly, we're not even getting down to the root causes of the issues here. Look, how far is the gap between rich and poor in this borough. It's crazy, probably, like, one of the worst in this country. And that's generational, mate. It's bedded in. There ain't much chance of the next kid doing better than his parents. He may even need to be on road to support himself and his parents. And, as I say, if my understanding is correct, then the problem is with him, the kid. It's him that needs to be fixed. Not, like, the system that's creating the same mentality in every second or third young man on that kid's estate. You can tell me it works. But what is it really working to achieve? You know what, you could get real deep and say, a few less kids getting violent but the system remains pretty much the same. There's always more going on than meets the eye, my friend.

As an experienced youth worker and former gang member — someone who possessed 'cultural competence' — Jay's unhappiness with the public health approach was obvious. He ended on a conspiratorial note, hinting that the legitimacy of the approach rested on its ability to support and reproduce the status quo and, more specifically, the staggering levels of inequality that existed in the inner-London borough in which he worked. Other respondents went further, and pointed to the possible implications of the approach in terms of racial politics. Diana was a member of a youth offending team.

Diana: It's more of the same, really. You see the racial profiling in the Gang Matrix. This will probably be just the same. By saying, 'you're the problem. We'll help you fix you', what are you actually saying about young people? I mean, if the majority of young people targeted are BAME, and you're saying the problem is with them, then what are you really saying?

Here Diana supports one of the points made by Riemann (2019) regarding possible racial coding in the public health approach. As Reimann argues of Chicago's 'Cure Violence' initiative, 'By drawing the line between the "normal" and the "pathological" according to markers of "race", negative stereotypes are reinforced and marginalized individuals living within zones "contaminated" by violence are stigmatized.' Indeed, in its reluctance to reckon with structural issues such as poverty and inequality — what Wacquant (1996) has called advanced marginality — and making urban violence an issue of individual pathology, the public health approach risks identifying such violence with the 'Otherness' of these individuals.

### **Concluding Remarks**

In drawing the paper to a close it is important to note that none of the respondents refused to accept that the public health approach to urban violence could be effective. However, many were cynical about how and why there has been a wholesale 'buy in' to the approach from politicians and policymakers. Their reasoning on this score illustrates Pardo's and Prato's point

regarding legitimacy and the socio-political backcloth to people's apperceptions: the specific historical juncture within which people found themselves tempered and shaped different views of legitimacy when it came to the public health approach (Pardo 2000a, 2000b, Pardo and Prato 2018 and 2019). For those who saw it as legitimate, it was so because of its ability to demonstrate success (in a context where there may be only a tenuous connection between reality and the measurement of reality). It was the approach's 'regime' of truth that proved attractive, rather than its actual effectiveness (on which very few remarked). To borrow more extensively from Foucault, neoliberal forms of governmentality — the conduct of conduct — had created a curious dispensation among respondents in which the legitimacy of a policy was judged according to its ability to demonstrate effectiveness. They consented to this policy because it would make their employment more secure on account of demonstrating success.

Respondents' opinions on why the approach had been endorsed by politicians and policymakers were also telling. For some respondents, it was the approach's conservative stance with regard to inequality and resistance to radical change that lay behind its endorsement, particularly at national level. Another reason cited by respondents was the approach's compatibility with existing institutional arrangements. Put simply, it could be delivered in an austere financial climate where people and resources were scarce. Others were even more cynical, seeing in the approach a sinister tendency to identify race as a shorthand for criminality.

The points raised above illustrate that judgements about legitimacy are not always absolute. Where policy is concerned, people may make judgements on the basis of how they are (or will be) affected, rather than the anticipated effects on the policy's principal targets. In turn, this shows that by re-engineering the workplace, and instilling a neoliberal form of governmentality in many public sector workers, decades of government policy have reframed and recalibrated people's judgements of legitimacy. People make these judgements as neoliberal subjects with an eye on individual advantages and disadvantages, as much as citizens with an eye on the social good. In the case of the public health approach to urban violence, consent was partial and conditional, issuing largely from vague proclamations about its effectiveness and, more specifically, its ability to demonstrate success. For the people tasked with implementing this approach, there was a good deal of cynicism about its adoption by central government, with the latter suspected of picking an 'off the shelf' policy compatible with ongoing austerity and inattention to structural inequality. With the bar for consent set so low, in clearing it the government seems to gain little in the way of meaningful legitimacy.

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## *Notes on Legitimacy*

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*Legitimacy: Ethnographic and Theoretical Insights* (Pardo and Prato eds 2019) is a collection of papers resulting from a workshop on urban legitimacy in the summer of 2017 which was preceded by many other meetings and other volumes. The range of the work is vast, both in geography and scope. But much of the work centres around the crisis of legitimacy we are currently witnessing in ‘democracies’ and both the legitimate and illegitimate (one could add legal and illegal) actions of various social actors concerned with legitimating structures/institutions. The volume is centred around five central questions: differing conceptions of legitimacy; culturally endogenous dis/legitimizing practices that cause categorical shifts in the legitimate; the relationship between law, legitimacy and protest; everyday practices of engaging legitimacy; and il/legal processes concerning what is legitimate. While each chapter focuses on different levels of institutions, often different meanings of legitimacy, and are in different locales, there is significant overlap in what each other is trying to accomplish. In what follows, I key in on the major contributions of the authors in answering the five central questions by breaking the volume down into what I perceive are the three main contributions, briefly describe my work on the topic and end with some very minor quibbles regarding the volume — which overall is highly successful in pushing forward what is one of the most important topics for social scientists to concern themselves with at this point in time.

### **Categorical Shifts in Legitimacy**

One of the main contributions of the book is the work done on how legitimacy shifts with shifts in power/parties, time/space and/or processes. In her chapter, Prato (2019) looks at how legitimate contestations of power within a democracy quickly shift to party rule and hence unchallengeable illegitimate actions. In her comparative ethnography of Italy and Albania, she shows how personal credibility and political accountability of authorities influences what citizens see as legitimate. She reminds us on page 31 that expectations of political accountability differ in different contexts and I think that is an important reminder for the rest of the book (in his chapter, Pardo discusses legitimacy likewise in interactional terms). Like others in the volume, Prato demonstrates that in Brindisi the power system was self-perpetuating even though everyday citizens regarded it as illegitimate. She also shows that history can be important for claims to legitimacy. As Zerubavel shows in *Time Maps* (2003), ‘the social shape of the past’ allows different political groups to link to historical actors and events to legitimate themselves as natural successors. Thus, in addition to geography, Prato shows that we need to be mindful of the past for understanding legitimacy.

Pardo (2019) demonstrates how decades of the non-democratic positioning of people in power has resulted in the de-democratization of Naples. Here the categorical shift in what is legitimate has an overwhelming effect on what is considered legitimate and legal. As he notes on pages 58-59 this has severe impacts on how grassroots organizations view those who occupy positions of power. His argument, which I find particularly evocative, is that there is a lack of co-culturality and trust between ordinary people and those in power, who fail to achieve legitimacy in the broader society. And while his focus is on Italy, and in particular Naples, similar processes have played out elsewhere essentially rendering citizenship void of any meaning. In the case he examines, there are also nativist undertones in who gets to be a citizen which as he rightly notes further undermines both the value and meaning of the concept. As I note below, Pardo's piece suggests that the government's illegitimacy seems to be intentional, in that it creates what Adams et al. (2009) call chronic disaster syndrome — where governments manufacture crises in order to free themselves of having to operate under democratic constraints.

Koechlin's chapter (2019) is concerned with the devolution of the central government and how urban actors rearticulate the changes between the local and central government. Unfortunately, rather than empower local government, local government simply mirrored corruption and patronage on the national level. Thus, rather than include the previously excluded or marginalized, the new government has simply recasted the right to the city. Koechlin's chapter is important because it demonstrates a quasi-passive nature to the relationship between legitimacy and citizenship; here legitimacy is something that more or less happens without collective effort.

Uherek (2019) also looks at social class as a determinant of legitimacy and citizenship. He looks in particular at the Romani population in the Czech Republic and how public and private interests interfere with one another. The Romani's extended family is the most important institution for identity purposes. Thus, the political sphere is usually outside of their purview. In the 1980s they seized the opportunity to establish representation and hence seize some legitimacy, but as Czechoslovakia broke up in the early 1990s, this opportunity withered and legitimacy become problematic. Likewise, beliefs and practices of the Romani did not necessarily square with political realities (gender equality, for example). Ultimately, differing legitimacy systems clashed making full citizenship for Romani complicated. Here Romani shifted in and out of legitimacy as their citizenship shifted.

### **Capitalism, Class and Legitimacy**

The influence that money has on legitimacy is at the heart of many chapters of the volume. Similar to Pardo (2019) and Prato (2019), Spyridakis (2019) examines the decline in social rights and citizenship through il/legal processes concerning what is legitimated. This is one of the chapters that clearly shows how globalized capitalism has become legitimated because of its link to democracy and other legitimating structures. Here he challenges the Minimum Guaranteed Income (MGI) as both a product but also re-enforcing process that seeks to

legitimate what many question as both immoral and illegal. This important work shows that legitimacy is often imposed by those who have access to power on those without power and hence different classes often have different conceptions of what is legitimate. Also similar to Pardo, the state ends up protecting citizenship for some groups while excluding others. This ‘gaming’ of citizenship by authorities is definitely a future topic for legitimacy studies.

Atalay (2019) likewise focuses on instruments of globalized capitalism, but unlike Spyridakis’ analysis of formal and informal mechanisms of support, here the reader learns about the role of credit cards and what citizens see as illegitimate behaviour from banks in Turkey. Her work shows how actions perceived as illegitimate can be troubled by laws making those actions legitimate. Atalay gets to a central feature of the volume, which I discuss in more depth below, that citizenship hinges on money. As she notes (p. 108), financialization essentially disconnects the rulers from the ruled. This is because under financialization the state is no longer bound to its citizens but to globalized processes and flows. This undermines the legitimacy and legality of the state and impedes the ability for citizens to have the state intervene on their behalf (p. 120).

Mollica’s analysis of Lebanon (2019) looks at how foreign money has resulted in increased tension among different religious groups, and shows that seemingly illegal actions can quickly be made legitimate by capital. Mollica’s chapter is interesting in that he uses an ethnographic moment to explore legitimacy. During field work he was approach, questioned, and followed by men who were not ‘government officials’. More troubling was that an event that should have been made into a scene by passer-by, was treated as taken-for-granted. In Lebanon, various religious ethnic groups (particularly Hezbollah) overlap with the authority of the state. Hence illegal actions are taken as legitimate and the legal entities avoids questioning the illegitimate/illegal actions because the local community legitimizes those actions. Ultimately, Mollica (p. 276) asserts that ‘the maintenance of the status of citizen may well be associated with small geographic units, in other words, local communities’. I think this is an important point to make. As a number of chapters in the volume point out, citizenship means different things to different people and we can expect those people to more or less organize themselves into familiar urban patterns — neighbourhoods, blocks, streets, and so on. Thus, in any urban area we are likely to find people with different relationships to authority/legitimacy and therefore different kinds of citizens. While money is not the main subject of the chapter, it structures what Mollica experienced doing fieldwork and ultimately shows the power of capital in structuring the rights we expect from citizenship.

### **The Fragility of Legitimacy**

The final commonality among chapters that I found is just how fragile legitimacy actually is. In most chapters, this was true. Legitimacy was fleeting. Often this came about because of some contestation over legitimacy. Hurtado-Tarazona’s chapter (2019) looks at everyday reactions to failed legitimacy or what we might say is the fragility of legitimacy. Here in Soacha, residents routinely engage in actions that are seen as illegitimate or illegal based on class specific notions



of morality and citizenship. Residents of municipal (public) housing police other residents so that they can maintain the visage of being middle-class and hence citizens. Here what is considered illegitimate shifts as one goes from poverty to middle-class. For example, hanging clothes near windows, though legal, becomes illegitimate in attempts by ‘horizontal housing’ residents to gain a middle-class habitus. Hurtado-Tarazona gives numerous examples of policing noise, aesthetics and bodies that limits lower class lifestyles.

Abraham’s ethnography of two neighbourhoods in Thalassery (2019) demonstrates conflicting notions of legitimacy at the neighbourhood level. Notions of legitimacy are bound by ‘what will the neighbours say?’. The legitimacy sought and given by neighbours is, however, increasingly compromised by financial institutions, caste, and party lines. Events ranging from marriages to everyday interactions have become precarious as sources of legitimacy change. What is legitimate one day here is illegitimate the next.

Likewise, Krase and Krase (2019) focus on decades of work in urban planning in New York City. They show how legitimacy and legitimating processes at the neighbourhood level often involves compromises. Half of the chapter deals with rezoning affordable housing and the other half looks at bike lanes in an affluent part of a contested neighbourhood. Much of this chapter compliments findings from other contributors, namely that local governments become seen as illegitimate to groups of citizens by misrepresenting their actions through moralizing language. Likewise, the addition of the study on the bike lane is interesting in that it shows how, even in a neighbourhood setting, foes can be created from groups who would normally be co-advocates.

Boucher’s chapter (2019) echoes much of what Krase and Krase find. Her chapter is concerned with the destruction of a Square in Montreal and how different groups understand the term legitimacy. She compares her legitimacy as an urban scholar and activist and that of a well-known elite with connections to government. Both act in differing ways towards the committee (‘the group with no name’) that they are part of, the result of which is in some ways a contestation of everyday legitimacy. Her chapter also shows how governments use the built environment (or public projects) to gain legitimacy. Ultimately, everyday citizens are not able to comment upon the Square, and eventually it is demolished.

Finally, Sarfati (2019) looks at the tragic sinking of a ferry in South Korea and how citizens’ claims of illegitimacy forced resignations at various levels of government. Within this case study she also looks at how difficult it can be to commemorate publicly the tragedies and how legal actions can be seen as insensitive, immoral and hence illegitimate. Also, of importance, she shows how patterns of government inaction can aggregate to tip an event towards having people think of authority as illegitimate.

### **Legitimacy and Social Disorder**

My work seeks to answer the same question posed by Pardo and Prato (2019: 2) in the introduction, ‘how much more governance failure before legitimacy is withdrawn, and consequently, democracy is jeopardized?’ I went to the Lower Ninth Ward in New Orleans

during the long-term aftermath of Hurricane Katrina to understand how communities move on from major disasters. What I found was a community at odds with various levels of government and residents who questioned the value of their citizenship; they questioned the legitimacy of government; and, they questioned democracy. When I was in the Lower Ninth Ward in 2010 only a quarter of the population had returned. There were no police or fire stations, no health clinic, no grocery store, and no library. Residents had to wait almost a year to begin the rebuilding process, during which time they learned that The Bring Back New Orleans Commission, assembled by local government, decided to turn their neighbourhood into greenspace. Approximately 20,000 residents, mostly Black and working class (the poverty rate was three times the national average), would have to find a new home and a new neighbourhood. Many residents were scattered around the US, having been forcefully evacuated; they had not been able to return to New Orleans; and now, they were not going to be allowed to rebuild their community.

Sanyika (2009) called this ‘Katrina Cleansing’ — a series of policies to displace permanently residents by reducing the footprint of their neighbourhoods (Sanyika 2009). Where residents protested their erasure, they were punished through a series of retaliatory policies and measures designed to discourage and prevent them from rebuilding their homes and communities (Harvey 2017). This involved a racially discriminatory housing grant program, the elimination or reduction of public services (including housing, hospitals, clinics, schools, fire/police, transportation, and mail), and the largest instance of contractor fraud in the history of the country (which has to date not been investigated).

The failed recovery efforts seemed intentional in some neighbourhoods. Adams, Hattum, and English (2009: 630) noted that these efforts ‘authorize[d] violence by way of its inhumane erasures and interventions’ that ‘underfund[ed] community rebuilding efforts, and [allowed for] an evisceration of the role of government in providing public security’ (681). This neoliberal project of government abandonment results in what Wacquant (2009) described as ‘punishing the poor’ and Bourgois and Schonberg (2010) referred to as ‘lumpen abuse’. The ongoing failure to rebuild and restore New Orleans allowed for and justified the existence of a post-normal society. This idea of a post-normal society is exactly how many residents of the Lower Ninth Ward described their neighbourhood.

‘Look at this place. Ain’t no one suppose to live like this. It looks like dying here [long pause]. I call the police, but they say they can’t do nothing. You call the city and they say they working on it. Ain’t nobody doing nothing. We got houses, that one right there, ain’t no one touched it since the storm. We can’t get people back if they don’t want them to come back. This ain’t normal, living like this. We living like animals back here.’ (Grace, black female 80s)

Prato notes that citizenship and the legitimacy of government is a relationship of reciprocity; citizens must be made to feel that their governing institutions will protect them and their rights (2019: 54). In Katrina, citizens were obviously not protected, neither from the

disaster nor the government. The government took away rights and thus residents began to question their most basic relationship with authority.

In order to protect themselves from the government and neoliberal allies, residents began to sneak into the Lower Ninth Ward and try to rebuild their homes. They encouraged people to rebuild in what locals and some others refer to as a Jack O'Lantern style of redevelopment. Here homes are scattered, in an act of defiance, throughout the neighbourhood that resembles the crooked, gap-toothed smile seen at Halloween. Residents know that it is not sustainable (from a resource or communal point of view), but a larger problem is that it fosters a sense of rugged individualism. Residents frequently describe the neighbourhood as 'the frontier', 'the edge', and 'the wild west'. The urban experimentation gives way to an anti-democratic experiment in self-governance. Residents believe that they are completely responsible for themselves. As Ward 'Mack' McClendon, who runs the Lower Ninth Ward Village — a makeshift community centre, among other things — is fond of saying, '[W]e got to do this ourselves, because the calvary ain't coming'. Because they have been marginalized, they no longer feel as though they are part of a larger society.

In response to their government abandoning them, residents had to form their own democratic institutions and rethink what it meant to be a citizen. This splintered the community. Some became extremely involved in community meetings, while others were indifferent. After years of meetings, many of those who were involved had become tired and dropped out of various civic groups altogether. Others still occasionally attended meetings, but with an average of three meetings a week (community groups, neighbourhood associations, non-profit meetings, etc.) five years after the original event, it was impossible to keep up with everything. Due to the surge of volunteers in the community, it was not uncommon for volunteers to outnumber residents at neighbourhood meetings. Furthermore, despite good intentions, many non-profits pushed agendas and proposed projects that were antithetical to the residents' wishes. Residents slowly found themselves without legitimate representation and increasingly in a situation of illegitimate representation.

As Pardo and Prato note (2019: 21-22), the importance of this discussion regarding legitimacy is rooted in the very notion of what we mean by democracy. Without legitimacy you cannot have true citizenship. The classic question then is What is to be done? For people like those in the Lower Ninth Ward in New Orleans, in Naples, or Turkey, or Kisumu, or the other places written about in this edited volume, how will their relationship to the state or their status as liminal citizens change? What do we do with authority that has become illegitimate? What if political rulers are okay with partisan legitimacy and one-party rule, what if they do not care about true citizenship; what if democracy is just a façade? And more importantly is the crisis of legitimacy simply a crisis of capitalism?

Overall, I have very few complaints about this volume. It is a superb follow up to the previous work by Pardo and Prato on legitimacy (Pardo ed. 2000, Pardo and Prato eds 2011). At a few places there is a loose use of the term legitimacy, but as Pardo and Prato (2019: 10) note the concept is constantly contested and changing. I did feel, however, some chapters only

marginally added to our understanding of the concept. Another small issue I had with the volume was simply the overwhelming and dizzying array of places the reader is asked to visit. This is obviously a plus to both understanding the nuances of and the range of issues regarding legitimacy and citizenship, but it was also at times overwhelming. Finally, I would have appreciated more of the original ethnography and less analysis of the respective ethnographies. Some of the chapters, such as the ones by Mollica, Hurtado-Tarazona, and Sarfati are beautifully written and the reader gets a lot of insight into the actual ethnography, but elsewhere it is more difficult to get a feel for how everyday citizens are struggling with legitimacy. In all, this edited volume will be immensely useful for those who study legitimacy and citizenship for some time to come.

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## *Legitimacy and Citizenships*

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Pardo and Prato's edited volume on *Legitimacy: Ethnographic and Theoretical Insights* (2019) raises important questions about the relationships between authority, power and trust, especially (though not exclusively) in the realm of governance. As a medical anthropologist with long-term interests in the use of hand-made, botanically-based remedies (including cannabis), issues related to the legitimacy of these medicines have been implicit (if not explicitly addressed) in my research. However, after reading several of the chapters in Pardo and Prato (2019), I realized that the relationship between legitimacy and citizenship is actually of greatest significance for (and has the most resonance with) my work. As they explain in the introduction to the book, governance and law fail when they do not meet the challenge of establishing a working relationship between formal law and people's cultural requirements. Thus, ethnographic studies of legitimacy at different levels of power raise fundamental questions about citizenship. This brief essay focuses on issues of legitimacy in relation to three anthropological conceptualizations of citizenship: biological citizenship (Rose and Novas 2003), cultural citizenship (Ong 1995; Goldade 2011) and spiritual citizenship (Guzman Garcia 2016). It takes inspiration from various chapters in Pardo and Prato (2019) and other related literature on citizenship, and draws on some of my own ethnographic work with Jamaican migrants in the United Kingdom.<sup>1</sup> I show that while legitimate claims to biological citizenship are defined by both government and medical institutions, they must compete with the grassroots legitimacy that underpins cultural and spiritual citizenship.

Citizenship — that is, membership in the governing body of a nation state — has been cast as a 'natural' birthright (De Genova and Peutz 2010), and as nations are defined by their geo-political borders there is a long, historical relationship between citizenship and territoriality. However, states are the only competitors for people's allegiance that depend on territorial integrity (Appadurai 2003). In the contemporary world, citizenship is being redefined as new political spaces are created (Ong 2005) in which people can give their allegiance to, among other things, specific therapeutic systems (Whyte 2009). In parliamentary democracies citizens' control over whether or not their representatives are legitimate is legally regulated through elections (Prato 2019). However, as Atalay (2019) explains, institutions like the EU and IMF operate beyond the borders of nation states. Despite democratic systems in these nation states, their citizens can be affected by bureaucrats in these

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international organizations, who were not democratically elected. Likewise, the sovereignty of nation states may be overruled by international public health authorities (Pfeiffer and Nichter 2008) that subject citizens to policies (for example, quarantines) and procedures (for example, mandatory vaccination) which are not under the control of the democratic process but have profound biological implications.

Historically, the biological dimensions of citizenship have been linked to concepts of race and racial purity. Since the first half of the 20th century notions of purification have been combined with concepts of risk and the body politic so that foreign bodies (people) became pathologized as disease-carrying threats to the nation state (Harper and Raman 2008). Contemporary biological citizenship is no longer driven by a search for racial purity, but rather by the potential to generate biovalue; for example, characteristics of genes of citizens that may provide a valuable resource for biotechnological innovation (Rose and Novas 2003). Biological citizenship is also very much concerned with how biological knowledge shapes understandings of vital rights, identifications and affiliations (Beck 2011). Much of the ethnographic work on biological citizenship has been focused on the rights of citizens to make claims for medical services and to participate in health policy decisions (Whyte 2009). In one of the first ethnographic studies of biological citizenship, Petryna (2002) shows how survivors of the Chernobyl nuclear disaster actively created a massive demand for a form of social welfare based on medical criteria that acknowledges and compensates for biological injury. People also exercise their rights to medical information and to develop their own expertise in matters of health and disease. In a case study of New Zealand families of children with rare genetic disorders, active biological citizens understand that doctors make mistakes and can be out of date, so they take part in the selection of care/interventions (Fitzgerald 2008). However, biological citizenship can also embody a demand for the cessation of particular policies or actions (Rose and Novas 2003). One thinks, for example, of Prato's (2019) description of responses to a power station in Brindisi, Italy, which included protest groups involving health sector professionals.

Rights are double-edged, with disciplinary and regulatory aspects (Flear 2008), and policy imposes an ideal type for what a normal citizen should be (Spyridakis 2019). While some studies of financial citizenship focus on inclusion and exclusion of individuals (assuming inclusion is a basic right), others consider inclusion to be financial appropriation (Atalay 2019) rather than a right. Likewise, some of the literature in medical anthropology challenges the assumption that neo-liberal enactments of biological citizenship are the only legitimate options. For example, Ecks (2005) asks not just how legal citizenship determines rights of access to pharmaceuticals, but also what implications taking pharmaceuticals has for a person's status as a citizen—for example, whether taking certain pharmaceuticals impairs one's rights as a fully responsible citizen; whether patients can regain full citizenship rights if they do not undergo pharmaceutical treatment. The healthy and responsible biological citizen in a neoliberal society such as the UK has routine medical check-ups of various sorts, eats according to government guidelines (for example, consume their 'five a day'), exercises in

specific ways, takes prescribed medicine as directed, maintains basic knowledge about self-treatment with a variety of regulated medicines, supports corporate research and enterprise systems, and makes reasonable demands on the health system. As Rose and Novas (2005: 451) describe, engaging in such responsible behaviours ‘has become routine and expected, built into public health measures, producing new types of problematic persons—those who refuse to identify themselves with this responsible community of biological citizens.’

In some ethnographic contexts, there is not the same access to a legitimate position in society for all. Rather, legitimacy is finite; when one group gains, another loses (Andrews 2019). This is certainly the case with the rise of biomedicine in the US and UK where the professionalization of medical science was facilitated by active campaigns to delegitimize other types of healers (Baer 1989). What happens when people choose healing modalities that have been marginalized or even outlawed? Although this aspect of biological citizenship is largely untested ethnographically (Whyte 2009), a study of how deviant, drug-using bodies are transferred into healthy biological citizens in a Chinese drug treatment clinic shows that one of the basic tenets of the treatment is creating post-addiction individuals who agree to live within the boundaries of the moral obligations attached to citizenship (Hyde 2011). However, while actions taken at the grassroots level may not always be strictly legal, they are still legitimate in the eyes of the actors and others who share their moral understandings (Pardo 2019). For example, in the US medical marijuana patients are attempting to build an alternative way of managing health and healing, as Federal laws remain in place that would strip them of many of the basic rights of American citizens. While technically still illegal (at the Federal level) in the US, globally the legitimacy of cannabis as a medicine is increasing year on year, especially in countries such as Canada and Uruguay.

The power of legal, political and medical authorities to divest citizenship rights from people who use illegal drugs is matched by the power to deny such rights to individuals who reside in a country without legal entitlement to do so. The boundary between the state and medical practitioners in determining rights of citizenship is becoming increasingly blurred (Harper and Raman 2008). The hospital is a mode of therapeutic and bureaucratic governance that can distinguish between citizens with rights and lives/bodies that have limited value (Miklavcic 2011). Citizenship status is dependent on certain medical documentation, as prospective citizens are expected to provide proof of vaccines, tuberculosis tests, pelvic exams, and so on (Ong 1995). Having a diagnosis of a serious medical condition is an official Immigration and Naturalization Services category for denying tourist visas and legal residency status in the US (Quesada et al. 2011). However, ‘while the standards for citizenship in a regime of predictive medicine thus become stricter, there is a possibility that fewer people will receive access to the infrastructure they need for acquiring the norms of this mode of citizenship’ (Van Hoyweghen et al. 2006: 1234). This helps control populations by restricting/regulating movement and maintains a class of non-rights bearing workers. Just as biomedical surveillance and management are required for citizenship through naturalization,

non-citizenship status is often a barrier to mainstream biomedical care, which perpetuates the problem.

In my work with Jamaican migrants in London, I have seen how struggles around immigration status are related to barriers to the National Health Service (NHS), as well as to the alternative constructions of how to be a healthy, productive member of society that many migrants hold (I have also seen how policies aimed at removing ‘illegal’ migrants cause harm to the health and wellbeing of British citizens). The UK government has been actively implementing policies to create a hostile environment for ‘illegal’ immigrants since 2012. The hostile environment makes it difficult for all migrants to open bank accounts, rent property, and access medical care. It also places strict penalties on landlords, teachers and doctors, who fail to report suspected ‘illegal’ migrants to the authorities. In March 2019 a High Court judge ruled that the policies aimed at preventing ‘illegal’ immigrants from renting property are discriminatory and in breach of human rights laws. This means that at least some of the hostile environment policies being implemented by the legitimately elected British government are illegal. Moreover, in the UK deportation is distinguished from administrative removal (that is, of persons with no legal entitlement to remain) by being deemed ‘in the interest of public good’. Thus, it has been a process of removal generally reserved for migrants with criminal convictions, even if they have been granted permanent settlement in the UK (Hasselberg 2015). However, the recent ‘Windrush deportation scandal’ has revealed that the impacts of the hostile environment are not limited to individuals with criminal records and those who have overstayed visas. By the time reports of the scandal became widespread in the national (and international) press in April 2018, over 100 African-Caribbean people had been wrongly deported. Hundreds more were detained unlawfully and threatened with deportation, and thousands lost their homes, jobs and/or public benefits.

Before 1971, members of Commonwealth countries were considered imperial subjects and were immune to deportation from Britain. Deportation powers that were introduced in 1971 made Commonwealth peoples non-citizens rather than fellow subjects (Anderson et al. 2011). African-Caribbean men and women of the Windrush generation came to the UK in the 1940s-70s. They, along with their children, who either travelled with them or were born in the UK, comprise a community of established migrants who are in many ways distinct from a ‘newcomer’ generation who migrated in the 1990s-2000s (Reynolds 2012). Despite amnesties in the 1970s-80s, large numbers of Windrush generation migrants never formally registered as permanent residents or British citizens when they had the chance. Others have lost documents such as passports and residency permits over the years. It was only when UK immigration policy turned hostile six years ago that these individuals were caught out. The British government has publicly apologised to the Windrush generation and has pledged to help affected members secure the documentation they need to prove their right to permanent settlement and/or citizenship in the UK. However, it continues to defend hostile environment policies and the deportation of foreign national offenders from the Caribbean (many of which

are from the 1990s wave of migration), including permanently settled migrants with spent convictions for non-violent offenses.

Most of my work on deportability in London has been with Rastafari men from Jamaica who came to the UK as young adults in the late 1990s. Rastafari is an Afrocentric spiritual, political and social movement that began in 1930s Jamaica and has since spread around the globe. Important components of the Rastafari spiritual lifestyle include food and health sovereignty; that is, eating organically produced and minimally processed vegan foods and using alternative medicines such as herbal remedies and spiritual healing. During summer 2017, with the help of a Jamaican research assistant, I collected interview data from 10 Jamaican Rastafari men who ranged in age from 35-57 and had been living in the UK for 15-25 years. These men had police records ranging from minor civil offenses to drug convictions, and all were fathers of children born in the UK. Another thing that these men had in common was minimal engagement with the NHS, although the reasons for this varied. Several men insisted that Rastafari ‘bush medicine’ was more effective than mainstream medicine and suggested that if people ‘live good’ (that is, keep fit and eat natural, healthy food) they can avoid the need for doctors. One man in his early 40s proudly claimed to me that he has never needed to see a GP (general practitioner) in all his life. However, others avoided mainstream medical care because they had previously experienced cultural incompatibility and racism.

Regardless of the main motivation for avoiding professional medicine, doing so can eventually have repercussions that make it more difficult for Jamaican men to regularize their immigration status in the UK. For example, during his ultimately successful deportation appeal, ‘Len’ was advised by his solicitor to get a letter from his GP to verify his address and length of stay in the UK. However, Len had not been to his GP in several years after an unsatisfying appointment, during which he had been chastised for using Jamaican bush medicines. When he finally went back for a check-up, and to ask for a letter in support of his appeal the GP refused to issue one. Because he had not seen Len in years, he could not verify that he had been living continuously in the UK. However, in the hostile environment (where doctors are expected to act as border agents), regular engagement with the NHS does not necessarily make regularizing one’s immigration status any easier. For example, at one of many community meetings held in London to address the Windrush scandal, which I attended in summer 2018, an elderly woman recounted the story of the difficulty she was facing in sorting out her status. Like many of her fellow Windrush generation migrants, she did not have any form of valid identification, which is required as part of the process of applying for settled status. In order to obtain an identity card, she needed her medical records from the NHS. However, her GP surgery had informed her that she could not access her records without a valid form of identification.

Referring to the experiences of precarious migrants in Russia, Reeves (2013) shows that there is an inherent uncertainty about where the boundary between ‘legal’ and ‘illegal’ presence actually lies; that is, (il)legality is a space of relations rather than an unambiguous line. The UK’s hostile environment has made the division between citizens and non-citizens

equally uncertain and ambiguous. As one of the community activists with whom I worked last summer explained, she and many other Windrush generation migrants did not register as British citizens three or four decades ago because as citizens of the Commonwealth (and former colonial subjects) they understood themselves to be already British. Up until the hostile environment policies were implemented, their experiences of living, working and raising families in the UK never made them think any different. Cultural citizenship is the study of how migrants conceptualize community and where they do or do not feel a sense of belonging. It allows us to understand that citizenship is a collective experience that does not depend on top-down distinctions between legal and illegal residents in a given territory (Goldade 2011). In other words, claims to cultural citizenship get their legitimacy from the grassroots. Windrush generation migrants have enacted a form of cultural citizenship, but sadly the acts of citizenship they have engaged in (such as paying taxes, receiving state benefits and patronizing the NHS) were not enough to protect them from the hostile environment.

As for my Rastafari interlocutors, they seem to be engaging in a form of spiritual citizenship, which refers to the role of religious participation in mitigating deportability (Guzman Garcia 2016). Where cultural citizenship draws legitimacy from the grassroots, spiritual citizenship is underpinned by Divine authority. For example, among Zimbabwean migrants and asylum seekers in British detention centres, Biblical narratives play a role in affirming detainees' humanity and asserting their right to be in Britain (McGregor 2012). Likewise, while some participants in a study of undocumented migrants in the United States felt that they were 'invading' a foreign country that they did not belong to, they justified their presence with the idea that God created the earth and thus all places are available to Christians (Guzman Garcia 2016). In Rastafari, the same ethos of self-sufficiency and (health) sovereignty that leads migrants toward bush medicine and away from mainstream medical care, can also make them see themselves as global citizens. Rastafari migrants from Jamaica challenge deportation and other hostile environment policies on the grounds that borders are man-made creations that conflict with Divine law. For example, 'Ababa' explained that 'Rastafari say we gather the people together. No boundaries or man-made borders shall hold the people apart from themselves. All borders was created by man, see? So, I say the world is just one community for I and I.' Thus, apart from any claims they may make as Jamaicans to cultural citizenship in the centre of the Commonwealth, Rastafari migrants who follow a spiritual lifestyle also see themselves as deserving of citizenship in any nation in which they choose to live, as this is what the creator intended.

In conclusion, the most important lessons I learned from reading Pardo and Prato (2019) are 1. that legitimate governments may not always act within the law, 2. that grassroots actions can be legitimate without necessarily being legal and 3. that the legitimacy of governments come from their citizens. In applying these lessons to my own work with Jamaican migrants in the UK, I have considered how migrants enact different concepts of citizenship in a hostile environment created by unlawful government policies. Hostile



environment policies have placed expectations on medical professionals to act as border guards and deny medical care to certain migrants. Biomedical surveillance is required for citizenship through naturalization, but non-citizenship status is a barrier to biomedical care. However, while claims to (biological) citizenship are challenging or even elusive, Jamaican migrants in London are able to live as good cultural and spiritual citizens. With the help of lawyers, journalists and activists, Windrush generation migrants have forced the Home Office to recognize their legitimacy as British residents and citizens. Likewise, in asserting their Divine rights as spiritual citizens and resisting deportation, Rastafari migrants have succeeded in settling lawfully in the UK and starting on the path to British citizenship. Thus, work in the anthropology of legitimacy gives us hope that citizens of all sorts will ultimately retract the legitimacy of unlawful governments.

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## The ‘Eskimo Problem’: Legitimizing Canadian Arctic Administration, 1960-1975<sup>1</sup>

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Contemporary anthropologists do not often acknowledge our debt to Max Weber. Yet, in the same ways that the insights of Marx and Freud are woven into the fabric of contemporary social thought, Weber’s descriptions of the modern state are integral to our understandings of the modern world. His conceptions of the state have so permeated anthropologists’ schemas of modernity that they have become part of our taken-for-granted understandings of the way the world works. As an anthropologist driven to understand the distinct, often local, situations through which individuals make their relationships to the Canadian state, I am a bit embarrassed to realize that I have treated the state as given. It is in this context that I welcome the opportunity to reflect on Weber’s work on the legitimizing practices of the state via the contributions in the book edited by Italo Pardo and Giuliana Prato *Legitimacy: Ethnographic and Theoretical Insights* (hereafter, *Legitimacy*).

While the idea of legitimacy is present in my ethnographic work, the term is not. Instead, in my work on governance and citizenship in Canada, I examined the hegemony of Eurocanadian bureaucratic sensibilities for Inuit (Stern 2003; 2005), the persistence of settler colonialism within progressive urban planning (Stern 2017), and the moral economy of proposal making (Stern and Hall 2015). Legitimacy in the Weberian sense of the state’s authority to rule, nonetheless, underpins those analyses, and the ethnographic evidence provided by the contributors to *Legitimacy* has analogies in my ethnography. For example, Peter Hall and I found that municipal officials in the former silver mining town of Cobalt, Ontario learned to use neoliberal era grants for tourism development to manage shortfalls in general operating funds. Officials of the local state legitimately (and legally) employed moneys awarded to create mining heritage tourism venues to repair and replace local infrastructure such as sidewalks, streetlamps, and the roof of the town hall by recognizing these expenditures as contributing to heritage tourism development. Tourists, when (if) they came, would need well-built sidewalks, the new streetlamps were in a vintage style and the town hall was a heritage building from the early mining era. The public spending practices also were regarded as legitimate in another way. Though Cobalters are proud of their predecessors’ contributions to Canadian mining history, we found many of them skeptical of mining heritage tourism as a development strategy. Yet, because the heritage development funds were spent in ways that

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directly benefitted residents as well as potential tourists, the efforts to promote heritage tourism remained legitimate in the eyes of those residents.

I am also provoked to think about legitimacy in the context of my current research documenting the recruitment of ethnographers to the governmental project of administering Canadian Inuit lands and communities in the 1960s and 1970s. Before the 1960s, most Inuit in Canada lived in self-organized and largely self-governing camps. Although Canada has claimed sovereignty over the arctic islands since 1880, it paid little attention to those lands or the people — Inuit — who lived there until after the Second World War. Up till that time, administration of Inuit was left largely to the Hudson's Bay Company and the Catholic and Anglican churches, with the occasional dog sled patrol by a member of the Royal Canadian Mounted Police.

Administration of Inuit lands and communities changed in 1953 when the government of Liberal prime minister Louis St. Laurent reorganized cabinet ministries to create the Department of Northern Affairs and National Resources (DNANR). The new department's primary purpose was to advance development of mineral resources on federal (in other words, outside of the provinces) lands of the Yukon and Northwest Territories. The federal state's relationship with Inuit was confined to one paragraph in the prime minister's speech to Parliament initiating the new department, yet, these Canadians were very quickly understood to lie within the new department's mandate 'to develop knowledge of the problems in the north and the means for dealing with them through scientific investigations and technological research' (St. Laurent 1953). It fell to the newly established Northern Co-ordination and Research Centre (NCRC) of the DNANR to make the problem of Inuit (as well as the problems posed by Inuit) legible to the government so that they might be addressed.

A former northern research officer for NCRC assessed that the government swung from a near total lack of concern for Inuit to over-concern (Lotz 1969: 56). My research suggests that the government officials had concerns beyond that of Inuit welfare. It was the case, however, that almost overnight Canada created permanent settlements for Inuit complete with social housing and other benefits of Canadian civilization all under the control of Eurocanadian settlement managers. Inuit were expected to conform to Canadian forms of citizenship consonant with the Keynesian state. These citizenship forms included nuclear family households with male wage earners, sobriety, thrift and other practices assumed to produce good health and security. When Inuit had difficulty complying, the NCRC employed anthropologists and geographers to provide the government with information it needed to solve what was referred to at the time as 'the Eskimo problem'. There was, of course, no single 'Eskimo problem' framed as an object upon which the problem-solving powers of the state could be legitimately exercised, but instead different definitions of 'the problem' were continuously contested within state bureaucracies (Stevenson 2012, Tester 2006).

The 'Eskimo problem' was most readily understood to refer to the questions of how to govern Inuit in ways that enabled them to take up their identities as Canadian citizens, a status officially-declared by the state. In the Cold War era of the 1960s, there was, of course, another meaning of the phrase. It was that the problems of Inuit — problems caused in large part by

Canadian administration — threatened the legitimacy of Canada's military and extractive activities in the Arctic. The government found that in order 'to "deal with" the populations living inconveniently in an area between and coveted by the [United States and the Soviet Union]' it needed to know about the indigenous occupants (Graburn 2006: 247). In order to be seen as a state, Canada needed to see like a state (Scott 1998). Ironically, or perhaps by design, one result of the ethnographic research supported by the NCRC was that the 'Eskimo problem' ceased to be an obstacle to northern sovereignty, and instead provided an opportunity to demonstrate Canadian statecraft. Research initiated to make sense of a new and uncertain governing terrain, soon became justification to extend the state's reach; provided, of course, that the research framed and investigated the 'Eskimo problem' within approved parameters. It is here where the strengths of ethnography to situate individual lives within their complex social context soon ran up against the limits of state actors' abilities to accept more critical accounts.

The chapters by Nathalie Boucher and by Jerome and Kathryn Krase in *Legitimacy* are especially relevant to thinking about where the Canadian state's claims to govern legitimately Inuit lives and territories succeeded and where they failed, and where knowledge obtained through ethnography supported or contradicted state action. Krase and Krase (2019) observe that legitimacy to govern depends on public officials' ability to maintain the trust of the governed. With respect to the governance of Inuit, government actions suggest that it was most concerned with maintaining the trust, not of Inuit, but of non-Indigenous Canadians who had no firsthand knowledge of Inuit or of living conditions in Arctic towns and villages. In closed door meetings officials discussed the 'Eskimo problem', while simultaneously presenting the Canadian public with a story of successful tutelage. The public was meant to trust in a benevolent government, a government that cared for its most vulnerable citizens. As one example, the DNANR produced a public information booklet entitled *The Changing Eskimos* in which it reported that Canadian Inuit were maintaining their hunting traditions while simultaneously enacting modern ways and attitudes. In the section on employment the booklet asserted:

'Eskimos work in a variety of fields, skilled and unskilled. They work like other Canadians, for government departments, and on the DEW line. They are miners, carpenters, mechanics, tractor operators and oil drillers. An Eskimo manages the CBC radio station in Inuvik; an Eskimo girl edits an Eskimo-language magazine. Others work as interpreters, nursing assistants, secretaries and clerks' (DNANR c.1965: 16).

While possibly true in the very narrowest sense, the facts reported to the public bore little relation to ethnographic data collected through the government's own research programs. Boucher (2019) points out that anthropologically derived knowledge — even when it is part of the strategy government employs to legitimate its rule — may not compete with politically, morally, or traditionally framed ways of knowing. For my current project I have been interviewing former NCRC researchers, many of whom were eager, idealistic and inexpensive graduate students. Part of what I have been learning is about the subtle, and sometimes not so

subtle, ways the government acted to shape the students' reports to reflect the pre-determined conceptions of the 'Eskimo problem'.

Alexander Ervin was a 23-year old anthropology graduate student when he was hired by NCRC to examine the social conditions of Inuit in the Mackenzie Delta region. Ervin spent the summer and fall of 1966 in Inuvik and was stunned by the racist abuse that government and non-government authorities visited upon Inuit and other Indigenous peoples. Quite in contrast to the story told to the public, Ervin documented the processes and discourses among northern administrators that confined Indigenous residents to menial jobs and substandard housing. Most shocking was the treatment Inuit received from members of the Royal Canadian Mounted Police, who would regularly come into the bar where Inuit were drinking and beat people with flashlights. In an interview, Ervin recounted a conversation with an elderly woman, a member of a group bush residents who had come into Inuvik to purchase supplies:

'I went to Kendall Island and spent a week with some people that were still living off the land in the old style... [Later] the three extended families came into town to buy supplies or sell furs... One of these sweet old ladies was having just one beer for the night, and the Mounties came in[to the bar]. And she said to me, "you know what we call them?" I said no, ... "*Amaqut*," which means wolves. So, they see the Mounties, rather than benefactors, as coming in and preying upon them. Oh man! The racial divide stuff was so fantastically extreme.' (interview, 2 April 2016)

While Ervin wrote about the differential treatment Indigenous and non-Indigenous drinkers and the racialized way that housing was assigned (Ervin 1968), he learned to self-censor, to omit references to government agents as the source of the 'Eskimo problem'. He described having to 'mute' his findings.

'There was a report on the beginning of Inuvik by Walter Boek and his wife. He was right there at the beginning, and he did a social impact, a real social impact and kinda made projections, and practically everything he said came true. And what happened was they didn't publish it ... And back when I had some controversies about stuff I was going put in my report, Moose Kerr who was the director [of the Mackenzie Delta Research Project], who nonetheless the very sympathetic to any kind of criticism of what was going on would tell me, "If you put that in we'd have to do what we had to do with the Boek and Boek report" which is to shelve it because it was too embarrassing. And being young and thinking that I was going to make myself a long time career in [applied anthropology] and that I was going to be a champion of the Native people blah, blah, blah, blah all that stuff young anthropologists think about, I figured ... well, I have to be patient and eventually when I get more credibility and build a career as an Arctic researcher then I can come out with stronger statements and so forth. There was kind of an implicit censorship.' (interview, 2 April 2016)



According to Clancy, the exclusion of Inuit from decision-making about their communities and their lands has meant that ‘the legitimacy of northern policy has often been problematic’ (1987: 92). Yet, what becomes clear from Ervin’s and others’ narratives, is that government was not concerned with its legitimacy in the eyes of Inuit. It was, nonetheless, essential that the federal government be presented to others as caring and benevolent in its dealings with Indigenous peoples. Despite the public claims that Inuit were becoming model Canadian citizens (Honigmann and Honigmann 1965), privately government officials saw Inuit as children (Paine 1977). The terrible social consequences of paternalism, of failing to involve Inuit in decisions about their lives, and especially of racism, were labeled unfortunate outcomes of the rapid change associated with modernization. In other words, the ‘Eskimo problem’ was not a failure of government, but a failure of Inuit to become fully modern (Irlbacher-Fox 2009).

What was the value of research sponsored by NCRC and its successor, the Northern Science Research Group? It was certainly not, as former NCRC northern research officer — Jim Lotz — asserted for the data collected in Inuvik, that it has ‘shown how research can serve the needs of the local peoples, and help them to identify and deal with their problems’ (1968: 293). The state did not, probably could not, recognize the absurdity of its project to get Inuit to adopt the attitudes and practices of working class Eurocanadians necessary for widespread mineral extraction in the North. Instead, it pursued a fairly limited research agenda aimed at describing Inuit social practices, an agenda that would provide cover to policymakers. The state needed an ‘Eskimo problem’ in order to exercise sovereignty over Inuit lives and territories. The social science legitimated Canadian interference in Inuit lives and communities, but it also legitimated decisions not to improve conditions or practices while research was underway.

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## ***Legitimacy, Placemaking Claims and Urban Cross-boundaries***

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### **Introduction**

In this article I discuss the contributions made by the book recently edited by Italo Pardo and Giuliana B. Prato (2019) on *Legitimacy: Ethnographic and Theoretical Insights* (henceforth, the *Legitimacy* book) to the fields of political anthropology and urban studies. I will illustrate my arguments based on cases drawn from my own ethnographic work. Pardo and Prato include research carried out in many cities worldwide where agents adjust, accommodate or reject institutional powers claiming their engagements with codes, norms and values linked to their practices of placemaking. Using a novel approach, the book addresses legitimacy as a moral and cultural entitlement to deal with formal and informal power relations. I found this book particularly insightful in illustrating how urban scenarios reflect an inextricable interweaving of interests, attachments and competing normative systems. The exercise of urban governance is uneven, and urban dwellers are constantly engaged in coalitions and cleavages crossing the boundaries between legality and illegality in order to regulate their own affairs and demand their own rights. Cities include zones of deregulation and places of survival that provide opportunity, for ‘vibrant, desperate inventiveness and unrestrained profiteering’ (Comaroff and Comaroff 2006: 9).

### **Legitimacy and Placemaking Entitlements**

The *Legitimacy* book discusses legitimacy as a culturally-based entitlement that residents believe derives from their placemaking processes. The cases presented show how structural powers shape social and cultural practices, but also how shared values and beliefs can defy official powers when legitimated by urban dwellers. In the words of Pardo and Prato, ‘ambiguous and conflicting grassroots moralities emerge and challenge current and future forms of local governance’ (2019: 14).

Cities and urban spaces have always been devices to organize space and control social groups, privileged sites for political intervention. Furthermore, urban informal and official regimes of power and value determine the ways in which agents, objects, resources, discourses, ideas and practices may or may not circulate. In this interaction with landscapes and local, national and global forms of governance, agents produce the ongoing processes of their social life (Ingold 2011: 7). As Ingold states, agents are not only immersed in the currents of their own involved activity; they produce the paths of their becoming (Ingold 2011: 12).

Legitimation of urban actors’ actions, however, depends on formal as well as capillary aspects of power relations. As Abraham (2019: 17) and Boucher (2019: 201) demonstrate, residents defend their legitimate place through lived practice. As stated by De Certeau (2000), legitimacy comes from the appropriation of space; that is, creative and everyday procedures

and movements following social formalities, rules and interests. Residents invent regulations of what is appropriate and what is not, and their places of residence become part of their image and reputation (Hurtado-Tarazona 2019, Boucher 2019). Meeting the point made by Pardo and Prato (2019: 18), very often I found in street scenarios that communal loyalties outweigh legal codes and people engage in illegal actions.

As shown by Hurtado-Tarazona (2019:148), residents' feelings of collective belonging (Lovell 1998: 2 and 6; Abraham 2019) and ownership provide political engagement as well as practices of distinction and status to overcome structural limitations. As Boucher (2019: 201) puts it, individuals who inhabit some places are associated with them physically or symbolically, and these places also end up bearing the qualities of these individuals. This explains why residents often feel entitled to defend the traditional ways in which they have been producing and taking care of their neighbourhoods.

Urban sociability, politics and legitimacy are built around neighbourhood, class, ethnic and religious allegiances (Koechlin 2019: 221-223) but also around mutual recognition going beyond the boundaries of neighbourhood, family and kin. Such is the case of persons who do not necessarily know each other but share common tastes and practices and create networks of regular acquaintances (Magnani 2012: 276-277).

I will illustrate these reflections using two examples. The first draws on research undertaken in 2011-2012, in which my colleague Adriana Parias and I used participatory methodology to invite dwellers of Usme, a locality in the south of Bogotá, to design a project aimed at recovering the Tunjuelo river basin (which passes through their neighbourhoods) from pollution and gang violence (Salcedo 2013). We worked with women from two of the locality's neighbourhoods: Ciudadela Nuevo Usme and El Oasis. The first of these neighbourhoods was created collectively; people built their own homes and fought to gain access to services such as water and electricity. They organized strikes to influence authorities and held communal events to collect the funds required to build the church and park that identify community in the urban context. The second neighbourhood is home to 'affordable' residential complexes where apartments were purchased with state financing. There was a significant divide in this locality on the periphery of Bogotá between people who considered themselves autochthonous peasants who had inherited small houses together with plots of land, and poor migrant workers who had fled violence in other regions and subsequently resettled there. The city government used the recently-built apartment complexes to relocate evacuees from a series of floods in 2009 and people who had been living on downtown streets and were enrolled in public programmes for rehabilitation and housing. In the face of rapid urban expansion and environmental degradation due to the proximity of a major landfill and the mining of sand and gravel, the city government wanted to protect what was left of the green environment. A plan for urban expansion in the locality was called Nuevo Usme and called for the construction of 53,000 new housing units over the course of 20 years. However, while excavating for a residential complex in 2008, Metrovivienda (the real estate company that has recently provided affordable housing in Bogotá) found extensive pre-Hispanic graveyards with the presence of human remains. An

archaeological team from National University was called in and found a major necropolis and place of worship dating from the 12<sup>th</sup> to the 16<sup>th</sup> century A.D., built by the *Muisca* people, who had inhabited the high plateau now occupied by the Bogotá conurbation. This discovery led to the modification of the plan that designated this area for urban expansion and development, and protected the site as national patrimony. Strengthening a long tradition of peasant and communist resistance, many organizations and groups proposed a buffer zone of transitional development to attenuate urbanization, as proclaimed in the slogan: ‘We are a unit of wealth, we are urban rural, we are a unit of resistance. The South rules.’ In their struggle for autonomy, they acted from what they called the ‘culture of popular habitat’, an identity politics based on environmental awareness, respect for ancestral *Muisca* wisdom and care for nature. For them, identity has nothing to do with formal city laws, often imposed by external authorities. Rather, it has to do with a new agrarian urbanity focused on environmental, cultural and educational programmes. They take pride in a posture that defies the dominant evaluation in the city that they are nothing but poor and uneducated residents of marginal communities (See also Hurtado-Tarazona 2019)

In contrast, I will refer to a second investigation that Ana María Forero, I and others undertook in 2013-2015 (Forero et al. 2016). We conducted this research in an upper-class neighbourhood created in 1960 by entrepreneurial provincial and local élites who knew each other and convened to create a quiet, pleasant and beautiful urban space in a situation in which partisan violence was ravaging most rural areas in the Colombian Andes. With the benefit of personal contacts and informal acquaintances we carried out interviews to explore the history of the neighbourhood, residents’ attachment to their homes and the production of their living standards. Walking around the neighbourhood, we observed technological devices installed to provide security to individual houses and at points of exit and entrance to the development. Residents have worked collectively through the Santa Ana Homeowners’ Association on three fronts to protect and maintain a lifestyle characterized by beauty and harmony, security, the protection of nature and urbanism as a positive interaction with the built environment. Participants in the Association were legitimized by most residents as high achievers with sufficient prestige and moral authority to represent the interests of the community. As stated by the woman who has led the homeowner’s association for more than four decades: ‘they will not wait for the state to do something, they will do it’. The Association successfully obtained an official designation for Santa Ana as an exclusively residential neighbourhood, exerted pressure on the National Police to install a substation in the neighbourhood and impeded the installation of a water main that the city government had planned to run under the neighbourhood. More recently, they hired a private company that has implemented a security scheme based on an accurate monitoring of vehicular access, video recording of suspicious or threatening behaviours, monitoring of pedestrians not yet identified as gardeners, nannies or maids and motorbike patrols to monitor the streets. For decades, the neighbourhood has had no homicides or robberies, a phenomenon unmatched anywhere else in Colombia. On a second front, concerning the protection of nature, the Association has programmes to protect trees they

planted 50 years ago and install new trees to replace any old trees whose health is endangered. Based on a notion of nature as discreet and manicured decor, they created a green corridor where people can breathe fresh air and exercise, complete with ramps suitable for getting around in wheelchairs. On a third front, they established an Ornament and Urbanism Commission to protect and restore architectural ‘jewels’ and houses that represent the architectural heritage of the sector. New buildings and renovations require not only regular building permits but also the approval of the commission, an additional legal requirement. This case shows how the founders of this district have created a social order and code of conduct based on good taste and discretion but also on subtle mechanisms of social control to keep out people who do not fit in their civic model. Through mechanisms of legitimacy and social connections they have found ways to circumvent municipal norms by closing off streets with barriers and installing security kiosks at exits and entrances. By standing as a civic example and a sustainable model of participatory urbanism they have been able to impede densifying city plans and high-rise development, and they have persuaded new residents to comply with the community rules that have proved effective in reproducing and maintaining their status and privileges.

In these two cases, residents who occupy widely divergent social statuses in a socioeconomically segregated city like Bogotá engage and claim rights tied to places which they have helped to build and in which they have invested collective efforts and struggles (See the case discussed by Krase and Krase 2019). In the first case, people from the poorest population sectors in an area with enormous environmental value opposed the city’s plans and urbanization processes, which they perceived to favour predatory private interests to the detriment of their own well-being. In the second case, residents from extraordinarily affluent groups used their social connections to oppose recent city actions and use the regulatory framework to counter city planning policies aimed at stopping the production of such privatized exclusive residential areas. With the benefit of their social standing and over four decades of activity of their homeowner’s association, they have been able to preserve and protect their green, safe and beautiful neighbourhood. In the following section, I will discuss how both grass-roots efforts and a privileged homeowners’ agenda have tapped into legal instruments to win acknowledgement of their place-based rights and claim legitimacy over the parallel social orders that they have created.

### **Crossing Legality and Illegality**

The research results brought together in the *Legitimacy* book unsettle liberal theories around law, citizenship and the state by documenting the ways in which legitimacy is built in socially and culturally sensitive urban contexts. As pointed out by Jean and John Comaroff (2004: 192), the ‘alchemy’ of law lies in its magical power to achieve political ends, create civility against disorder and provide a sense of membership to disparate subjects under a harmonic commonwealth. Law as a modern government device imposed as a universal truth for human betterment dictates the limits between what is official and legal and what is chaotic and lawless.



However, it does not consider the social mechanisms of legal disapproval or acceptance or the honour codes, solidarity and reciprocity among groups and lives located in unequal positions of power (Salcedo and Salcedo 2017: 551). As the *Legitimacy* book demonstrates, ordinary people living in large and small cities find legislation cumbersome, difficult to understand and ambiguous, and see it as implemented arbitrarily or reflecting double standards (Pardo and Prato 2019: 8; Pardo 2019: 68-72). There is a growing opposition and even indignation (Sarfati 2019) to the rhetoric and implementation of formal power, a discontent with bureaucratic structures and regulations issued by top decision makers. Rather than stemming from a unified or monolithic apparatus, urban governance emanates from a complex redistributive network that operates through reciprocity, patronage, clientelism, family and ethnic and religious loyalties in an uneven distribution of rights and benefits (Koechlin 2019: 223; Uherek 2019; Holston 2008: 7).

Many groups located in different positions of power oppose, challenge and negotiate the legal policing and normalization of their cultural practices and beliefs. The ethnographic material included in the *Legitimacy* book problematizes citizenship as equality and freedom before law and invites us to think of legal spheres as frictions and negotiations amidst hierarchies of power and gender, class and ethnic boundaries (Salcedo and Salcedo 2017 :13). By showing how power does not operate only vertically and how urban planning decisions and implementations are not separate from everyday micro-urban practices, this book demonstrates that urban governance and social relations are co-produced. This explains the way legitimacy is socially constructed as a two-way relationship between rulers and ruled, and point out that it ‘not exclusive to the official world; it is critical but not confined to bureaucracy, government and the law’ (Pardo and Prato 2019: 7).

In contemporary cities, there is an increasing discontent with authorities, local bureaucrats and urban experts. There will be no consent or hegemony in Gramscian terms but instead accommodations and negotiations of different social groups amidst the prevailing neoliberal economic order and the globally widespread reality of abuse and corruption. People living or working on the streets have understood that legal does not necessarily mean moral or fair and that choosing illegal paths to solve everyday problems or conflicts does not necessarily imply that they are engaged in evil deeds. Disempowered actors may act illegally in some spheres of their lives and legally in others while meriting legitimacy in the eyes of their peers or community members, just as the powerful and government agents are often involved in corrupt and criminal actions covered by the manipulation of the law. People do not equate what is moral with what is legal, and they often differentiate the legal from the legitimate (Pardo and Prato 2019: 7).

Far from a uniform formulation of legal norms, different ethical systems and legal pluralism coexist in urban scenarios (Mollica 2019). The law often proves inefficient to ensure the transparency of governance and the control of corruption, whereas everyday people deploy a multiplicity of informal personal and affective ties and forms of exchange in order to live and work rather than resort to legal contracts or regulations. Urban settings are privileged scenarios

for understanding how residents transform legal definitions and rules and how they equate the legitimacy of customary actions with that of formal legal actions (Pardo and Prato 2019: 17).

I will illustrate this point using two examples borrowed from my earlier research projects on street vendors (Salcedo 1996) and sex workers (Salcedo et al. 2010, 2015). These actors are constantly transiting between legal and illegal spheres and negotiating their daily lives with agents other than political or government bodies. In the first case I was interested in understanding informal agreements that were made to cope with the fear of crime and delinquency among vendors who were selling sweets, snacks, magazines, lottery tickets and newspapers from small stalls allocated by the city along public sidewalks, and pedestrians who passed by, walking to offices, shopping for groceries or going to coffee shops. Since the 1930s, street vending has been a sensitive activity for intervention by Bogotá's city authorities, who have instituted controls and regulations through the Popular Vending Fund (Fondo de Ventas Populares), including affiliation of street vendors to unions and associations, the issuing of licenses, permits and IDs and health regulations regarding food sales, but, more importantly, the designation of areas where stationary and mobile vendors could set up stalls or circulate. In the early 1990s, the city launched a campaign to recover public space that was increasingly being 'invaded' by informal selling and parking. According to some vendors, the street environment was worrisome at dawn because of the sudden arrival of menacing people including gangs and people who through their postures and gestures effectively expelled vendors and pedestrians. Street vendors became attuned to signs of danger, such as young people wearing a particular style of trainer shoes or black jackets where they could supposedly hide knives. They established tacit agreements of reciprocity with gangs of thieves under the terms of which vendors would not snitch on the gangs and the gangs would not rob the vendors. Pedestrians learned to walk quickly and show no fear, even though they dreaded having to get from one place to another (Salcedo 1996, 1998). Vendors' appropriations of small sidewalk areas by custom and, in some cases, as a result of having traded on the same spot for decades challenged the city government's attempts to control the informal use of public space through permits and registration. Through intimidation and menacing displays, thieves displaced pedestrians and suppressed the use of these public spaces, rendering useless the efforts of the police and the municipal authorities. Over the years I came to understand the coping strategies of street vendors in dealing with the spatial limits for informal selling: many build their own merchandise boxes or pushcarts in such a way that they can move quickly and easily when they see police approaching.

My second example illustrates the dialectics and semantics of space produced by sex workers in downtown Bogotá. In 2009-2011 I adopted an ethnographic approach to study this issue together with my students in Santa Fe. This neighbourhood was built in the 1940s as a residential area; over the years it has become one of the few legal red-light districts in Bogotá and one of the main drug-selling points in the city. In this context of multiple and interwoven formal, informal, legal and illegal activities, many actors dispute, negotiate and impose the use of spaces and the circulation of merchandise by controlling the rules of social control and the

terms of local violence (Salcedo et al. 2010). In an attempt to manage risk, disease and moral guilt, the demarcation process associated with urban planning has designated parts of this area as a High Impact Zone (Salcedo 2015: 57) linked to the presence of heterosexual and transsexual women. It was also designed to protect the moral integrity of residents who have opposed these ‘undesirable behaviours’ for being ‘a threat to family morals’. The legal and technical demarcation of this area follows the logic of the reticular division of urban land which imagines that activities match legal categories. It contrasts with the way in which these women transit and drift (Perlongher 1999) between sidewalks and indoor spaces often run by powerful actors who are connected with drug trafficking, paramilitary groups and the police. For the city government this designation of zones enables a close control of sex workers, including health controls, firearm controls, the promotion of human rights in cases of physical abuse or violence, campaigns for the use of condoms, hygiene and safety conditions in spaces where their business is conducted, the affiliation of sex workers with the state healthcare system, and the obligation of business owners to report cases of abuse of their workers and of violation of their rights. For sex workers these streets were ruled by a hierarchical chain of power relations and the related codes of respect, violence and security. ‘Money is king’, as many usually put it. At the top of this chain, drug dealers and intermediaries impose silence as a main method of surveillance. At a lower level of the hierarchy stand administrators of the larger businesses where prostitution is practiced and the police patrols who pass by and, once they get their cut, pretend to see nothing. Clients are free to come and go, but many fear to be exposed to STDs, robbed by women hiding knives, or fall victim to extortions and blackmail that undermine their standing with family members or colleagues at work. Among the sexual workers there is an intricate rivalry based on age, beauty, socio-racial condition and gender and sex boundaries: demand for young transsexual sex workers makes them more valued in the local sex market, and they are in competition with heterosexual women for work territories. Many women who work in the sex trade reported that there is plenty of envy and conflict; at the same time, the moral economy of this field includes a form of mutual care and reciprocity that contributes to establish ties of solidarity. During the 1990s, before this market was monopolized by powerful drug-dealing forces, older women who had earned respect over the course of time controlled certain territories, whereas recently-arrived women were submitted to beatings and abuse until they demonstrated that they knew how to defend themselves in the street. Younger workers paid older women a fee to remain in the area. With time, older women became their ‘mothers’ and younger women their ‘daughters’, and they looked after each other when ill or in need of assistance. Many workers created strong affective bonds with their peers, calling them sisters. In this environment, legal norms are reduced to intermittent imposition of bureaucratic control, health checks and prevention programmes, while effective power and respect are earned through to the logic of money, physical violence and struggles for prominence (Bourgois 1996: 8). The legalization of prostitution in this area has brought more protection for heterosexual and, particularly, transsexual women to circulate without being insulted and harassed. At least they now know that they do have rights to fight for. Personal protection and care, however, are

provided by the kinship system that they have created; a system that, as I have indicated, entails both abuse and care, love and envy. They increasingly appeal to the legal system to defend their right to be on the street or to denounce physical violence and abuse.

In the two cases that I have described, streets are the sites of a quintessential lawlessness and a criminal underworld. At the same time, there is no absence of law, informal norms or microsocial regulations. Using the threat of violence, powerful actors impose their vigilantism and street justice at will, creating contested sovereignties and jurisdictions. Informal street vendors appropriate portions of public space claiming that they have been there for years, and they do so in spite of official efforts to recover public spaces for collective use. Applying the cynical but pragmatic rules of the street, vendors prefer to come to tacit agreements with criminal gangs in order to protect their income and their right to work. They know that a formal complaint to the police could mean a death sentence. In the case of sex workers, the police contribute, informally, to maintain spaces for prostitution where drug-related business and money laundering are intertwined with official interventions based on spatial demarcations for sex work and legalized prostitution. This has helped to endow vulnerable sex workers with rights while having virtually no effect on abuse and exploitation. In this dialectic of law and disorder, the discourse of rights for sex workers contrasts with repressive and brutal actions aimed at destroying sites where illegal drugs are sold, as in the case of the demolition in 1999 of 49,000 acres containing the oldest houses in Bogotá.

### **Concluding Remarks**

The provocative discussion on legitimacy based on the ethnographic research undertaken in the various urban contexts discussed in the book edited by Pardo and Prato (2019) has resonated with my own research to consider further the fallacy of clear-cut distinctions between the legal and the illegal, the formal and the informal. What the authors in this volume state — and I join them in this endeavour — is that abstract liberal theories do not elucidate the multiple layers of norms and social orders that intertwine in urban scenarios. Significantly, in the first two cases that I have discussed, dwellers of self-constructed neighbourhoods legalize their illegal plots of land whereas workers and internal migrants access legal state loans to obtain affordable housing. Both groups legitimize their claims as bearers of rights fighting for a dignified life in a healthy environment. By demonstrating competence and education, they participate as legitimate actors in the public sphere who defend their territory from powerful private interests with the capacity to manipulate real estate law. An association of wealthy homeowners claims placemaking rights based on the legitimacy that fifty years of social standing and prestige have endowed on them. They do so in order to achieve a long-lasting betterment of their residential neighbourhood, even if this often implies the privatization of privileges and spaces, and violations of or contradictions with existing municipal law.

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## ***Failed Neighbourhood Legitimacy: Alternative Transportation and Sanitation Services in North Brooklyn***

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Legitimacy refers to authority that is invested in individuals and institutions through societal consensus. It is legitimate power. 'To have authority, power needs legitimacy. Authority in turn needs trust' (Pardo and Prato 2019: 6). Pardo and Prato's *Legitimacy: Ethnographic and Theoretical Insights* is a collection of research studies about legitimacy and the worldwide erosion of leadership and government, written by international social scientists. The discussion is quite timely. Everyday around the world there are reports of increasing discontent among ordinary people with those in power. This dissatisfaction is igniting grassroots protests and various forms of activism which highlight the conflict between élites and masses.

Increasingly, there is failed legitimacy through broken democracies that lack effective leadership and governance. In New York City, ethnographic research on gentrification and large-scale development indicates that neighbourhoods have been reconfigured and refashioned with new residences. This has led to a crisis of adequate services greatly affecting the quality of life. This essay will focus on neighbourhoods in North Brooklyn.

The North Brooklyn waterfront overlooking Manhattan's east side was dormant for years, because of deindustrialization. Former factory buildings, and a number of piers were left to deteriorate, but served as reminders of a vibrant past. It was not until a sustained real estate boom in New York City continued into the new millennium, and Michael Bloomberg became Mayor, that the waterfront became a desirable prospect to City Planning and private developers. It was to become a lucrative market.

The Bloomberg administration has been accused of running government like a corporation, which is executed through private development and revenue production. Luxury development, through rezoning, redevelopment, and tax abatements was believed by this administration to generate all kinds of economic activity for New York City. This approach assisted in realizing Bloomberg's vision of New York as a 'Luxury City' (Greenberg 2010: 31). Under Bloomberg, Sanitation workers would search through people's trash seeking violations of trash collection ordinances (such as mixing recyclable and ordinary trash and/or putting receptacles curbside too early). One observed that a homeowner was issued a Sanitation violation after his family cleared out an apartment of furniture after their elderly father had passed away. They received this fine for putting the furniture curbside prior to 4PM the day before their scheduled collection. In the meantime, the homeowner was trying to prepare the apartment for the arrival of new tenants, revenue that his family needed.

At the same time that revenue production is done by 'taxing' ordinary New Yorkers, the activities of more affluent groups are supported. The use of bicycles as a mode of transportation

is encouraged. As noted by Krase and Krase (2019), it is part of the conceptualization of a luxury city. These researchers indicate that biking is promoted in gentrifying neighbourhoods and constructed bike lanes connect these areas. Evidence for this claim is that in some Queens' communities serviced only by buses and cars, they have not witnessed the same expanse of biking, bike lanes or biking programs like Citi Bike as the levels in Brooklyn and Manhattan. Yet, some Queens' communities are in need of additional modes of transportation. Legitimacy fails in this regard to provide for those in need. Moreover, there is also failure to enforce the safety of all stakeholders; namely, pedestrians, drivers and private property, with the addition of bicyclists. According to the NYC Department of Transportation, 'Bicyclists have all the rights and are subject to all the duties applicable to drivers of motor vehicles' (2018). Moreover, they are not to ride on sidewalks. Car drivers and pedestrians need to exercise more caution since bicyclists ride both ways on one-way streets and ride through red lights. Negotiation is required for all moving, transport vehicles and pedestrians. One life-long resident said as she crossed the street and was almost hit by a moving bicycle, 'These bicycles, they're so arrogant!'

The parking and storing of bicycles ignite a clash of social norms. Bicycles are often locked to poles which state street cleaning rules. In some cases, they are left for months. This causes a liability for the homeowner since the bicycle creates an obstruction on the sidewalk. Homeowners are responsible for the condition of the sidewalks in front of their homes, which should be free of impediments that could cause harm to those passing by (which includes snow and trash). In some cases, the police have been called; the response was, 'Someone in City Hall likes bikes'. The volume has gotten beyond an amount that the police can effectively manage. There is little to no enforcement on matters related to bicycling.

The Bloomberg administration has also made a reputation on housing development. In 2002, it proposed a housing program for New York City to include 'roughly 60,000 housing units throughout the five boroughs over the next four years' (Steinhauer 2002: B1). The plan for these units was to incorporate subsidized apartments for special needs populations, residents with a middle-income and luxury market rate housing for the affluent. About 40,000 units would come from rehabilitation under the control of the City's agency for Housing Preservation and Development (HPD). The remaining housing units would be created through private development with much of it located along the available parcels of waterfront throughout the City. North Brooklyn's large waterfront was already a development priority of the Bloomberg administration, since the waterfront consists of huge parcels of land. Previous mayoral administrations were able to transform cheap, abandoned property with little value, using public funds, and develop housing. Now, with land and housing prices in New York City spiralling upward, unwanted buildings for rehabilitation are relatively unavailable. These are gut renovated by owners or small developers.

Rezoning land use in New York City is a legal process referred to as ULURP (Uniform Land Use Review Process) that goes through a number of levels of governmental votes before it becomes law. Bloomberg's final plan for the waterfront 'rezone[s] a 175-block area of

Greenpoint and Williamsburg’ (Cardwell 2005: 1). It contains 54 acres of parks including a publicly run esplanade that spans the entire waterfront.

The residential population has dramatically increased, along with pedestrian visitors and cars with out of state license plates. There has been a 17 percent increase in the population since 1980. By 2010 13,413 housing units were added to the built environment (Krase and DeSena 2016: 20-21). That number is expected to increase as is the population.

The failure of governance lies with the lack of planning around other essential services. One such service is sanitation. For residential buildings, it is provided by the City of New York. All of the additional residents, visitors and tourists bring more trash. Public receptacles overflow with trash by the end of the weekend. The containers of private homes are the repository of trash belonging to those passing-by. The Department of Sanitation has acknowledged the trash problem. In 2017, it was announced that in parts of North Brooklyn, there would be a reduction of days requiring street cleaning. In other words, parked cars would need to be moved less days of the week. It was stated that the streets had become cleaner (The Greenline 2017). Thus, street cleaning four days a week was no longer warranted. A few months later, ‘The Department of Sanitation put the plan to reduce the number of alternate side parking days on hold after the neighborhoods’ cleanliness rating dipped below the city’s threshold for six months in a row’ (Rizzi and Staff 2018).

On residential streets the combination of new construction, gut renovations and overflowing trash has contributed to a major problem with rodents. Rats are displaced by development. Residents question if the developers properly bait for rodents at their construction sites. And also, are construction workers on site properly disposing of their trash? Only an investigation by the appropriate government agency could address these queries. At present, rats are spotted running on residential streets, under parked cars, around trash cans and in trash bags. This problem is exacerbated by excess trash. The trash feeds the rodents. Numerous rat sightings are a new experience for long-term residents. In fact, some homeowners are investing in private extermination services surrounding their homes and in their backyards. Some engage in activism regularly reporting to NYC government and also to local politicians requesting a follow-up.

With a plan for large scale development and attendant growth, why have services not been increased? Where is public health to address the rodent problem? Where is the enforcement side of both public health and sanitation? Sanitation publishes ‘A Summary of Sanitation Rules and Regulations’ (Department of Sanitation of New York 2015) which states that buildings must have enough receptacles to collect trash for 72 hours and should include tight lids (p.10). There is a fine schedule for each violation. While walking around, it is not uncommon to see violations. Many containers are without lids. One homeowner commented, ‘They [Sanitation] lost my lid’. While pacing up and down his street, another remarked, ‘I can’t find my lids. Therefore, some homeowners remove them so they do not get lost. There are other violations as well. Trash is often disposed in retail plastic bags and placed curbside without a container.

There are no warnings or enforcement of rules and regulations on the part of Sanitation services. Moreover, co-ordination between the Departments of Sanitation and Public Health is unclear.

In their chapter in Pardo and Prato's edited collection (2019), Krase and Krase discuss the breakdown of legitimacy in another part of Brooklyn. They make the point, '...when authorities claiming traditional legitimacy based on accountability to the community fail in that regard they are seen as illegitimate' (p. 188). In other words, they have failed in their responsibility to the community.

Why do citizens in North Brooklyn experience this lack of accountability? This essay offers two explanations. One is a disconnection between the bureaucracy of New York City government, including Police, Sanitation and Public Health bureaucrats, and the local workers. The published transportation rules around bicycling are not enforced. Nor are expectations around sanitation. For example, after a holiday, residents will inquire about trash collection through [nyc.gov](http://nyc.gov) or by calling 311. Typically, what these centralized sources of information convey is not what locally happens. In other words, if trash collection is missed because of a holiday, the central systems say that it will be collected the next day. Yet, it is ignored by the local Sanitation garage. With few exceptions, the local structure simply continues its usual practices.

The other explanation for a lack of accountability is failed leadership by the present Mayor. Following Michael Bloomberg into office, who was referred to as the billionaire Mayor, Bill de Blasio ran on a platform of 'the tale of two cities'. He contrasted wealthy New York and impoverished New York. Even the song selected for his first campaign was 'Royals', by Lorde. After years of fatigue from Bloomberg's rezoning and development plans, revenue collection by raising taxes and issuing fines and siding with the Transportation Alternatives lobby, de Blasio was a refreshing choice for many New Yorkers. At this point and into his second term, many have come to see him as an ineffective disappointment. Recently in *The New York Times*, there was an article with the title, 'Why de Blasio Has Few Bad Days at the Office: He's Seldom There' (Neuman 2018). It goes on to explain that he prefers to work from the Mayor's residence. Perhaps the workforce takes a cue from his work habits.

One purpose of legitimacy is to act 'for the people'. Using Pardo and Prato,

'A key task of governance is to establish and nurture the connection with citizens' values, needs and expectations, the strength of which depends upon the observable quality of the link between political responsibility and trust and authority in the exercise of power' (2011: 1).

And those connections are missing. As of this writing, the problems remain. Bicyclists continue to violate traffic laws, and sanitation services are negligent. On one trash collection day, some residents remarked that their trash was not collected. The Sanitation truck passed them by attending to some, but not all. Anarchy has become rule in North Brooklyn.

This essay offers a final note regarding the failure of governance to work on behalf of the people. In an adjacent neighbourhood to North Brooklyn in Long Island City, Queens, it was

announced that Amazon would locate its New York City headquarters there. Political and corporate elites were the dealmakers. They and others celebrated the increased economic development for the City. Other groups were critical and opposed the plan, concerned about the subsidies Amazon would obtain, and also quality of life issues, such as increased housing costs, more overcrowding of public transportation and vehicular traffic and lack of an adequate infrastructure. The ‘masses’ were left out of the process. Their voices were not considered. The entire process was poorly planned and executed. At the end, the corporate giant, unaccustomed to opposition, reneged on the deal. Thus, the activism of citizens continues.

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## ***Legitimacy in Conviviality— Learning from Legitimacy: Ethnographic and Theoretical Insights***

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The present era has been characterized as an age in which people are connecting with each other in a dimension different from the spaces in which they live, as typified by such developments as information technology (IT), the Internet of Things (IOT), and ‘blockchain’. However, another characteristic of the current age, the concentration of populations in cities as vast spaces of livelihood and conviviality, has become a prominent phenomenon worldwide. According to UN statistics on the global urbanization rate in 2018, 55% of the world’s population now live in urban areas. The proportion of the world’s population that lives in cities, which was only 30% in 1950, is projected to increase to 68% by 2050. Looking at sub-Saharan Africa, where I conducted my fieldwork, the annual growth rate for urban populations is 3.4%, nearly 2.5 times the world average. In other words, our contemporary world remains an age of cities, one in which the role of urban anthropology — to elucidate human life and urbanism in spaces where heterogeneous populations are concentrated — has become highly important.

When heterogeneous populations come together, the naturally resulting coexistence of different languages, cultures, values and preferences will inevitably result in the constant emergence of tension and conflict, or domination and anomie. In such contexts, there is a strong need for morality and social norms that can ease tensions arising from mutual differences, mediate conflict and resist domination. In urban society, these are ensured by the notions of *legitimacy* and *justification*. The collection edited by Italo Pardo and Giuliana B. Prato on *Legitimacy* (2019) is the outcome of a drive to elucidate these notions and delve deeply into them in the lived context of urban societies around the world.

Modern political science has operated on the premise that justification and legitimacy are both fundamentally assured by the notions of justice and the rule of law presided over by the nation-state. Moreover, in the context of a contemporary world of increasing globalization, forms of universal legal justice have also been envisioned that transcend the legal systems of nation-states, as in the case of universal human rights. In the context of society as it actually exists, however, it is not at all uncommon for the course of events to diverge from such understandings and assumptions. Situations occur daily in which neither the so-called justice embodied in nation-states’ laws nor the justice supposedly enshrined in universal laws can be said to have legitimacy. Urban anthropologists and other researchers are engaged in urban fieldwork themselves in these lived contexts. The questions that such practitioners must tease apart, as summarized with lucid precision by Pardo and Prato (2019) in Chapter 1 of the aforementioned volume, are as follows. How is legitimacy separated out and given a moral foundation in conflict situations that involve multiple forms of legitimacy? If this legitimacy is engendered by specific cultural practices irrespective of the laws of the state, then by what

mechanism? How are the legitimacy and justification conferred, which modern laws derive from the state, articulated, appropriated and domesticated within the grassroots cultural practices of ordinary people? In order to conceptualize the fiercely conflicting desires for fluidity and stability on the part of people living in the contemporary urban world, this collection also serves as a record of an intellectual conflict in having attempted to use legitimacy as a key word for sharing these questions in a joint attempt to address this difficult problem.

Since the 1980s, I have been continuously engaged in urban anthropological research in Kenya, where my field sites have included informal urban settlements in and around Nairobi and the home villages of migrants who arrive in these settlements from Western Kenya. Since 2011, I have been coordinating a ten-year project on ‘African Potentials’, promoting collaboration between Japanese researchers and African scholars in the humanities and social sciences. For the first five years of the project, we were primarily engaged with conducting fieldwork at sites of conflict across Africa, working to learn the local wisdom employed to resolve conflict and tension arising from situations characterized by heterogeneous coexistence.

In domains such as ethnic conflict, religious conflict, and land issues, the differing ideas of ‘correctness’ (that is, justice, morality, values) respectively relied upon by opposing camps will often clash in an irreconcilable fashion. Within these lived contexts, we have studied the ways in which a legitimacy that can be accepted and shared by both parties can be created and then used as a basis for an attempt at problem-solving in such situations, based on specific cases in various parts of sub-Saharan Africa (including Nairobi, Harare, Juba, Yaounde, Addis Ababa, Kampala, Grahamstown and Accra). Many of our own attempts resonate and overlap with the results of the papers in this collection, and we gained considerable insight from the legitimacy-centred conflicts and practices that have occurred in cities elsewhere around the world.

I would like to mention a few of these learning moments, while citing several of the chapters. What these fourteen papers strove to verify in the context of lived practice around the world was the complicated process by which legitimacy is created by urban residents. Herein, we can confirm several levels. The first, overarching urban society, consists of the legitimate order and institutions of the modern nation-state. However, in the lives of many people, the legitimacy of the state and its institutions and laws do not enjoy universal acceptance (Atalay, Turkey). In order to overwrite this situation, legitimacy is generated in the everyday social and cultural practices carried out by ordinary people. Here, this kind of legitimacy is created in a dimension that is distinct from the legality institutionalized by the nation-state and the enforced legitimacy based therein (Pardo, Italy; Abraham, India). The situation is more complex, however, for the norms of their unique legitimacy autonomously engendered in the life worlds of urban citizens do not exist in a state of pure duality in which they simply conflict with the legitimacy of the state. This is because once people accept the institutions and legitimacy brought about by the state, they then reinterpret, recreate and re-appropriate these in ways they find to be expedient in their own lives (Prato, Italy and Albania, Krase and Krase, USA). Complicating this situation even further is the fact that the legitimacy thus engendered is not established as a fixed morality or set of norms; rather than something that functions in

perpetuity, it is constantly changing in accordance with circumstances and the times (Uherek, Czech Republic). While legitimacy in a certain lived context does take shape at the intersection of these three levels, such legitimacy will naturally not be uniform. It is precisely within the dynamic process by which these multiple forms of legitimacy coexist — complementing, competing with, and even rejecting one another (Mollica, Lebanon) — that we can recognize a new kind of agency on the part of urban citizens (Koechlin, Kenya).

I might add that this collection also represents a methodological challenge to fieldworkers approaching the question of legitimacy in urban settings. Krase and Krase, for example, suggest that when confronting intricate situations that pertain to legitimacy in urban settings, urban anthropologists must do more than simply resort to objectification. Instead, they persuasively demonstrate the possibility of researchers committing themselves to such situations and collaborating with community activities from an embedded subjectivity. This is certainly only one option, but an attitude of self-embeddedness and projection is a method that promises to be an important asset for the future advancement of research in the field of urban anthropology.

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## *An Ethnography of Filmscapes: Borders of the Legal and the Legitimate*

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As brought out in the book edited by Pardo and Prato (2019) on *Legitimacy: Ethnographic and Theoretical Insights*, one of the most important paradoxes of law consists in the fact that people often distinguish the moral from the legal and the legal from the legitimate. In this prism, law and legitimacy address different issues. Law makes normative statements in order to make legal action possible and generalizable for all subjects of power. Legitimacy, in contrast, is about articulating the moral and social conditions in relation to which the law can hold its subjects responsible. Thus, what people consider legitimate in their everyday lives may not be legal; while, at the same time, what lies outside the boundaries of law can be seen as legitimate (Pardo and Prato 2019: 7). The role of governmentality, in this regard, is to connect the legal apparatus to moral, cultural and political values (Krase and Krase 2019: 170). Legitimacy connects law to people's daily practises and is often produced through popular cultural forms.

In this article, I first discuss films as mediums through which ideas on law and legitimacy are communicated to public arenas. Western, science fiction and crime fiction genres in particular have addressed the paradox of the legitimacy of law in their narratives. After locating this problematic in the field of film studies, I address two ways in which the differentiation between the moral and the legal and likewise, between the legal and the legitimate, relates to my research on the spectacle of politics and religion in contemporary Turkish cinema.

I suggest, in this context, that the cinema functions as an ideological state apparatus which creates myths and popular visions about law, law making, morality, ethics and legitimacy. Films reflect and intervene into the cultural and aesthetic properties of the spatial and temporal contexts which they portray. They represent and re-interpret collective traumas and social conflicts within certain narrative contexts. In our increasingly mediatized society, as the social and the political increasingly turn into spectacle, the cinema increasingly appears as a governmental device, a *dispositif*.

### **Filmic Narratives on Law and Legitimacy**

Films often offer narratives on fundamental issues of law and legitimacy.<sup>1</sup> These narratives engage the viewer in the context of a narrative event and suggest a vision on the legitimacy of law, either explicitly or implicitly. Western, science fiction and detective genres, in particular, have frequently highlighted the blurred lines between morality and legality, as well as legality and legitimacy.

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<sup>1</sup> See, for instance, *Amistad* (Steven Spielberg 1997), which addresses the geographical and cultural relativity of law, and *The Secret in Their Eyes* (Juan Jose Campanella 2010), which elaborates on the irrelevance of law with respect to justice.

To illustrate with some examples, Western films such as *High Noon* (Fred Zinnemann 1952) and *Stagecoach* (John Ford 1939) highlight the violence which lie at the heart of sovereignty and question the law's own legitimacy (Mezey 2011: 67). The main theme in this genre, taming the frontier between civilization and wilderness, often coded as lawlessness at the expense of displacing the native Indians, registers the problematic relationship of law to violence.<sup>2</sup> This relationship is taken up by many Western films as a critique of a legally enforced morality. In this genre, the discrepancy of law and legitimacy concerns not only physical but also racial frontiers. *The Searchers* (John Ford 1956), for instance, tells the story of the colonialists' anxiety over interracial sexual relationships and posits a viewpoint on anti-miscegenation laws that banned marriages between whites and non-whites. The interracial sexuality between white men and non-white women was not illegal, despite being morally questionable (Hui 2004: 189), while sexual relations between white women and non-white men were both illegal and illegitimate.

The science fiction genre, too, has raised the issue of the legitimacy of law. Some films like *Blue Mars* (Kim Stanley Robinson 1996) regard the regulatory function of law as the prerequisite of the common good. *Blue Mars* deals with how to build a new society and a legal structure which would overcome social corruption (Vella 2016: 22). However, dystopic science fiction films like *1984* (Michael Radford 1984) contrast the unjust, oppressive legal system implemented by the state with the inherent everyday morality of the people. *Minority Report* (Steven Spielberg 2002), in its year-2054 dystopian setting, also questions the legitimacy of law enforcement. Its narrative centres around mutants who identify potential criminals before they actually commit a crime. As such, the film invites us to reflect upon the ethics of law whose focus shifts from distinguishing the guilty from the innocent to the identification of potential criminals. Another emblematic example is *Gattaca* (Andrew Niccol 1997), a dystopic science fiction which focuses on eugenic practises. This film addresses the relativity and contingency of law. It interrogates how what was once considered an illegal act can be justified by science and become legal (Erdede 2018).

We can discern similar problematics in the detective genre as well. For example, *Murder on the Orient Express* (Sydney Lumet 1974) contrasts the rule of law and divine justice to address the ineffectiveness of the legal system. *Eastern Promises* (David Cronenberg 2007), an example of the crime genre, tells the story of how the primordial father is overthrown to restore the symbolic order, underlining the exceptional violence which lies at the root of the law-making mechanism (Kesirli 2008: 72). Likewise, *The Alienist* (2018), a recent example of crime fiction on the streaming platform, Netflix, contrasts the corruption of law enforcers, the New York Police Department, with the morality and rationality of an amateur detective, a criminal psychologist.

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<sup>2</sup> Critical political theorists have addressed the violence intrinsic to law (see Benjamin 2004, Agamben 1999). As, historically, it is often violent conquests and sometimes revolts that give rise to states.



Overall, films not only represent and communicate ideas on law and legitimacy but also act as ‘agents of law’ (Mezey 2011: 66; Orit 2005). The films’ communication of law and legitimacy to public have an afterlife. They have implications in terms of how the individuals’ relationship to law is redefined and enacted (Mezey 2011: 66). In this context, there is a dialectical relationship between reality and fiction. Mainstream approaches treat films as fiction which are, at best, representative of social reality. However, by appealing to the collective social unconscious, films construct social reality. They define the borders of legality and legitimacy.

### **Legality versus Legitimacy: Formalized Religion and its ‘Others’**

I now relate the differentiation between the legal and the legitimate to my research on the spectacle of politics and religion in today’s Turkish cinema (Thwaites Diken 2018). My point of departure in this research project was the common origins of the fields of cinema, religion and politics, in terms of the concept of the spectacle (Thwaites Diken 2018: 1). These three fields seem to be autonomous, yet they share homologies in terms of how their internal hierarchies of power are organized. In all three fields, power and legitimacy rely on visual mechanisms and the subject is constituted through spectation, intended as the art of watching.

In the field of politics and power, sovereignty and legitimacy rely on the gaze of the governed.<sup>3</sup> Religious authorities also constitute their legitimacy through the spectators’ active participation in religious rituals and their creation of meaning. In our increasingly mediatized society, the cinema serves to mediate politics and religion to the public. Debord (2005) discusses the cinema as the most obvious art form to observe the spectacle. In fact, the cinema is not only a popular cultural form. It also characterizes the operational logic of the fields of politics and religion, which have historically been cinematic. Spectatorship is indispensable to the production of power and legitimacy in these fields. The ‘bread and circuses of the Roman state’ once served to ensure the consent of the masses. With modernity, we have reality shows, opinion polls, campaigns, Olympics and Oscars, which serve similar purposes. The game has not changed: while the political and the social turn into spectacle, the spectacle itself remains more or less de-politicized.

My aim in this research was to show how the contemporary Turkish cinema functions as part of the spectacle, which serves as a tool for modern governmentality in Turkey. I focused on how the contemporary Turkish cinema articulates and communicates the ‘return of religion’ in the public sphere — in fact, a global phenomenon in the 2000s — on a thematic and a visual level. Rather than films which make propagandist and explicitly ideological statements on political and religious issues, I selected films that pose philosophical questions on religion, such as truth, being, subjectivity, messianism, heterodoxy, belief and event. The analysis of these

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<sup>3</sup> The figure of the Leviathan is a classic example which shows that sovereign power relies on gaze. Thomas Hobbes (1651) uses the example of this biblical figure, the Leviathan, to suggest that power is a relationship of visibility. The upper part of the giant figure is composed of faces looking up at his face. They symbolize the citizens of the state. The spectator always feels the gaze of the Leviathan from all angles, reminding her of her subjection to that authority.

films aimed to understand the ways in which they accord legitimacy to religion, particularly non-formalized religion, as an organizing principle of social and political life in contemporary Turkey. My research focused on six films: *The Messenger* (Çağan Irmak 2008), *A Man's Fear of God* (Önder Çakar 2006, Atalay and Thwaites Diken 2018), *Let's Sin* (Onur Ünlü 2014), *Sixty-One Days* (Yüksel Aksu 2016), *The Imam* (İsmail Güneş 2005), and *The Shadowless* (Ümit Ünal 2009).

A key finding was that most films in this genre often polarize institutionalized/formalized religion (used synonymously) — Islam, in this case — and pure, authentic, unmediated faith. They provide the spectator with narrative events in which the legitimacy of formalized religion is questioned. The films invite the spectator to think about belief and organized belief, religion and philosophy, and their relationship to truth, and messianic event and revolutionary event. Almost all films that I analysed favoured the 'Others' of formalized religion; namely, folk religion in Anatolia versus state-imposed religion, Alevi-Bektashi Islam versus Sunni orthodox Islam as the official religion of the Ottoman State, authentic religion versus institutionalized religion, heterodox Islam versus orthodox Islam, ascetism and messianic religion. The 'Others' of institutionalized religion are often coded as pure belief and considered to be devoid of and immune to political and social conflict. Hence, beliefs without institutions and mediators are accorded legitimacy.

Some examples will help to illustrate this point. *The Messenger* (Çağan Irmak 2008) contrasts formalized religion used to legitimate the political power of corrupt authorities in the village with Gnostic religion presented as the language of the dispossessed and the source of universal values. *A Man's Fear of God* (Önder Çakar 2006) compares and contrasts the economism of institutionalized religion with asceticism. It shows how formalized religion conceives of divine life as an economic/governmental vocation by accumulating deeds as an investment to be used in the afterlife. When the protagonist cannot legitimate in his belief system what is permissible by the scriptures, he experiences a mental breakdown. The narrative of *Let's Sin* (Onur Ünlü 2014) centres around an unusual cleric who also works as an amateur detective to solve a murder committed in his congregation. The film compares and contrasts his roles as a cleric and a detective (each symbolizing, respectively, tradition and modernity) to question whether theology and philosophy are competing but equivalent ways to reach the truth. *Let's Sin* also favours Alevi-Bektashi beliefs and socialist interpretations of the Quran over the ritualism and the hierarchical power structure of formalized religion. The film accords legitimacy to the former and legality to the latter. *Sixty-One Days* (Yüksel Aksu 2006) privileges the teachings of folk, syncretic Islam over formalized religion, due to its similarities with socialist thought in terms of emphasis on equality and justice. By showing that folk Islam is more suitable to the daily lives of the villagers, the film gives legitimacy to folk Islam and views critically the punitive characteristics of state-imposed religion. The film explores the various meanings of belief to show that belief lies not only in the field of formalized religion but also in politics and philosophy. In what follows, I discuss formalized and non-formalized religion in terms of the distinction between morality and ethics.

### **Morality versus Universalistic Ethics as Codex**

It is possible to conceptualize this contrast between formalized religion and its ‘Others’ in terms of the distinction Bauman (1983) maintains between morality and ethics as codex. He argues that modern ethics is universalistic and aims at formulating a codex, a set of rules and norms organizing peoples’ social relations with each other (Bauman 1993: 8). In other words, ethics concern how we relate to the ‘Other’ and rests on a universalistic conceptualization of this relation. This understanding implies that humans can live in a society thanks to the regulatory mechanism provided by these ethical codes; it reiterates Thomas Hobbes’ assumption, in the idea of the social contract, that, in the absence of these codes, humans cannot live in peace and society would plunge into chaos. Bauman argues that this is not the case. On the contrary, he suggests, humans can live as social animals only because they are moral. Hence, morality, an ontological category, comes before ethics, an organizational category whose operational logic rests upon universalistic rationality (Bauman 1993: 125). According to Bauman, morality is instinctive and does not require any external enforcement; nor does it require any regulation into a system. Morality is also ambivalent for it emerges in the context of the ambivalence of the social relationships between individuals.

Modernity rests on the formulation of an ethical codex which regulates social relations. Law can be thought of as an ethical codex in this sense. The *raison d’être* of the foundations of law is external to the inherent morality of the individual. To put it differently, the legal apparatus regulates categorizable social relations among atomised individuals. The legal apparatus does not address the ways in which the moral person relates to the ‘Other’ and defines the self vis-a-vis that ‘Other’, and it does not address the social bond as an ambivalent, undefinable, existential necessity. So, morality cannot be reduced to ethics, a codex; morality, not any ethical codex, is what constructs legitimacy.

Formalized, official religion organizes itself around a codex which aims to issue universalistic laws applicable to all believers, regardless of the social and historical context. This codex rests on the assumption of an isolated believer, the sum of whom makes up the community of believers, bonding with each other through the medium of this codex. Codex aims to discipline and govern believers as subjects of the religious apparatus that claims to be the sole representative and interpreter of God’s word. Against this background, organized religion relocates the inherently moral humans within the governmental machine of formalized religion.

In the films analysed in my book on *The Spectacle of Politics and Religion in the Contemporary Turkish Cinema* (2018), we see that, in the absence of a regulatory mechanism, the believer is constituted as the subject of a messianic truth-event, in direct relationship with God, as in *The Messenger*; as the subject of a contemplative authentic religion, as in *A Man’s Fear of God*; as a subject aiming at unification with divine love which requires no demonstration or expectation, as in *Let’s Sin*; and, finally, as a revolutionary subject who challenges the institutionalized religion’s monopoly on truth telling, as in *Sixty One Days*.

In all these films, legality is represented by formalized/institutionalized religion. Furthermore, institutionalized religion, as it is represented in these films, reflects the paradoxes of law: what people consider as moral need not be legal and what is legal need not be legitimate in the eyes of the people (Pardo 2000). In *The Messenger*, political authority, who speaks on behalf of formalized religion, is not acknowledged as a legitimate authority by the villagers. The protagonist is presented as someone who suits the teachings of religion to his own interests. In *A Man's Fear of God*, the representative of formalized religion is the sheikh of a sect who indirectly accumulates and manages wealth under the guise of serving God and the community (by educating disciples and opening Quran courses). The sheikh's economistic perspective is contrasted by the perspective of a simple believer, Muharrem, for whom belief is all about living a life devoid of sin. The director, criticizing the capitalist orientations of organized religion, attaches legitimacy to the simple disciple's position. *Let's Sin* also casts in a positive light its protagonist, the non-traditional Muslim cleric who plays chess (symbolic of modern rationality), listens to Alevi-Bektashi folk music and plays a stringed instrument. In this film, humour serves to question the legitimacy of formalized religion. *Sixty-One Days* also employs humour to question the legitimacy of the dogmatic discourses of the official representative of orthodox religion, the state appointed cleric in the village. The film attributes legitimacy to folk Islam<sup>4</sup> and represents it in a cosy, colourful, carnivalesque setting. Overall, it can be said that the majority of the films accord legitimacy to unregulated, non-formalized, pure religion without a codex and question the legitimacy of formalized religion despite its legality.

### **Legitimacy as Normalization and Hegemony**

We can also think about legitimacy in terms of Foucault's (1995) understanding of the subject's willing participation in governmentality through disciplining the self. For Foucault, government does not only refer to the exercise of power from above by the state and bureaucracy; it also refers to the administration of populations and their biological processes, such as birth, death, education and fertility. In this context, Foucault distinguishes sovereign power from bio-power. Sovereign power is exercised through juridical mechanisms, while bio-power concerns the reproduction of the subject and his or her life world, including his or her body and sexuality. In other words, sovereign power is a juridical form designed to distinguish between who obeys the law and who does not. However, power is experienced not only as an external force. Bio-power includes the implementation of certain technologies to render the human conscious and the human body docile and functioning in the system (Foucault 1995: 163-167). In this sense, discipline is a technology of power. Modern institutions like schools, hospitals, army, religious institutions subject the humans to certain disciplinary discourses and practises in order to reproduce them as docile subjects. In this context, bio-power is not experienced externally.

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<sup>4</sup> Folk Islam is also called heterodox Islam, the anti-thesis of orthodox Islam. It is a vernacularized religion, adapted to the everyday life of the people. Its teachings syncretize scriptures with the wisdom of Sufism and local beliefs. It is also said to be heavily influenced by pre-Islamic shamanic practises (Ocak 2010).

Foucault sees power as diffuse. It is not possessed, but enacted; not concentrated, but dispersed; and, finally, not macro, but micro. In this sense, power is a ‘regime of truth’ which produces its subjects (Foucault in Rabinow 1991).

This is an understanding of bio-power as a set of ‘discursive practises’ that define the normal and the deviant and train the subjects of power to accept these norms and standards. Medical science, for example, holds the monopoly on distinguishing the normal from the pathological. Education teaches the subjects of power standards of acceptable behaviour in society. Thus, subjects of power discipline themselves and internalize these social norms and behavioural standards. Foucault’s emphasis on bio-power and normalization resonates with Gramsci’s concept of hegemony (1971). Discipline means the hegemonic acceptance of external norms by the subjects of power. In this sense, legitimacy overlaps with hegemony. What constitutes the legitimacy of power is the willing self-discipline of the consenting subject.

In the previous section, I have differentiated formalized religion from non-formalized religion and have discussed this differentiation in terms of legality and legitimacy. Here, I look at the legitimacy accorded to non-formalized religion from a different angle. Almost all films analysed in my book (2018) represent formalized religion as an external force (imposed, that is, by the state, through the Directorate of Religious Affairs) and non-formalized religion as a hegemonic force, suitable to the psychological and material needs of the subjects and their moral make up.

Considering that the Turkish cinema, especially before the 2000s, has thematically and visually articulated these problematics with reference to modern ideologies of the nineteenth and twentieth centuries, we can say that ‘the return of religion’ in today’s Turkish cinema has accorded non-formalized religion more legitimacy to comment on social and political problems. Almost all films analysed in my book provide a political critique of institutional religion. At the same time, however, this polarization of religion de-politicizes other forms of politics and criticism rooted in modernity. After the ‘return of religion’ in the cultural field, modern problematics like gender, equality and revolution have come to be discussed within the orbit of religion. In other words, a critique of formalized religion which points at non-formalized religion as its alternative in fact highlights the increasing hegemonic status of religion in the organization of social and political life. Hence, the ‘return of religion’ has manifested itself globally in various forms, like an increasing interest in New Age religions, mysticism and so on.

For instance, *The Messenger* discusses social inequality with reference to Gnostic religion, which presents itself as true religion and sees salvation in the messianic event to come. *A Man’s Fear of God* suggests that the protagonist would be able to keep his pure belief, if he had continued to live an ascetic life and not dealt with the financial affairs of the sect, representing organized religion. *Let’s Sin*’s discourse points at the religious sources of revolt by referring to socialist tendencies in the scriptures and the history of Islam. The protagonist, while questioning whether philosophy and theology establish the same kind of truth, seeks answers in anthropology, political science and detective work, which is the allegory of



modernity in the film. Yet, finally he chooses pure belief over reason, donating his books to an antiquarian and thanking God for losing in chess. *Sixty-One Days* is an exception in this regard. It shows how a child who cannot fast, and thus perform one of the five pillars of Islam, grows up to be a revolutionary who dies in a sixty-one-day hunger strike during the 1980 military coup in Turkey.

Overall, we can say that almost all films analysed in my book ideologically position themselves as advocates of pure, non-formalized belief vis-a-vis organized religion and are critical of its internal hierarchies. Yet, they articulate an anti-modernist position on social and political problems, accord legitimacy to non-formalized religion and verify its hegemonic status in the organization of society, while suggesting that formalized religion, despite being legal, is not necessarily legitimate.

Modern political theory generally discusses legitimacy in terms of consent. However, it must be noted that the organization of belief as formalized, ritualistic religion corresponds to the organization of politics as spectacle. In both cases, it seems that consent depends on people's voluntary participation in the governmental machine. However, while discussing the notion of legitimacy, this consent and its agent—that is, the mythic subject and her free will in the society of the spectacle—remain part of another paradox to be addressed.

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## ***From the Bearable to the Unbearable: How the Legitimate Becomes Illegitimate with the Transformation of Capitalism***

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The book edited by Italo Pardo and Giuliana B. Prato (2019; henceforth the *Legitimacy* volume) is a useful contribution to understanding the complex links between legality, morality, ethics, responsibility and legitimacy. The theoretical introduction by the editors and the case studies offered by the authors help us to re-interpret our own fieldwork and the ‘processes of legitimation and delegitimation’ involved (Pardo and Prato 2019: 5)

For example, the contribution of Manos Spyridakis on the justification of a specific morality and ethos pertaining EU policies resonates with events in Clermont-Ferrand (France), where the Michelin Company built a justification of its system of labour exploitation. Indeed, the creation of a myth legitimates an entrepreneurial spirit — with its norms and values according to Michelin — which legitimates the spirit of capitalism (Weber 1950). In other words, and borrowing Luc Boltanski and Ève Chiapello’s definition, it legitimates the ‘ideology that justifies engagement in capitalism’ (2005: 8), evolving as it changes. It gives employees reasons (economic, social, moral and in terms of security) to commit to the company and remain loyal to it. In terms of content, the Michelin family constructed the ‘Michelin spirit’, based on moral and Christian values. It revolves around the idea of exemplary father figure, as paternalism legitimises the system for managing the workforce, and also around the standards governing secret and asceticism that ensure its effectiveness. These standards dictate the employees’ way of being and acting, and foster a feeling of belonging to the firm whose values are proudly defended, carried out and nurtured by its members. In other words, the power of the ‘father figure’ and of the hierarchy in general is accepted as legitimate because it has moral consent (Prato 2019: 30) and is ‘morally consistent’ with its value system (Pardo 2019: 58).

However, since the 1980s, the transformations of capitalism — of which Michelin is one of the biggest examples in the world — found local expression in Clermont-Ferrand through the end of paternalism and the lay-off of over half of the employees (from 30,000 in 1982 to approximately 14,000 in 2006 and 12,000 today), revealing in the process the ideological aspect of the Michelin spirit. As the *Legitimacy* volume well shows through different examples, top-down decisions and evolutions impact people’s daily life and identity (see also Prato 2010, Spyridakis 2013). With the end of paternalism, and the end of local job prospects, workers in Clermont-Ferrand have lost protection and security. Strong feelings of abandonment and injustice are emerging among the workforce, as the job cuts are experienced as a betrayal. The integrity, ‘honesty, accountability and responsibility’ (Prato 2019: 37) of the Michelin ‘value system’ and, therefore, of the personal moral character of the ‘father figure’, are questioned. As Pardo and Prato state, ‘the authority to rule depends on recognition of rulers’ legitimacy across society’ (Pardo and Prato 2019: 2). They underline that ‘A key task of governance is to establish

and nurture the connection with citizens' values, needs and expectations, the strength of which depends upon the observable quality of the link between political responsibility and trust and authority in the exercise of power' (Pardo and Prato 2010: 1; see also Pardo 2019). When this link is eroded, authority is weakened, as mistrust leads both to questioning its credibility (Pardo 2012) and to highlighting its character of authoritarianism (Pardo and Prato 2019: 6). In the case of Michelin, the mythical dimension of authority is de-sacralised. The workers, overcome by a sense of injustice, start a process of de-legitimation (Pardo 2019: 59) of the firm through a process of its desacralisation. This desacralisation takes place in two ways. First, the mythical narratives are questioned (for more details, see Vedrine 2018) and second, the code of silence linked to the norms of the firm is transgressed by speaking out through a public demand of justice.

Indeed, the demand of justice emerges in conjunction with a demand for security and recognition. Since 2001, the new ways of combating the different forms of injustice in the Michelin company have generally taken a path that until then was tentative or altogether new. Faced with the failure of union action, which has become obsolete, new modes of action have effectively taken shape that have a public scope as they use video evidence (echoing Prato's work [2019] on a television show in Albania that uses satire to expose corruption) and call on the legal system, leading to trials for union discrimination. In the Jocelyne Lemaire-Darnaud's documentary film *Paroles de Bibs*<sup>1</sup> (2001), workers from Clermont-Ferrand reacted to the book *And why not?* published in France in 1998 (English version, Levaï et al. 2003). In this book, the father figure embodied by the boss François Michelin, converses with two journalists, Ivan Levaï and Yves Messarovitch. With *Paroles de Bibs*, the director gave the workers the opportunity both to reply to their boss and to appear in public — in the sense of becoming visible — on cinema screens and in debating arenas where the film continues to be regularly projected. More generally, since its release, *Paroles de Bibs* has become a resistance tool because it helps workers to be heard and to be seen in hitherto inaccessible public arenas, but also because screening it in different environments allows the Bibs to infiltrate the widest possible resistance networks. Screening-discussions are frequently held in Universities, graduate schools and the alternative scene, which has made it an audio-visual tool for trade unions, political parties and left-wing movements (such as the *Parti Communiste Français*, the *Fédération anarchiste*, and so on) to denounce working conditions. Public space is mobilized here as a space for exchange, discussion and meetings. Here, the word *public* should be understood, with Habermas (1988), as giving *publicity to*. 'In acting and speaking, men show who they are, reveal actively their unique personal identities and thus make their appearance in the human world' (Arendt 1998: 179), reclaiming their dignity in the process. As she stated on various occasions in the press, Jocelyne Lemaire-Darnaud wanted to make a film about 'speech being legitimate'. It is 'like a date with the workers', as well as 'an extension of the field of combat' for union members and a right to speak for non-union members. The film has allowed

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<sup>1</sup> This translates as Bibs' Words, to mean 'broken silence'. As the employees are called in reference to *Bibendum*, also known as 'the Michelin man' the company's symbol and mascot.

the Bibs to appear on the so-called activist scene by revealing a number of injustices, echoing the sources of indignation inspired by the critics of capitalism (Boltanski and Chiapello 2005).

Moreover, the demands for recognition and consideration set the pace of the documentary: ‘Me, I’ve been at Michelin for thirty years. Maybe there are things they could criticise about me, but certainly not in my work. [...] I say: we don’t refuse to work, on the contrary. What we want is consideration’ (Josiane Chabridon, worker of thirty years). These remarks highlight that it is not about a recognition of work but a recognition of the person. ‘Justice results from the fact that work provides social gratification and a sense of fulfilment. Conversely, feelings of injustice stem from [...] a subjective sense of alienation: tiredness, weariness, a lack of interest for the job, feelings of contempt and powerlessness about one’s work’ (Dubet 2005: 508).<sup>2</sup> These feelings are expressed in the documentary and contempt emerges time and again as is the impact of the transformations of capitalism. Among the issues raised by the workers are the redundancy plans, the frequent internal movements, de-skilling, the end of career development, a demotivated workforce who go to work ‘in reverse gear’ awaiting retirement and the state of disrepair of the ‘totally rotten’ buildings, suggesting that the workshops are going to close down.

This case study highlights an interesting process. Without social protection, it emerges, what seemed until now legitimate is becoming illegitimate, therefore unfair, amoral, unbearable, intolerable and despicable. François Dubet theory of ‘legitimate inequalities’ (2005) is useful to take further the analysis of the complexity of the links between morality and justice set out in *Legitimacy*. It helps to address the ‘arrangement of legitimacy’ (Hurtado-Tarazona 2019: 163), to understand the way in which ‘actions that are ordinarily undertaken at grassroots level and that are not always strictly legal may enjoy legitimacy in the eye of the actors and their significant others’ (Pardo 2019: 57). Drawing on a theory of ‘unfair inequalities’, Dubet shows how actors, in this case the workers, stand up as ‘moral subjects’, as the driving force behind certain normative or legitimate actions that allow them to describe the inequalities and injustices that they experience. Aspects of work, such as status, exchange value and creative activity refer to the three principles of justice, namely equality, merit and autonomy. The principle of equality assumes that work is seen as an integration factor conferring social status and position. Work leads to injustice as soon as it generates exclusion and contempt. Despite the division of labour, in a democratic society work ‘leads to social participation, which is the condition for a more fundamental equality. In other words, work tends towards a horizon of justice that exceeds the mere experience of work when it concerns the place of the worker in society and in a widened solidarity’ (Dubet 2005: 498).

In this sense, a guaranteed social protection or minimum wage, for example, are part of what Dubet calls ‘tolerable inequalities’. The first kind of injustice, he argues, is about inequality that is perceived as unfair because it ‘clashes with my (our) idea of a fair hierarchical order’ (2005: 499). It is fair, he goes on to say, that long-standing employees earn more than new employees, or that graduates earn more than employees without a degree, because this kind

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<sup>2</sup> The quotations from Dubet were translated by Karen Tengbergen-Moyes.

of fair hierarchy respects ‘the positions of rights and duties’ (2005: 500). However, he suggests, it is not fair that unionised employees are paid less than non-unionised employees. In short, the feeling of injustice does not stem so much from the fact that democratic equality does not annihilate hierarchical inequalities, which ultimately are seen as fair, but, rather, from the fact ‘that legitimate hierarchical inequalities have been infringed’, which triggers de facto ‘a moral kind of criticism since what is at stake is basic social cohesion’ (Dubet 2005: 501). In other words, the feeling of injustice is fuelled by excess, or by going beyond what is acceptable in terms of inequality.

Fair inequalities underpin the merit principle, which sees work as the exchange of a strength for an income and draws on the fairness of the tests set for entrance exams, bonuses, and so on. Merit becomes a moral good when it serves the common good, when it contributes to the common wealth by changing ‘private selfishness into a collective virtue’ (Dubet 2005: 506). When selfishness is no longer a collective value, it is accused of being at the root of injustice. The lawsuit brought against Michelin following the announcement of the 1994 redundancy plan should be seen in that light. At the time, the trade unions accused the company of being unable to justify the job cuts, in view of its record high profit in recent years. The case was dismissed and the employees were left without any response to their feelings of injustice generated by selfish corporate interests promoted at the expense of the workers who were excluded from both economic and symbolic wealth (in view of Michelin’s prominent role in global technology development).

The three justice principles described by Dubet — equality, merit and autonomy — are interconnected, and most of the time actors create an ‘intermediary justice’ by applying, ‘without knowing it, the Rawls principle according to which an inequality is tolerable when it avoids an even greater inequality’ (Dubet 2005: 516). According to Dubet, feelings of injustice ‘are supported and justified by more essential principles’; if ‘one is enraged’, it is ‘because, beyond disregard for the rules, more essential principles have been affected that are so vital that one’s most intimate identity has been hurt’ (2005: 521).

Pardo and Prato show that the contours of legitimacy ‘may change over time alongside changes in people’s values and moral expectations’ (2019: 3). Until the law against discriminations including trade union discrimination was passed in 2001, it was *fair*, or ‘*normal*’, for union activists to be discriminated at Michelin; the company’s internal regulations are clear in this respect.<sup>3</sup> Moreover, it was *fair* to be treated differently, precisely because activists are not like any other employee: they sacrifice their wages to defend the rights of all. Their greatness or merit makes them ‘*better*’ and potentially makes them heroes. It is, however, *unfair* not to receive equal pay for equal work. What used to be a fair injustice became unacceptable when, in 2001, the courts set up a legal framework giving union members access

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<sup>3</sup> Union discrimination finds expression in an unequal system of sanctions and rewards, which allocates a coefficient linked to each position and appraises the points-accounts matching the savings that the employees receive on retirement. Union members and strikers, labelled as ‘negative people’, are punished by the hierarchy that is in charge of wage increases and the number of points awarded.

to the justice system. Before society acknowledged that the victims of trade union discrimination were treated unfairly, which made compensation for damage possible, union activists had to *make do* with the internal regulations by modifying them in their favour as merit regulations. The merit of union members, now armed with legal tools, has in turn shifted to signify the bravery to face Michelin in a legal arena. This shift also confers them a new greatness, providing them with a new struggle in a context where they feel powerless to deal with the impact of new management methods.

It is therefore no coincidence that the demand for acknowledgement is a recurring element in the Bibs' discourse and in the various legal claims against Michelin. Contempt is an affront to both the equality principle and the autonomy principle. The latter entails that work is considered as a matter of ethics, in Weber's sense, and more generally as an activity that allows personal fulfilment through the creation of a piece of work and that offers, by the same token, social gratifications. Court action effectively expresses the demand that the insult be acknowledged. The legal system is asked to judge, in the sense of 'settling a matter with a view to putting an end to uncertainty' in order to ensure public peace (Ricœur 1992: 20).<sup>4</sup> This is about dealing with the injustice underpinning the conflict by assessing and evaluating the damage, and by bringing the actors concerned to an agreement (Ricœur 1992). Mobilising the legal system is therefore a means for making demands for public acknowledgement of the injustice, on the one hand, and for the need for compensation (by punishing the culprit), on the other. The workers express a demand for moral reparation of the injustice *via* the mobilisation of the justice system, as exemplified in the contribution of Sarfati (2019: 18) on the demand for justice expressed in South Korea over government actions.

Being visible and listened to in the public arena has helped the workers in Clermont-Ferrand to gain the recognition that they repeatedly demanded in Jocelyne Lemaire-Darnaud's film. Pardo and Prato underline that today the question, "what will happen to us?" is cogently asked' in *Legitimacy* (2019: 7). In this film, the workers ask this question in front of the camera. The eye of the camera and that of the viewers, made it possible to respond to the workers' demands, which could be rendered as 'Look at us!' and 'Listen to us!', or 'Give us the attention our boss refuses to give us, look who we are, hear about our working conditions and the contempt we are subjected to in this well-known company. The boss doesn't care anymore about us but you do look at us.'

As Pardo and Prato wrote it, *Legitimacy* raises 'fundamental questions on how citizenship and the management of power are construed, defined and made to operate' (2019: 20). In the case study that I have outlined in this brief essay, what is stake is the very notion of citizenship, as defined by Pardo and Prato: 'citizenship cannot be merely defined in legal and political terms; it needs to include socio-economic, civil and cultural rights — rights that give real meaning to belonging, sharing and participation in the common good' (2010: 18). In the case of Michelin, we see that 'what people demand is quite simply the fulfilment of fundamental rights of citizenship' (Pardo and Prato *ibid.*). Indeed, people are not puppets (Pardo 1996,

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<sup>4</sup> Translation by Karen Tengbergen-Moyes.



Spyridakis 2013). They do not accept ‘uncritically or unconditionally’ (Spyridakis 2019: 87) the decisions made by the rulers. The Clermont-Ferrand ethnography shows that those in power should steer away from ‘obeying some arbitrary morality; they must, instead, take up the complex cultural, political, economic and juridical instances of citizenship’ (Pardo and Prato 2011: 18). When this fails, people become affected by actions ‘which they resent as morally illegitimate’ (Pardo 2012: 72), which also explains why they are able to put up resistance.

To conclude, through the trade-union discrimination court case and the film *Paroles de Bibs*, the Michelin employees have reclaimed dignity and have obtained recognition both from the legal system and civil society. As we have seen, it is not so much a demand for recognition of their work that is expressed here, although it should not be overlooked, but, rather, for recognition of the person. Contempt is denounced by denouncing inequalities and the tension between the equality principle and the autonomy principle. The workers have demanded that the person be treated as an individual and universal subject: ‘this arrangement is called recognition’ (Dubet 2005: 519). It is about receiving recognition as a person at work: ‘The desire to be recognised’ which ‘can take a number of forms’, the ‘recognition of the dignity and the usefulness of the work carried out’ (Dubet *ibid.*), as well as of the hardship involved. The recognition that the employees seek concerns the hierarchy: ‘in this case injustice is not the direct result of the way work is organised, but of the nature of interpersonal relations, of “looks” and “words” that hurt, humiliate and are experienced as a denial of people and personalities’ (Dubet 2005.: 520).

The *Legitimacy* volume is truly stimulating both theoretically and ethnographically. It engages intellectually, inviting us to reconsider the data of our own work in the light of the diverse contributions. It stimulates us to investigate in depth the complex links between legitimacy, recognition, citizenship and identity.

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## *Reflections on Legitimacy*

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The stimulating work on *Legitimacy: Ethnographic and Theoretical Insights* edited by Pardo and Prato (2019; henceforth *Legitimacy* volume) brings together extensive research on important urban matters that reveal the complexity of today's urban settings. In their previous work, Pardo and Prato are very clear on the complexity of the moral aspects of interaction in the urban field, stressing that any attempts to provide a theorization of cities by categorizing them into sacred, ethnic, gendered, global, informal, traditional, contested cities and so on, raise the obvious question, how can one group under the same category cities of different historical background marked by diverse economic and social conditions and different political systems (Prato and Pardo 2013: 97-98). Through the comparative analysis of several cities, one may find a common ground among different levels of legitimacy demonstrated through formal and informal aspects of social, political and economic everyday life. Legitimacy seems to be a reciprocal process between the rulers and the ruled; therefore, when it does not work, 'responsibility, legitimacy and trust are inevitable casualties' (Pardo 2019: 77). In this regard, legitimacy seems to be the outcome of different interrelating variables that comprise and establish the city as a 'whole'.

Pardo's extensive fieldwork highlights the ways in which the citizens of Naples are excluded from the different levels of good governance and political representation. He shows how the traditional stereotypical approach to the South — typecasting the *popolino* (ordinary people) as amoral and untrustworthy — engenders restrictions in terms of their factual citizenship (Pardo 2019: 62). Established on a 'blurring of the dividing line between what is legal and legitimate and what is legal and not legitimate in public life' (Pardo 2019: 74), the exercise of power meets the interests of select groups, which results in the economic and political exclusion of significant parts of society, thus affecting decisively their everyday lives and fundamentally jeopardizing their citizenship (Pardo 2019: 64). Nevertheless, the serious gap generated between citizens and formal authorities' long-standing failures and their impact on local micro and small business — fundamental to the City's developing entrepreneurialism — finds some solution in the culture of *sape' fa'*, which translates into dynamics of strong continuous interaction (Pardo 2019: 74) — a process that combines material and non-material aspects of life. Pardo stresses the need of building 'a responsible management of power that fully accounts for the significance of strong continuous interaction in ordinary people's morality and actions' (Pardo 2019: 77).

We encounter this notion of socio-economic cultural interaction, in many of the cases studied in the *Legitimacy* volume. One thinks of the neighbourhoods of North Kerala, where legitimacy is in the everyday life part of a fabric comprising reciprocity, support and social control (Abraham 2019: 137). 'In 1996', writes Janaki Abraham, 'houses in Devaloor were

closer to each other, very few had compound walls and paths often passed right in front of houses, resulting in a greater visibility and greater interactions’ (Abraham 2019: 129). The organization of space seems to contribute significantly to this kind of interaction, which combines with the existing social relations. The ‘presence of the local elder, the articulation of local custom and the importance of neighbours as witnesses’ (Abraham 2019: 132) point to the significance of the neighbourhood as a site in which legitimacy is sought and constructed.

Robyn Andrews examines Kolkata’s Anglo-Indians’ struggle to establish their identity in the post-colonial society; a struggle that is deeply connected with processes that embrace the diversity of the existing minorities, interacting with them culturally and socially and thus contributing significantly to a sense of belonging to the nation. Although as a community they have been accorded a number of benefits since the Indian Independence in 1947, it seems that for Anglo Indians legal citizenship is ‘devoid of a sense of identification with the soil’ (Andrews 2019: 244) and is being threatened, as in the case of the recent political rise of the BJP, a right-wing party promoting the idea of ‘India for Hindus’. Nevertheless, for Barry O’Brien, cited in Andrews, ‘early assimilation into a Bengali neighbourhood . . . contributed to a sense of belonging to the nation through language and cultural ability and literacy’ (Andrews 2019: 251).

In many cases, cultural interaction does not occur in the desired ways; in ways, that is, which would allow minorities to participate actively in the political and social life of the city. The Roma communities residing in the Czech Republic are a case in point. Here, Romani civic associations are predominantly built upon family relations and the concept of the extended family — in terms of origin and location — prevails, eliminating ‘the ability to subordinate one’s family’s interests to those of a higher body’ (Uherek 2019: 321). Moreover, newly born political parties such as the Romani Civic Initiative, despite being initially popular, have become the targets of negative stereotypes and confined at the outer edges of public interest until they finally dissolved (Uherek 2018: 311-312).

This brings to mind the Colombian case of cultural and social interaction not occurring as expected in the Ciudad Verde Housing Megaproject, in Soacha. Adriana Hurtado-Tarazona explains that, while entailing that participants are ‘part of a middle class in formation’ (Hurtado-Tarazona 2019: 149), this project targeted mostly low-income communities. Underlining that housing projects such as this create a ‘city inside the city’, she tells us how the project was originally designed to function as a separate entity through private governance (Hurtado-Tarazona 2019: 146). The new residents are required to overcome the structural limitations of bad governance — of a failed Municipality — as well as the unfulfilled promises of the real estate developers. They interact ‘through daily practices that challenge the divisions between legal/illegal, formal/informal, and legitimate/illegitimate’ (Hurtado-Tarazona 2019: 151). They do so by self-regulating the existing deficiencies of public and private space. However, the homogenous hyper-regulated environment of modern enclosed housing complexes and ample green spaces often engenders conflict, restricting sociability and creative interaction among the various parts of society that fail to respond to the aspirations of social mobility and middle-class citizenship.

‘As we create our cities, our cities create us’ (Latham 2017: 184–85; cited in Koechlin 2019: 225–226). The reformulation of the urban space often coincides with the transformation of the urban experience and the meaning of urban citizenship (Koechlin 2019: 226), whereby citizens interrelate not only with each other but also with space. Processes of urbanization similar to those described above occur globally. In many Latin American countries, the formation of the middle classes is evoked to justify interventions such as the aforementioned Soacha Housing Megaproject. The homogenizing approach of urban design,<sup>1</sup> as a mere result of transnational urban practices, brings forward policies of inclusion and exclusion regarding the new arrangement of the urban environment. Notably, however, citizens in Western and non-Western countries tend to respond differently, in terms of legitimacy, to urban renewal

Discussing how local neighbourhood community decisions are centrally determined, Krase and Krase examine the paradigms of Districts 6 and 9 within the broader area of Brooklyn (2019: 188). The city’s rezoning plan for Crown Heights and the proposed construction of bike lanes along Prospect Park West have raised important issues on the future gentrification of the areas in question and the consequent displacement of the existing population. Although citizens self-organize, forming different associations in order to make their voices and grievances heard, in both cases the Community District Boards exhibit a lack of legitimacy. Seemingly guided by a principle of ‘maximum feasible local participation’ (Krase and Krase 2019: 172), the authorities seek to establish a legal-rational legitimacy through traditional local community authority. In doing so, they demonstrate the role of pseudo-scientific studies and the local media in distorting issues in their favour (Krase and Krase 2019: 186).

In the case of the redesign of Viger Square in Montreal, Natalie Boucher argues that ‘Legitimacy is a dynamic concept that relies on the perception of others. [...] No matter how committed one is, it is a matter of reciprocal perception’ (Boucher 2019: 207). The dynamics of plural relations in Western societies, particularly regarding bottom-up participatory processes of planning and decision making, often result in conflict between competing activists and neighbourhood spokespersons; a conflict that revolves ‘around the real and imagined racial biases of protagonists and antagonists on various local issues’ (Krase and Krase 2019: 180). This generates an urban environment marked by contradictions; quite opposite, that is, to the ideal Weberian rationale of legitimate domination (Krase and Krase 2019: 171).

Heading South, towards non-Western societies, we encounter demonstration of the homogenising urban space as a superimposed condition. This kind of urbanization is often the

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<sup>1</sup> When ‘homogenisation’ is used in relation to the urban landscape, in most cases it can be assumed that criticism is implied. Homogenisation is ipso facto ‘bad’. Yet most observers would view as desirable homogenisation in the sense of making things similar by eliminating difference; for example, reducing social conflict and creating harmony. Urban landscapes that show a massive difference in scale between the size and costs of buildings, between the gross provision of luxury housing for the rich and the dismal squatter conditions of the poor, present obvious opportunities for more homogeneous development (King 2012: 21).



outcome of globalised economic processes and transnational urban practices.<sup>2</sup> Lucy Koechlin discusses how, following a period of failed democratization in Kenya that led to unprecedented widespread ethnic violence during the elections of 2007 (2019: 220), a new constitution was passed that stipulated the devolution of powers (2019: 223). Contrary to the expectations of the people, the decentralization of political power merely resulted in the localization of former national practices of exclusion, establishing specific forms of differentiation on a county level (Koechlin 2019: 224). Within the broader political setting of devolution and the overarching re-spatializations effected by globalization, a new urban environment emerged, comprising lower-to middle-class estates with modern apartment buildings (Koechlin 2019: 218). So, a new city emerged adjacent to the informal neighbourhoods and the densely populated shacks and the detached bungalows dating back to colonial times, generating a geometrically ordered urban landscape made of almost identical buildings laid out in a ‘proper’ grid (Koechlin 2019: 238). As the new urban pattern superimposes itself over the city and its potential residents, new ‘urban interactions are cutting across habitual interactions . . . creating distinct, novel forms of urbanity’ (Koechlin 2019: 228).

Countries emerging from colonialism have developed similar mechanisms of urbanization marked by invasive policies, although the intensity of the phenomenon seems to differ depending on the disposition of the settlers. In these cases, the configuration of the urban landscape shows different degrees of space informality (Moretti 2018), at the same time undergoing specific types of urban transformation often associated with significant political transitions and attempts of democratization that vary according to the specific characteristics and historical background of the places in question. As Prato suggests, one has to be ‘critical of the concept of transition (to democracy) — which implies the imposed assimilation of “cultural artefacts”’ (2019: 51). Processes of political transition often raise important issues that jeopardise legitimacy, affecting the democratic process at different levels of governance. Elaborating on issues of legitimacy of political representation, part of Prato’s study focuses on the post-Communist situation in Albania. ‘Foreign intervention on the country’s internal affairs seems to be eroding people’s initially positive view of democracy’ (Prato 2019: 50), bringing cases of corruption that involve several political representatives and high-level bureaucrats and highlighting a political system that in reality excludes citizens from political participation.

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<sup>2</sup> In the debate on whether globalisation leads to the increasing homogenisation of the built environment, Hans Ibelings’ book, *Supermodernism: Architecture in the Age of Globalisation* (1998) is one attempt to make the charge more specific. He suggests that it was the ‘big hotels’ and ‘glass box’ office buildings of the 1950s and 1960s that sparked off the global ‘architectural homogenisation’ thesis. Ibelings maintains that ‘uniformity and standardisation’ also manifests itself in singular structures like conference halls, theatres, exhibition complexes, churches and stadiums. Yet, he does not address the enormous social, economic, religious and cultural changes behind the appearance of these building types and what they mean for the growth of civil society, employment opportunities and social development; for Ibelings, ‘worldwide standardisation’ is to be (simplistically) explained in terms of ‘economics, similar architectural principles as well as construction systems’ (1998: 42). On this, see also King (2012: 19-20).



Attempts ‘to implement a Western-style democracy have brought out a conflict between foreign legitimating processes and citizens’ sceptical assessment of the new “democratically elected” rulers’ (Prato 2019: 28).

In the first part of her essay, Prato addresses Italian *partitocrazia* (party-ocracy), highlighting the ways in which the power of political parties may extend well beyond formal, legally recognized boundaries. She writes: ‘It was indeed this kind of opposition to *partitocrazia* that initially stimulated legislative changes on administrative decentralization, which in turn had significant repercussions on Italy’s national politics’ (2019: 34). Nevertheless, ‘post-*tangentopoli* institutional reforms and the new legislation have ostensibly failed to foster integrity’ (2019: 39). Even the appointment of the municipal Ombudsman — established with the intention of bridging the political gap and lack of citizens’ proper representation — ‘seems to be yet another case of the difficult relation between theory and practice’ (2019: 43).

The impact of processes of globalization on the local level and the significance of local dynamics in the global context (Prato and Pardo 2013: 99) are a common aspect of many of the cases depicted in the *Legitimacy* volume. The uncritical implementation of urban policies in specific urban environments could easily damage the very essence of democracy. The urban studies by Manos Spyridakis and Z. Nurdan Atalay, focusing respectively on Greece and Turkey, highlight the ways in which transnational urban policies, although operating on a separate level from the official state, seem to have a direct impact on everyday life, shaping and formulating the conditions of our existence (Spyridakis 2019: 101). By imposing an ideal type of how a ‘normal’ citizen should be, policies acquire growing importance in relation to the exercise of power and governance (Spyridakis 2019: 87).

Spyridakis discusses the implementation of the Minimum Guaranteed Income (MIG). He points out that financial benefits such as the MIG may be primarily conceived as fundamental rights of citizenship but they become almost inaccessible to many local people because of the stipulated eligibility criteria. Although the levels of poverty in Greece have significantly increased as a consequence of the recent economic crisis, the typical criteria outlining what is expected from potential beneficiaries do not reflect the conditions of everyday life, leading to the ‘over-fragmentation [of the population] into particular and splintered categories which protect some population groups and cast others aside’ (Spyridakis 2019: 92). Combined with the state’s existing deficiencies in terms of planning and policy implementation, citizens ‘are being gradually detached from a way of life characterized by relative material stability and move into a realm of generalised uncertainty’ (Spyridakis 2019: 84).

This echoes interestingly the issues raised by the ‘bank-based financial system’ that was introduced in Turkey in the early 1980s and that seems to hold a primary role in the country’s economic market (Atalay 2019: 108). Examining the application to the Turkish setting of a globally integrated economic model, Atalay argues that the transfer of state power to bureaucratically autonomous financial institutions (the banks) challenges fundamental rights of citizenship. The ensuing conflict between citizens and banks concerns illegal credit card membership annual fees. Atalay explains that the legislation that regulates the financial market

and credit card membership fees takes into account the interest of the banks and not of the citizens, closing the possible avenues for legal action (Atalay 2019: 118-119). Clearly lacking legitimacy in the broader society, the behavior of banks generates a precarious urban environment marked by financial instability. In both the Greek and Turkish cases mentioned above, uneven urban processes exclude significant parts of society from the economic life of the city.

The processes that have a serious effect on democratic procedures and threaten the very existence of legitimacy in civic society do not always occur in direct relation to governance and are not always easy to identify. In many cases, urban policies neglect to acknowledge — often intentionally — the variables that transform urban life. Nevertheless, considering that legitimacy is a dynamic concept in constant change,<sup>3</sup> a political awareness of all concerned parties acquired through constant interaction with society is needed. Liora Sarfati (2019) discusses how the massive protest movements following the sinking of the Sewöl ferry and the death of 304 passengers engendered such a political awareness, leading to the impeachment and de-legitimation of the president. Sarfati suggests that these events enhanced the democratic process, arguing that awareness of the weak safety regulations and poor supervision of private business tolerated by the authorities became so strong that it contributed to the social imaginary for urgent political change, stressing the need to act.

As Abraham points out, the fabric of everyday life, of which the dynamics of legitimacy are part, may be influenced by different levels of interaction — local, trans-local, national and global (Abraham 2019: 140). Meeting this point, Marcello Mollica describes the case of South Lebanon and the ways in which ‘illegal practices are lent legitimacy under specific temporal, spatial and cultural determinants’ (Mollica 2019: 260). His research shows that the sense of belonging develops by ‘reference to a specific (religiously defined) group, acting in an (ethno-religiously defined) area to pursue (ethno-religiously defined) interests’ (Mollica 2019: 276) and engenders often-overlooked conflicting loyalties that exceed national borders. In this respect, an understanding of the dynamics of legitimacy requires an in-depth understanding of the specific determinants of urban space. Legitimacy as ‘a dynamic concept that relies on the perception of others’ (Boucher 2019: 207) also relates directly to the ways we perceive ourselves as part of a society.

Pardo’s (2019: 74-77) concept of strong continuous interaction between material and non-material aspects of life is crucial to this analysis. This interaction often is a two-way process and becomes a significant factor in contemporary urban change. It connects with the informal aspects of urban life, linking the concept of informality with everyday practice and the concept of formality with the regulatory systems of governance. In other words, one cannot ignore that theory and practice are two factors that are constantly interrelating and that ‘in order to grasp how a system actually works it is not enough to investigate the functional, or utilitarian, aspects

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<sup>3</sup> The legitimacy of the political (and social) order is in constant transformation; most importantly, the conceptions and dynamics of legitimacy are subject to constant change (Norbert Elias 1982 [1939], cited by Pardo and Prato 2019: 10)

of action; we need to understand what ideal of society and political system individuals aim to accomplish when they, for instance, bring to life a new political organization or advocate new forms of political action' (Prato 2019: 32).

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## *Public Space, Legitimacy and Democracy*<sup>1</sup>

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This essay seeks to bring the critical analysis of contemporary urban public space into relationship with the explorations of legitimacy put forward in Italo Pardo and Giuliana Prato's edited volume on that subject (Pardo and Prato eds 2019). The notion of 'democracy' is the bridge between those two discussions. As Pardo and Prato note, legitimacy plays a '*sine qua non* role...at *all levels* of democratic society' (Pardo and Prato 2019: 19). Without legitimacy, democracy can quickly devolve into a sham (albeit a 'clever' one, to use Pardo and Prato's terms: Ibid.:6), with ostensibly democratic arrangements serving to cloak a reality of authoritarianism. Legitimacy, as the essays in this book establish, is dynamic, contested, multiple, and open-ended, with everyday conceptions of legitimacy often working crosswise to law, political ideology, policy, and institutional norms; nonetheless, Pardo and Prato and the contributors to the volume argue in various ways, the provisional, messy, and collective work of establishing conceptions of legitimacy is crucial to the (itself shambolic and complex) project of democracy.

Both within the academy and without, public space is understood as having a similar function. Historically and contemporaneously, public space is often taken to represent nothing less than the physical expression of democracy, and the locale of democratic citizenship, as it provides material space in which citizens can encounter and converse with each other (Bickford 2000, Cranz 1982, Kohn 2004, Low et al. 2005, Smith and Low 2006, Staeheli and Mitchell 2008). Indeed, public space indexes a far broader set of democratic concerns than that of the physical arrangement of space alone: economic inequality and its effects on political life; the impact of gender, race, class, sexuality and other indices of difference on the realization of the promises of formal political equality; concerns about the quality, inclusiveness and civility of political discourse; and in urban settings, questions concerning both the 'right to the city' and the 'urban imaginary', that is, questions of which and upon what basis different social groups not only inhabit (or are displaced from) the physical city but determine the way in which the city is understood and envisioned in popular discourse. Thus, analysis of the contemporary 'making and remaking of public space' (Smith and Low 2006: 7) provides unique insights into the state of democracy, especially in urban settings.

It seems then that both public space and legitimacy are among democracy's preconditions. If, as Pardo and Prato argue (2019: 19), legitimacy is the keystone of the edifice of democracy, public space is a similarly crucial architectural element: to quite self-consciously strain the metaphor, perhaps it is a cornerstone, or a load-bearing column. This raises a number of

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interesting questions. For instance, we might ask how public spaces serve as a *means* through which legitimacy is constructed and/or challenged. This is primarily what Nathalie Boucher (2019) does in her contribution to *Legitimacy*, as she explores how conflict over the redevelopment of Viger Square in Montreal served as a vehicle for ‘the establishment and maintenance of conflicting views of legitimacy’, as Pardo and Prato aptly put it (2019: 15). The value of art, aesthetic appreciation, commerce and real estate development, public order (as threatened by drug use and homelessness), social and political connections, expert knowledge and, interestingly, a stance of ‘detachment’: all of these serve as the bases for the legitimization of different actors engaged in this conflict. Here a particular public space solicits and channels conflictual processes through which the legitimacy of different actors, arrangements and projects is recognized, denied, or ignored, as in the case of Boucher’s status as an anthropologist, which despite her admirable self-interrogation, seems utterly beside the point to most people in the debate — ‘was there a valid reason for the anthropologist to be there? No one cared’ (Boucher 2019: 207).

We might also ask how public spaces themselves are legitimated in relation to democratic values and practices. What particular aspects of democracy are claimed to be manifest in particular public spaces (and which are not)? How are these claims made via the construction and operation of spaces themselves, as well as through the discourses that center on these spaces? In other words, how are public spaces made into the *object* of legitimization, rather than its vehicle? Boucher touches on this question when she writes of her ‘quest for the Square’s legitimacy in the eyes of the citizens’, in particular by highlighting its (potential) to allow ‘citizens to get together and to learn to live with another’ (2019: 206). For Boucher (in her role as advocate), Viger Square’s ‘sociability’ was key to its legitimacy as a democratic public space; another important element for her was the degree to which its redesign meaningfully incorporated members of the public. Others involved in the debate over the park saw it as legitimized in other ways: by its status as a locale for public art, the ability to the public to use the space without feeling threatened or insecure, or the novelty of its design and its keeping with emergent norms of public space in ‘global cities’ (Ibid.: 199-207). Whether or not Viger Square was a space worthy of consideration as ‘public’ (and assumedly, democratic in some way), was itself the subject of multiple and conflicting projects of legitimization.

Indeed, it is important to note that even such projects that Boucher, along with many other urban scholars, label as ‘neoliberal’ themselves are legitimized in relation to some conception of democracy or other, and (to draw obliquely on another of Boucher’s points) may have more complex political dynamics than the common couplet of dominance and resistance would suggest. For instance, the securitization of public spaces may in fact be premised on the exigencies of democracy. No less an ostensible avatar of urban democracy than Jane Jacobs argued that ‘the bedrock attribute of a successful city district is that a person must feel personally safe and secure on the street along all those strangers’ (Jacobs 1992: 30). While the kind of revanchist, exclusionary, and reactionary dynamics that many urbanists (including Boucher) see at play in a focus on securing public space are real (Smith 1996, Mitchell 2003),



they co-exist, and may even blur with, kinder and gentler approaches to the securing of public space that are premised on democratic values of accessibility and inclusion. Moreover, other approaches to public space that in their (neoliberal) focus on commodification and commerce have been seen as inherently inimicable to democracy — David Madden's (2010) diagnosis of 'publicity without democracy' as represented by contemporary Bryant Park — may in fact signal a different conception of democracy, and therefore different grounds for the legitimization of public space. As Jeff Maskovsky (In Press) has pointed out, consumerism can become a vehicle for democratic claims. At issue is what 'democracy' means and who is entitled to prerogatives of democratic citizenship, and upon what basis.

This leaves us in a somewhat unsettled and perhaps unsatisfying place. On the one hand, public space can be a vehicle for claims of legitimacy for various actors and projects, but those actors and projects are multiple and not easily characterized as dominant or resistant, democratic or not. On the other hand, public space and its uses, meanings, and functions, must themselves be legitimized in relation to conceptions of democracy that are also multiple and not easily categorized. Legitimacy is a keystone of democracy, but can be expressed through debates over public space, which itself must be legitimized in relation to specific notions of democracy...our metaphorical edifice may still be solid, but it is looking a bit Escher-esque!

I want to make clear that this situation is not limited to the case of Viger Square. My own research on the High Line, the renowned elevated park running on a rehabilitated railroad trestle down Manhattan's west side from 30th Street in Hell's Kitchen to Gansevoort Street in the West Village has at times hit similar stumbling blocks. As readers likely know, since its opening a decade ago, the High Line has become one of the most celebrated public spaces in the world, touted as a new model for park building, a triumph of grassroots urbanism and bottom-up economic development, and an invitation to re-imagine radically not just public space, but the city itself (Filler 2011, Filler 2009, Kimmelman 2014, Loew 2009, Ouroussoff 2009, Sternberg 2007, Tate 2015: 37-47).

This discourse has itself served a legitimating function: advocates for the park often evoked its novelty and its service as a model for other public spaces in their justifications and defenses of its worthiness. Indeed, as with Viger Square, specific operations of the space served a legitimating function. The fact that the redesign of the High Line provided access to a formerly hard-to-reach space, the presence of sophisticated public art; the principles of its design, which stressed wildness and unstructured use; its open relationship to the street and the surrounding urban context; the diversity of its users and uses; the relative dearth of commerce in the park; its strong links to New York City's LGBTQ community: all of these were used to legitimate the creation of the High Line and its public funding, as well as to defend it from delegitimizing critiques that portrayed the park as complicit in the hyper-gentrification of New York City. Indeed, after an initial honeymoon whose ending was marked by a 2012 *New York Times* op-ed piece that labelled it 'Disneyworld on the Hudson' (Moss 2012), critiques of the park multiplied. Journalists decried it as a symbol of the city's increasing embourgeoisement (Powell 2013). For their part, academics took the High Line to task as a prop for real estate

development and the neoliberalization of public space, as well as for the lack of diversity among its users and supporters and its depoliticizing ecological presuppositions (Cataldi et al. 2011, Foster 2010, Gandy 2013, Loughran 2014, Patrick 2014, Reichl 2016). These celebrations and condemnations invoke democracy in various ways, casting the park as alternatively legitimate or illegitimate in relation to its requirements. For instance, the manner in which the park's design was inspired by existing 'conditions on the ground', art and social critic Hal Foster has written, made it 'rich with democratic potential' (2013: 32), whereas Alexander Reichl argues that the High Line is just 'failing as a democratic public space' but actively 'undermin[ing] democracy' in its unwelcomeness to diverse populations (2016: 904, 922).

For a long time, I saw my research on the High Line as trying to determine, in essence, which side of this debate was correct. Could an ethnographic analysis of the park, one that sought to gauge the meanings and functions of the park and then compare these to the (quite democratically ambitious) intentions of its advocates and designers contribute to answer the question of whether or not the High Line could be legitimated as a democratic public space? In other words, I primarily looked at the High Line as an *object* of legitimization. But the problem I kept running into was the multiple, conflicting, and variously-interpreted ideas of how this legitimization might work, and what aspects of urban democracy were (or were not) embodied in the park. One might say that answering the question of whether or not the High Line was in fact legitimate would require me to select a criterion or criteria for legitimization in a way that both troubled my instincts as an anthropologist and also did not do justice to the complexity and ambiguity of this debate. In short, my ethnographic data cut against a simple and neat interpretation.

As is often the case in anthropology, it was these very data that provided the key insight. The spark was a conversation with an advocate for so-called 'park equity', the notion that New York City park system needed to be understood and treated as unified system that belonged to all New Yorkers, and that park funding should be distributed on this principle rather than the (neoliberal) notion that individual parks should, in essence, demonstrate their legitimacy by competing for private support. The High Line, which had received extraordinary high levels of private and public funding while many other city parks went wanting, played an important, if ambiguous, role in the debate over park equity that emerged in the mid-2010s. It served as an exemplar of the profound and growing inequality within the city's park system, as well as the general growth of inequality in the city; as a model for ways in which communities (including much less well-off, white, and well-connected than those associated with the High Line) might be mobilized to advocate for park space, and as embodiment of the value of public space, one made especially potent by the years of neglect and denigration of common spaces that had accompanied the neoliberalization of the city's governance. When I asked my activist interlocutor about his opinion of the High Line, his response surprised me: 'It's the debate that makes [the High Line] public...even if people don't like it, they still feel like they own it. It feeds dialogue...What is fair? What should a park be?'

Elsewhere, I have argued that the promise that the democratic aspirations of the High Line, whether fulfilled or not, was a key condition for the emergence and impact of the park equity debate (Brash 2017). Here, I want to bring the words of my interlocutor in relation to the discussion of legitimacy set forth earlier. In particular, I want to note that both High Line and Viger Square served as means as well as objects of legitimization. In both cases a variety of actors used public space to make claims concerning the value and worthiness of their projects. We have seen how this worked in the case of Viger Square; I have outlined briefly how this played out in the context of the park equity debate, but it should be noted that the High Line was a vehicle for many other claims of legitimacy. Among them were the desire of the administration of Michael Bloomberg (and its advocates) to be recognized as practitioners of cutting edge urban policy; the class-based claims of professional, white collar urban élites to a position of leadership in the city's planning and development process; claims for inclusion in that process by LGBTQ people; and a broader claim on the part of many of those who supported and implemented the redesign of the High Line that the ill effects of the city's neoliberalization might be mitigated not through major changes to its political economy, but rather through interventions like the High Line that provided spatial 'time outs' from or 'antidotes' to rampant commercialization and consumerism (Brash 2018).

So, it seems that debates over public spaces often channel a bewildering array of claims to legitimacy. As we have seen, this is in line with one of the central aims of Pardo and Prato's edited volume: to document the multiple, dynamic, and contested nature of legitimacy. If one is searching for a case in which public spaces served to settle questions of what and who counts as legitimate, neither the High Line nor Viger Square fit the bill. How does the lack of such a settlement effect our evaluation of whether these spaces advance or undermine urban democracy? Can urban democracy be said to exist if there is such dissension over the terms of legitimacy?

I want to answer this question with an emphatic 'yes'. To do so, I draw on the words of Rosalyn Deutsche. In her masterly work *Evictions* (1996), Deutsche takes up, among many other things, questions concerning the relationships between legitimacy and public space, particularly through an analysis of the role that public art might play in urban democracy. Building on theorists such as Claude Lefort and Chantal Mouffe, who posit that democracy must be understood as profoundly agonistic and ultimately without grounding in any transcendental or external order, Deutsche argues for a similarly ungrounded approach to conceiving of public space, which she describes as not just a prop to democracy but 'its corollary' (1996: 274), and its relation to legitimacy. 'What is recognized in public space', she writes, 'is the legitimacy of debate about what is legitimate and what is illegitimate' (Ibid.). It is its role in serving as a discursive, ideological, and physical site for conflicts among legitimating projects, rather than its efficacy in resolving these conflicts, that makes public space democratic. This, I believe, pushes us to view the cases of the High Line and Viger Square, as well as those outlined in other essays in *Legitimacy* (Abraham 2019, Koechlin 2019), in a new way. In these cases, we find a surfeit of claims to legitimacy — and if Deutsche is

correct, this is (for advocates of democracy) a good thing. It seems to me that analyses like this can serve to diagnose the halting and forever incomplete project of fulfilling the promises of democracy: if what counts as legitimate is being vigorously debated and contested, we can recognize this is a positive sign and represent it to our various publics as such. Do not fear profound disagreement over the terms of legitimacy, we might say: embrace it, support it, clarify it, and recognize the democratic legitimacy of that disagreement.

But if dissensus is not to be feared, its absence should be. Like Pardo and Prato in their introductory essay in *Legitimacy*, Deutsche was concerned with the movement of (urban) democracy in authoritarian directions. For her the issue was the notion that certain occupations of public space were considered unproblematically legitimate (for example, public art) or illegitimate (for example, homeless people). In words that are as true now as they were nearly quarter of a century ago, Deutsche writes:

‘Today, discourse about the problems of public spaces in American cities is dominated by the articulation of democracy in authoritarian directions. This movement is engineered in two interlocking steps. First, urban public spaces are endowed with substantive sources of unity. Particular uses of space are deemed self-evident and uniformly beneficial because they are said to be based on some absolute foundation — eternal human needs, the organic configuration and evolution of cities, inevitable technological progress, natural social arrangements, or objective moral values. Second, it is claimed that the foundation authorizes the exercise of state power in these spaces’ (1996: 275).

For Deutsche, it was the attempt to fix and close debate over the legitimate functions and meanings of public space, that is, to provide a unified conception of legitimacy, that threatened democracy. Today, with authoritarian permutations of democracy rapidly taking hold in a variety of urban, regional, national, and global spaces, we can see clearly how unitary and foreclosed conceptions of legitimacy threaten democracy. It is the notion that state power serves a single legitimate role — aggressively protecting the nation from internal and external threats — that drives much contemporary authoritarian populism. It is also what facilitates actions that to many seems profoundly illegitimate in light of democratic norms (electoral manipulation, corruption, and violation of procedural norms, for instance) to continue with impunity: if there is a single standard of legitimacy, these actions do not matter. To return to the metaphor of legitimacy as keystone in the edifice of democracy: what I hope I have made clear here is that we should continue debating the shape of that keystone, its material, its color, its texture. For once that debate has been ended, and the keystone has been formed and laid into place, the edifice of democracy itself may indeed be said to be finished.

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## Trust and Legitimacy in Hungary

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### Introduction

In their newly edited volume, *Legitimacy: Ethnographic and Theoretical Insights*, Italo Pardo and Giuliana Prato state that in democratic societies ‘the acute crisis of citizens’ trust in their rulers is visibly worsening’ (2019: 6). They take as their examples Italy and the USA, where the former is characterized by ‘a succession of unelected governments to rule the country’, the latter — similarly to a large number of European states — with electors who ‘amply support ‘anti-establishment’ parties’ (2019: 6-7). The point that stirs my interest has to do with the highly problematic and amorphous notion: trust. There is a fair amount of social science literature on trust, and anthropologists have not shied away in interrogating it from various local perspectives. There is a general agreement that democratic states and their institutions must rely on legitimacy in order to rule over citizens. In an earlier analysis Pardo clearly defines the connection between the fundamentally intertwined concepts, democracy, legitimacy and trust: ‘In democracy, however corrupt, the power to rule needs authority, a *conditio sine qua non* in the necessary negotiation among different moralities. Authority, in turn, desperately needs trust’ (Pardo 2000: 7). For anthropologists the real challenge is to identify how and in what ways citizens rely on state institutions and deal with sensitive issues on the local level and how, in turn, state implements policies to obtain loyalty and trust from their citizenry.

In this analysis I discuss an important yet neglected aspect of everyday reality in society: the institutionalized Committee of Grievances (CG). Recently discovered documents of the Hungarian Socialist Workers’ Party (*Magyar Szocialista Munkáspárt*, or communist party thereafter) archives in a regional town reveal that such committees fulfilled an important function : to promote trust not only in party members but in the population at large by allowing discontent to be voiced.<sup>1</sup> CGs might not have been as important or effective as Barbara Misztal suggests when she discusses the nature (habitus) of trust defining it as a ‘protective mechanism relying everyday routines, stable reputations and tacit memories’ (Misztal 1996: 106). However, such grievance hearings — and certain follow-up decisions made by party leadership

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<sup>1</sup> In addition to my Budapest (Csepel) research, I have been conducting research for the past 20 years in Lajosmizse in Bács-Kiskun County, a town situated south of Budapest with 10000 residents. Recently, I interviewed several former communist party secretaries in that town at length; during one of our meetings it came to my attention that — contrary to what I had been told earlier — most of the files of the local party organization had not been destroyed, and in fact only a fraction had been handed over to the county central archive. After some negotiations, I received the files with the comment ‘hopefully someone will tell the truth about what socialism really was all about’. For more on the community’s history and culture in English, see Kürti (2009, 2004), on the political culture, Hann and Kürti (2016).

such as the powerful communist party secretaries (*párttitkár*) — allowed citizens of the socialist state to ‘push out of modern life fear and uncertainty as well as moral problems’, as Misztal suggests. In this essay I analyse workings of one local CG by combining interviews with former high-level party officials and argue that by the late 1970s — when Kádárism established itself as a prime example of a goulash-communism, leading to the epithet as the ‘happiest barrack in the socialist camp’ — a large proportion of citizens believed that the party could be entrusted with their complaints.<sup>2</sup> Through a consideration of such grievance narratives, I intend to elucidate how specific routines and reputations were established and memories produced in socialist Hungary and their effects on perception and behaviour.

### Trust and Communism

As a cultural and political anthropologist with a special interest in unravelling what led to the demise of the party-state in the quagmire that followed, I am particularly interested to examine quotidian details of the ways in which party leadership catered to the needs of the populace and to discover a window for appreciating the party’s inner workings and hierarchic nature. Such an examination of the contradictory, often highly contested and negotiated nature of CG hearings yields important data with regard to the anthropocentricity of the socialist system and its errors and contradictions.<sup>3</sup> It is evident, as indeed the factory workers in one of the largest industrial enterprises at Csepel during the 1980s have testified, that daily management of issues and conflicts situated the Communist Party and its cadres (more often referenced in Western discourse as *nomenklatura*) at the centre of power. Turning to the party apparatchiks with their problems opened new opportunities for citizens not only in the hope of solving sensitive matters but in creating new avenues for negotiation and reconciliation.

While the issue of trust ought not to be overestimated, in these cases trust (a term I use with regard to individuals) and confidence (between individuals and their institutions) were not merely moral or ethical concerns but also a means of maintaining the system — promoting actively an ostensibly ‘egalitarian’ socialist way of life and relativizing belligerent stasis between state and citizen.<sup>4</sup> While an effort to deconstruct such a hall of mirrors may be fraught with complexity — it reduces a complex interplay of social relations in the past, albeit only 30-40 years later, to a single institution of conflict resolution and mediation — it is nonetheless

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<sup>2</sup> The concept ‘happiest barrack’ is one of the more intriguing stereotypes in reference to the late 1970s and 1980s in Hungary (Argentieri 2011: 218; Boros-Kazai 2005: 369; Halmai 2011: 125). I have argued elsewhere that ‘happiness-ideology’ was one of the more salient yet sinister features of Hungarian Stalinism (Kürti 2013).

<sup>3</sup> Since I deal with the complaints from the 1970s, I recommend the following English-language analyses of Hungarian society of that period: Asztalos Morell (1999), Ferge (1980), Hann (1980). My book also examines institutions within the Communist Party and its youth organization (KISZ) at the Csepel Works in Budapest (Kürti 2002).

<sup>4</sup> Clearly, there are multiple uses and definition of trust (inter-personal, shallow, depersonalized, social, general, and so on), which is not my focus here.

worth considering that the Communist Party developed a unique cultural practice that aimed at combating social problems at the local-level by ‘listening’ to people’s complaints. Ostensibly, this was also part of the ‘personification’ of national politics that Martha Lampland references in her study on Hungarian rural society and relations of power in agricultural communities (Lampland 1995: 348). The sharing of information upon which the CG as an institution depended seemed to demand intimacy, friendship and trustworthiness as a pre-requisite. Anthony Giddens’ observation that trust has to be continually won and retained in the face of growing doubt or ‘manufactured uncertainty’ (Giddens 1994: 93), aptly captures the workings of the CG. This had less to do with actual power than with the personal style and charisma of party secretaries who had the ability not only to maintain trust but to ‘finish the job and sleep well at night’, as one informant told me.<sup>5</sup> No matter how powerful the company or town’s communist party secretaries may have been, they had to report and answer to their superiors. Within the system of checks-and-balances, such cadres not only had to deal with the management of companies, trade union leaders (*szakszervezeti bizalmi*) and the Communist Youth League secretaries (*KISZ titkár*), they also had to listen to the ‘top man’ of the community, the council president (*tanácselnök*) and its leading body, the executive council (*végrehajtó bizottság*). More importantly, every community belonged to a particular district (*járás*) and these were under the supervision of counties (*megye*). Each district and county had its own communist party secretaries who kept a watchful eye on the decisions of their inferiors.<sup>6</sup>

Such bureaucratic machinery was certainly part of the manufactured uncertainties as well as contradictions of socialism (Kornai 1986, Staniszkis 1991). These ideas are shared by Katherine Verdery as well, who among the Eastern Europeanist anthropologist has attempted to answer the question about the collapse of socialism by looking at the ‘collision’ of the two international political economies, socialism and capitalism (1996). Just when the Soviet bloc crumbled, the political scientist and East European specialist J.F. Brown paraphrased six interrelated factors according to which public disenchantment with the communist regime may be understood, but among these most important was the social chasm in particular that ‘The majority of the workers everywhere had become so contemptuous of their regimes and so disaffected with them, that they would do nothing to support them. This finally sealed communism’s fate’ (Brown 1991: 39).

In my book, *Youth and the state* (Kürti 2002), I describe conflicts between young workers and the Communist Party as a fundamental element of the general crisis that can reveal one of the principal, inherent contradictions of communism in Eastern Europe. Learning about factory life, workshop politicking and working-class youth ideas, I demonstrate that the worker was a fictionalized creation, particularly produced by early theorists of Marxism-Leninism as well as party ideologues of later socialisms (and not excluding those who were inclined to accept the

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<sup>5</sup> For the position of party secretaries, see Hann (1980: 113-115). For comparative material from the Soviet Union, see Humphrey (1983: 316-329).

<sup>6</sup> Districts were abolished in 1983 providing county secretaries with even more power.

regimes' ideological projections; for example, classes of 'peasant-workers', 'socialist workers', 'working-class consciousness' and so on). Neither that of worker nor élite was a wholly unified, homogeneous category; both were composed of groups of individuals with diverse and often different interests. Although I formerly emphasized generational and gender conflicts, I overlooked an important aspect: the question of how contempt developed among them and the consequent bases of conflicting interests. Armed with new data on conflict management and the workings of grievance committees, I now argue that several major processes had to co-exist both for those in the work-force and those in the higher echelons of society.

Francis Fukuyama has maintained that modern democracies can be classified as either low-trust (China, France, Italy) or high-trust (Germany, Japan, USA) societies and while I may not wholly agree it is not without merit (Fukuyama 1995). The notion of 'high-trust' may certainly pertain to the ideology of state socialism intent on bridging the gap between party and citizens. The longevity of interpersonal relationships and social institutions is, after all, based on trust; this was no different under socialism, despite the claims of some historians that modern notions of trust and distrust were the product of capitalism of the sixteenth and seventeenth centuries anchored to the 'concept of risk'.<sup>7</sup> In the twentieth century, as Marková has pointed out, the totalitarian or semi-totalitarian regimes of Eastern Europe 'had presented themselves as totally trustworthy. Their rhetoric was couched in terms of "humanity", "the well-being of the individual and society" and "equality among people".' (Marková 2004: 8). She adds: 'Yet despite this rhetoric, for the majority of citizens, the distrust of the regime was mingled with fear' (Marková 2004: 8).<sup>8</sup> It is debatable whether distrust discouraged citizens from seeking assistance from party bosses. The cases of CG hearings I have analysed suggest that those who went to the party secretaries and committees with their grievances were hoping for a positive outcome for themselves. Without fear of repercussion or terror, unlike during the 1950s and early 1960s, now individuals often entrusted party leaders with issues ranging from workplace bullying, unfair compensation and street brawls and many more complaints were filed concerning private matters such as theft, family scandal, marital problems and custody battles. Piotr Sztompka argues, with Niklas Luhmann, that people behave as 'though the future were certain' (Luhmann 1979: 10) and that 'trust is paid ahead of time as an advance on success' (Sztompka, 1999: 26). Yet, distrust may be considered to be a negative mirror-image of trust. Is it only a linguistic coincidence that the Hungarian words trust (*bizalom*) and committee (*bizottság*) are from the same root?<sup>9</sup> In the case of the CGs, trust (*bizalom*) created a sense of

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<sup>7</sup> According to Hosking the Reformation should be credited with developing a 'crisis of trust' (Hosking, 2008: 29-50).

<sup>8</sup> Trust, suspicion and fear were certainly part of the ordering mentality of Stalinism as I have shown elsewhere (Kürti 2013). Two Hungarian films centre on these themes: Péter Bacsó's banned *Witness* (A tanú 1968, 1979), and István Szabó's gripping family drama, *Confidence* (Bizalom 1979). On these films see the reviews and analyses Portuges (2012).

<sup>9</sup> The linguistic term is *bízik* (trust, entrust).

collective (socialist) identity by stimulating some kind of loyalty (trust, faith) in the party.<sup>10</sup> At the same time, we might agree here with Ivana Marková that this notion existed in mutual but subversive and uneven symbiosis with distrust (*bizalmatlanság*), recalling as it did earlier communist tactics of institutionalized spying and anonymous reporting.<sup>11</sup>

### The CGs

Arguably, trust and mistrust are coterminous as can be seen from a former complainant's statement about communist party bosses, 'I don't trust them to solve my problems. They only work for themselves'. Consequently, increasing distrust by some in party institutions in which they had wished to place their confidence led to greater resentment. Individuals became more distrustful of professional party cadres and tried to check on their performance by means of inspections, audits, meeting of targets and outright gossip, all the more so when CG hearings resulted in an unequal compromise or negative outcome, leading to further grievances. Complaints not only presupposed an a priori trust but also created a system that Giddens has called 'generative politics' (1994: 15), linking state and society by reflexive mobilization to open up communication, mete out justice and correct misdeeds, disclosure and self-disclosure of information increased interpersonal trust, putting at risk those involved. Borneman observes in a different context, 'Punishing wrongdoers in legal trials is necessary to establish public trust in a rule of law, but it is also insufficient. State must also restore the moral integrity and repair the damaged self-worth of the wronged person' (2011: 49). Such feelings undoubtedly hampered relationships between citizens and officials on the one hand and, on the other, plaintiffs and the objects of their complaints. Trust is linked to distrust or suspicion, a duality that can be traced at least to the great witch-hunts of Europe. Thus, the binary of trust-distrust not only resulted in suspicious behaviour towards others, but also created fear ('What if people find out that I reported them about their behaviour?').

In many cases the CGs tried to make a positive contribution by allowing discontent to be voiced. They cut through red tape and served as a safety-valve by allowing workers to release tensions before discontent could escalate into major conflict. As a former official suggested, 'it was better for us to hear about problems before it became a serious matter. This way we were in charge of the entire matter and we could stop the conflict from getting out of hand and reaching county bosses'. Another function of the CG was to serve as a mechanism for channelling information especially in cases in which similar complaints reached party executives from different sources. The CG hearings also clarified some rules that were often unclear to members not fully aware of their roles and tasks. Finally, complaint functioned as a

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<sup>10</sup> More analysis on this duality can be found in Marková and Gillespie (2007).

<sup>11</sup> The culture of Stalinism and cold-war mentality has been described abundantly (Brooks 2000, Stites 1992, Tismaneanu 2003); for Hungary, among others, see Borhi (2004), Kürti (1998, 2013), Roman (1999), Valuch (2005). In the community discussed here, spying and secret police observation was a real threat during the 1950s (Farkas 2006).

warning signal, an indication of something amiss. In the view of a former communist party secretary, ‘special investigations and hearings would clarify misbehaviour and help us identify wrong-doers’.

Yet, from the perspective of the Communist Party, the CG functioned as a controlling mechanism that eventually turned the institution on its head. Hearings were either informal or formal. Informally, anonymity was (more or less) assured since only the party secretary and aggrieved individuals were present, a structure favoured by most workers over the large party assemblies. Formal hearings called for the plaintiff and those the party secretary summoned. In this sense the CG was not a regular committee with a stable membership. On the contrary, led by the local party chief, its membership evolved according to the nature of conflict. It was the party secretary who decided whom to interrogate, which institutions to contact and what subsequent action to initiate. ‘I knew who to turn to in every instance, this was one of the most important assets I had at my disposal’, admitted a former secretary of the Communist Party at the Kossuth State Coop.<sup>12</sup>

While it is true that the power and inner workings of the Communist Party were held in contempt by citizens, save those directly involved with its maintenance, organization and hierarchy, the material demonstrates that the committees were not entirely unpopular among party members. The CG complaints procedure could be instigated via a letter, but a personal appearance was required to follow at the local party office wherein the aggrieved party was to give a verbal account as to the nature of his or her grievances. The gist of the matter was then written up on the official complaint sheet (*Panaszfelvételi Lap*), signed by both the party secretary and the complainant. Locally, each party secretary (*párttitkár*) was responsible for hearing grievances and if the matter warranted or could not be resolved directed to the Disciplinary Committee recommending further action.

### **CG hearings**

What was the nature of some of the grievances? The overwhelming majority of complainants reveal dissatisfaction; about 100 complaints archived between 1975-1979 shows that one-third of formal complaints arose as a result of what the complainants perceived as an abuse of power by superiors. In other complaints (about one-third of the total) neighbours, renters and workers claimed some sort of disharmony and friction. In addition, about five percent of the complaints concerned grievances of spouses. In one case, a father distressed about the kindergarten’s refusal of full day care of his five-year old son turned to the party secretary for help. He reasoned that they both work in a nearby city in three shifts and:

‘I’m a member of the communist party since 1957 who worked relentlessly every time to fulfil all his required communist Saturdays (voluntary free labour) to build the kindergarten. The chief nurse suggested that we find work locally so we could

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<sup>12</sup> I thank here Péter Czigány (1943-2018), the former communist party secretary at the Kossuth State Coop, for his assistance and providing me with important files.



get a full day program for our son at the kindergarten. I beg Comrade Secretary, to take into consideration that we don't have to give up our good jobs for this problem.'

The local party secretary sent the complaint to the town-council for final decision. The solution was moderately in favour of the couple: 'We cannot fully comply with your wishes but we can offer lunch to your son, but no afternoon care. As a solution we suggest that your grandparents, who live with you in the same house, take care of the child after he goes home from the kindergarten.'

Questions concerning the Roma minority were also raised in some grievances. In one instance, residents complained about the Roma migrants moving in to the neighbourhood: 'The past few years, six Roma families moved into their new homes in the Lilac Street, due to a special loan-system by the bank. At the moment, the seventh family is moving in. With this a new colony is forming but the behaviour of the Roma is unbearable. The embittered residents are asking for help.' The party secretary turned to the town and asked for a report on the developing situation on the Lilac Street. Several reports were filed concerning both the residents and the 'seventh family moving in.' One official visited the Roma neighbourhood and established that there were altogether 25 families living there in squalid conditions. The town's council president (*tanácselnök*) in his decision allowed the 'seventh family' to obtain a new home in Lilac Street arguing that the 'the family is orderly and the father has a job for several years now at the local with Water-Machinery Factory'. Ironically, the person filing the original complaint against the Roma was also Roma himself!

Work conditions, relations of workers to each other as well as to their superiors, petty theft, absenteeism, alcoholism and low work-morale were common topics in grievance hearings. At one of the local state farms, a man was hired as an odd-job man but his alcoholism and absenteeism led to his eventual dismissal. Yet, a local shepherd hired him as a helper, a deal necessitated by the lack of free-labour available (shepherds traditionally worked together with their family members, especially their wives). After working for two months, the hired hand received part of the agreed salary which led to a dispute. The party secretary ordered the local cooperative to force the shepherd to pay the amount he owed to the helper.

A petty theft at the Peace Cooperative Farm (*Béke Szakszövetkezet*) became a major investigation involving even the court and the police. One member of the communist party at the Coop reported that one of the electricians stole two light switches at the stables. The case was reported by a party member, MK, but neither the Coop president nor the internal monitoring committee rectified the situation by impeaching the wrongdoer. When the accuser reported everything to the police, the case was referred back to the Coop as an internal matter. MK was reprimanded by his superior for disclosing sensitive information to the outside. Finally, a hearing ensued and the CG fired the electrician and asked the Coop president and MK to work on good terms in the future. A somewhat similar minor case concerned an alcoholic who cursed her colleague with the words 'a dirty communist'. Four eyewitnesses were questioned and all admitted that the alcoholic woman 'likes to curse'. Although she denied the accusation, the

party secretary noted that ‘since our investigation brought to light all the facts she was immediately dismissed from her job’.

Another major case erupted after abuse of power by the president of the Cottage Cooperative (*Háziipari Szövetkezet*) came to light. It occurred at the time when to Coop was fused with the Metal Cooperation in 1974. Employee’s grievances concerned allocation of work that included improper classification of their jobs. Several workers felt that their rights on the job were violated even more by the director of the Coop who refused their claim and decided to turn to the communist party secretary for help. The case of Mrs János Sági is especially revelatory as to how the CGs worked and the kind of minuscule politicking in which actors engaged to solve certain sensitive issues, especially those that concerned superiors. Mrs Sági claimed that when she reported for work, she was ordered by the director of the Coop to take her paperwork and move her desk into another room. When asked why, the director ‘without any warning and screaming at the top of his head responded that he would “throw her out of the company immediately and cut her throat”.’ Two days later, three leading executives of the communist party took the deposition of Mrs Sági. In the minutes, the complainant explained the entire affair naming some half-dozen colleagues who were present at the moment she was forced to leave her regular desk job. The matter escalated further when the communist party secretary as well as the president of the Coop gave an entirely different version of the woman’s relocation to a new job. Finally, the case went to a higher-level, the town’s communist party secretary summoned all witnesses, including the Coop’s president to appear before the committee of grievance. The Coop’s president admitted being boorish but argued that he was not satisfied with Mrs Sági’s skills accusing her ‘of being susceptible of intrigues, a conduct she was reprimanded for’. A few days later, the discontented woman handed in her resignation and ceased working at the Coop for good.

Common cases filed were mismanaged gender relations and sexual abuse. A mother of twins, for example, filed a complaint against her estranged partner and father of the children. She asked the town’s Child’s Protection Agency (*Gyámhatóság*) for monthly allowance and child-support but her request was rejected with the excuse that she did not need any extra social assistance. The woman wrote an open letter to the national weekly Women’s Newspaper (*Nők Lapja*) where she was advised to turn to higher authorities ... because she might even lose her maternity right to her children’s. She went to the local communist party chief and filed a formal complaint, a smart move for the party secretary took a strong position by contacting the Child’s Protection Agency both regionally and locally. The outcome was positive: the mother received immediate monetary assistance and monthly state child-support with the proviso ‘to start immediate court procedure to establish legal parental rights for her twins’.

In one case, the wife of the veterinarian led a team of four women who filed a complaint against the driving instructor of the County Automobile Club. Their letter sent to the communist secretary of the town reads as follows:

‘We report that from the beginning of May 1977, we have been taking classes organized by the Bács-Kiskun County Automobile Club. Part-time instructing of

the driving classes is done by István Juhász. Already at the first class, the instructor became physically intimate with one of us almost causing an accident. This happened with someone else too. He continually abuses his power by asking us to pay for his cigarettes and lunches and also to give him tips. Several times he made us wash his car. Because of his bad and aggressive manner, we decided to file a complaint with the County Automobile Club already. However, since the representative of the County Automobile Club only wrote a letter of whitewashing mildly reprimanding the instructor, we believe, that he will have a chance to continue his misbehaviour. We found out that his rough style was a problem previously but nobody dared to complain about him; people shut their mouth because they know that the instructor can fail them during the exam. We should mention also that the instructor was dismissed by his former employer for similar reasons (“literally he actually had to run out from the place”). Presently, his bosses defend him maximally, a situation which to us is a strange concentration of power at the Automobile Club. Locally, everyone knows that there is almost impossible to do something against such a brute because he has “good connections” and can take care of every problem. This kind of behaviour and life-style is against the interest of our society for it undermines the socialist norms of co-habitation and increases the negative climate of opinion. This kind of person is not qualified to work with people. Reading this letter and the attached minutes, we ask you Comrade Secretary, to pay attention to this matter and do whatever is in your power that Mr István Juhász will never ever have a chance to take advantage of his position as an instructor.’

Eventually, the case was solved: the instructor had to leave teach driving classes elsewhere!

Another case also concerned the issue of ‘socialist cohabitation’.<sup>13</sup> Relationship between a woman and man living with three children (one from the mother’s previous marriage) turned antagonistic and she decided to ask the local town council for another apartment. Her request was denied because of housing shortage. Not finding an adequate solution, the woman sought the assistance of the party secretary who ordered a full investigation into the matter. This took place ten days after the court decision that forced the father to pay child support and asked the couple to arrange a separate room for him to live in the same house; the kitchen and the bathroom they were to use jointly. In her testimony the woman claimed that her partner continually abused her and the children. During the CG hearing the father denied all charges but admitted that since the court decision they stopped communicating with each other. The

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<sup>13</sup> Socialist cohabitation, never specified, was codified in the Civil Law IV of 1959. Expressions ‘cooperation’, ‘interest of the working people’, and ‘proper conduct’ are used in conjunction with socialist cohabitation; in 1991, the new Civil Law XVI changed cohabitation to ‘good morals’ (*jóerkölcs*).

woman promised that if everything continued legally there would be no further complaints on her side. The CG in its decision made the following remark: ‘We call everybody’s attention to refrain from any kind of behaviour which undermines the rules of socialist cohabitation, not only because this would hurt the development of the children, but it would also make their living situation even more unbearable’.

In another case, a widow and mother of 12 children fought two state farms concerning her 0.5-hectare land nationalized by a cooperative of which she was not a member. Although the law required the cooperatives to reciprocate with land of the same dimensions, the woman did not accept it claiming ‘the land was relatively small in value and far from her farm’. Moreover, she requested that the cooperative either pay the market-value of the land taken from her or provide an equally valuable agricultural land near to her farmhouse. To assist her claim, the communist party secretary pressured both coops to find a suitable solution. Finally, the woman’s own cooperative graciously offered some additional compensation to the widow.

### **Conclusions: Trust and legitimacy**

The literature on state socialism of the Eastern European variety, particularly on the nature and working of the communist party, is replete with discussions of hierarchical dominance, control and unequal power relations. I have presented examples from my field-work material on the workings of one local communist party cell and especially the workings of its committee of grievances (CG). Two important questions remain to be answered: Why would disenchanted individuals, workers and party-members turn to the secretaries to investigate and solve their problems? Why not instead go to company executives, trade union leaders or, in some instances, directly to lawyers and courts? The answer lies in one of the inherent contradictions omitted in previous analyses — that is, in balancing the ‘negative control’ of the party referenced by Swain (1992: 155). Interviewing former party members and secretaries, it became clear that overwhelmingly the complainant’s purpose in bringing the complaint was altruism, to prevent a recurrence for others. As one interviewee argued: ‘I made the formal complaint hoping that my case prevents someone else suffering like I did’.

The other question — namely, why CGs responded insufficiently to citizens’ grievances — is equally important. One of the obstacles has to do with language-based cognition. In Hungarian, the words *panasz* or *sérelem* are the most common expressions for grievance, complaint or discontent. However, the very action *panaszkodni* (to complain) is coterminous with being a stool-pigeon (*árulkodás*) both words with strong negative connotation. Therefore, *árulkodás* has in popular parlance often been connected to the notion of lying (*hazugság*), or being a traitor.<sup>14</sup> More than that, the term *árulkodás* is related to the notions of ‘commodity’ and ‘price’ (*áru*) with the meaning extended to betrayal of someone for monetary reward or

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<sup>14</sup> I have discussed such cases in family disputes (Kürti 2000).

some sort of ‘encapsulated interest’ (Hardin, 1999: 24).<sup>15</sup> Yet, in view of the absence of public shaming or punishment of wrong-doers, such grievance hearings did not bring about catharsis or significant psychological solace for two reasons. First, the complainant could feel ashamed for bringing up personal grievance in front of the committee, especially if there was no beneficial solution at the end. And secondly, since managers and party bosses were often the target of complaints themselves in which case no fair decision or justice could be meted out, forcing complainants’ further shame or dropping the case entirely.

Finally, it is worth noting that the notions of trust and distrust, similarly to confidence or reliance, are not connected only to historical anthropological reflections on the years of the Marxist-Leninist states. Surveys conducted after the collapse of the socialist state in Hungary suggest that citizens continually distrust major institutions (courts, police, government) as well as politicians. Concomitantly, distrust in interpersonal relations has been on the rise in Hungary since 1990 (Balázs 2008, Giczi and Sík 2009, Rose-Ackerman 2001, Utasi 2002). Surveys also revealed that trust in institutions was lowest in Hungary, followed by Poland and Slovenia (Boda and Medve-Bálint, 2011: 27-51). Similarly, the percentage of Hungarian citizens’ confidence in civil service declined from 70 to 50 between 1981 and 2000 (Walle, Roosbroek and Bouckaert 2008: 58; see also Mishler and Rose 1997).

Has the level of trust changed since 2004, a date Hungary joined the EU? A 2018 Eurobarometer survey reveals that 28 percent of Hungarians trust their national parties, the EU average is only 18 percent; 46 percent trust the Hungarian Parliament, the EU average is 35 percent; and 56 percent trust the EU Parliament, the EU average stands only at 48 percent (Eurobarometer 2018: 7).<sup>16</sup> There are important differences across Europe, however, as for example, 40 percent of the Swedish population has confidence in their national political parties. While citizens in Scandinavia and the Baltic states have the highest level of trust in the EU (more than sixty percent); Greece, the UK and the Czech Republic scored the lowest level of trust. Actually, among all EU member states the Irish have the most positive image of the EU (64 percent). Among the former Soviet-bloc countries, Poles and Romanians are ahead of the Hungarians in agreeing that their voice counts in the European Union (Eurobarometer 2018: 11). What is the situation at the local-level, where we as anthropologists can best discern popular feelings and discontent? At a recent public hearing I attended in the town I have described, I counted less than 15 people attending. Such low attendance would augur that notions of trust and distrust, confidence and responsibility, as well as civic duty, continue being both amorphous and inconspicuous. The grievance committee introduced here was an attempt by the Communist Party of Hungary to ease social tension among citizens during late socialism.

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<sup>15</sup> Economists are in thrall to the notion of emphasizing trust as a commodity (Dasgupta 2000), and political scientists to the notion of benefits and interests (Hardin 1999). The idea that trust is connected to money has been offered by Geoffrey Hosking (2012).

<sup>16</sup> The solid economic performance for this high-level Hungarian support is one of the reasons for this; the other has to do with the illiberal populist governmental rhetoric of Victor Orbán (Kürti 2017: 234-235; Pelonen 2018: 318).

It was all in vain, yet with all the complaints it did achieve one thing: leaders of the party echelon became keenly aware that the crumbling system was beyond repair. This recognition paved the way for an élite-led smooth transition of 1989-1990. What came after is another exciting challenge for anthropologists to unearth and analyse but as a recent survey testifies, the erratic ebb and flow of public trust in state institutions may lead to a serious erosion of legitimacy in the post-socialist state.

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## ***Rethinking Descriptivism and Explanation in Legitimacy Debate: Highlighting the Role of Causal Process(es) in Ethnographic Theory***

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The main issue that permeates the chapters of *Legitimacy: Ethnographic and Theoretical Insights* (Pardo and Prato 2019, henceforth *Legitimacy*), could be stated as follows: on what grounds those who rule society's political institutions obtain to persuade the ruled to follow rulers' worldviews? Most, if not all the contributors question the Weberian approach which tried to reconcile Kantian and Hobbesian traditions by dividing rationality into instrumental and value-laden dimensions. The core of the questioning of the Weberian thesis lies in the facts that Weber's rational-bureaucratic type of legitimacy is normative, not empirical, that Weber failed to see that what binds the rulers and the ruled is not some technical-instrumental procedure through which the interests of the ruled are satisfied (for example through parliamentary democracy) but values and ideals which the sovereignty ought to serve (for example, common good). Prato's words are suggestive:

'I have contended that an informed study of contemporary politics must go beyond the dichotomy between a political philosophical study of the situation as "it ought to be" and an anthropological study of the situation "as it is".' Prato 2019: 32)

Then she says:

'My contention is that in order to grasp how a system actually works it is not enough to investigate the functional, or utilitarian, aspects of action; we need to understand what ideal of society and political system individuals aim to accomplish when they, for instance, bring to life a new political organization or advocate new forms of political action' (ibid.)

The deficiency of political philosophy's implementation of the Weberian type of rational legitimacy stems from its inadequacy to capture the first-person perspectives of the ruled, while ethnography's adoption of such an approach would be misleading in so far as what is analyzed is only 'legal parameters'. In Prato's line of thought, people should obey those who rule not because of instrumental procedures but because of Power's moral grounds. If ethnography has a role to play in this goal, it should be to describe how actors define their own situations, how they resist to rulers' exploitation and how they invent alternative political micro-contexts to satisfy their interests. In other words, what unites the chapters in the volume is an attempt to reconcile the normativity of political philosophy's arguments with ethnography's descriptivism. For instance, Pardo believes that ethnographers should pay attention to how Naples citizens come to distrust local political institutions:

‘The long-standing failure — perhaps unwillingness — of Naples rulers to come to terms with ordinary people’s entrepreneurial culture, and the corresponding policies, is at the root of my informants’ feeling that they are treated as second-class Italians.’ (Pardo 2019: 66)

Only if ethnographers remain indifferent to the grand and abstract theorizing of political philosophy will they be capable of capturing the processual nature of actors’ decision-making practices in real life situations. Ethnographers will fail to tap local culture’s logic unless they avoid abstraction. Pardo expresses this concept clearly:

‘As a social anthropologist, I am averse to unjustified abstraction. Generations of solid anthropologists have demonstrated the unique value of an in-depth understanding of the moral complexity and social value of individual action gained through classical long-term fieldwork.’ (Pardo 2019: 58)

Thus, descriptivism constitutes the *par excellence* methodological vehicle for overcoming the core antinomy around which the subfield of political anthropology is structured: The ‘political science’ side of political anthropology privileges large number of cases of which the logic can be captured by explaining the variables of these cases and the ‘social anthropology’ side prioritizes detailed narrative descriptions of single cases of which the logic can be tapped interpretatively. The roots of devaluating abstraction in anthropology are to be found in Boas’ repudiation of the vast generalizations and in his valuation of descriptive studies of particular cultures researched by ethnographers spending years collecting the most minuscule facts of everyday life. Pardo states:

‘I have insisted that our study of what real people do, why they do it and how they attach legitimacy to what they do, in many cases regardless of the law, must deal with this *interaction* and its “moving parts” — meaning the complex interplay of values and interests that underscores their coping with the messiness of life in ways that give satisfaction, as well as producing tangible results that respond to their representations of a good life.’ (Pardo 2019: 65)

For Gellner (1973), descriptivism’s theoretical underpinning is rooted in Winch’s inversion of Wittgenstein’s theory of language. In particular, social anthropologists adopted Winch’s view on how to approach social action: instead of searching for causes, ethnographers should reconstruct its meaningfulness. This is not only a methodological exhortation but it is a peculiar inversion of Wittgenstein’s theory of language meaning. Whereas for Wittgenstein meaning should be accounted for as the employment of an expression in diverse concrete contexts, which were endlessly diversified and were parts of ‘forms of life’, Winch replaced ‘meaning=use’ with ‘use=meaning’. Thus, the essence of what people say and do is not to be found in their causes but in their meaningfulness; in other words, action is not caused but meaningful. Gellner puts it eloquently:

‘[For Winch] to understand social practice is to understand its meaning. It cannot but have meaning: the fear that understanding might reveal it to be the slave of antecedent causes (thus being ‘explained’ by them) turns out to be an error, and one demonstrably such in *all* cases: one, it appears, arising from a fundamental error concerning the very nature of social understanding. This is where the idealism comes in: remove this one error, and we are freed forever, by an omnibus proof, of the bogies of determinism, mechanism and so on.’ (Gellner 1973: 58)

It sounds like a truism to say that this kind of forms-of-life accounting for social phenomena leads to (epistemological and conceptual) relativism. Additionally, by ostracizing causes from anthropological view one misses the opportunity to explain why things are that way and not otherwise. In particular, by remaining indifferent to explanation, ethnographers are liable to two shortcomings: first, they fail to bring to the fore the forming causes of social action which are not reducible to the reasons actors draw upon for making sense of their lives and, second, they remain trapped into a nominalistic approach of social action in the sense that they exhaust all of their energy to describe how ‘strategic’, ‘manipulative’ or ‘inventive’ actors are within specific ‘forms of life’. Although the elucidation of these points deserves a whole book, I will try to sum them up in a few words.

Regarding the first shortcoming, by referring to ‘forming causes’ I have in mind a Critical-Realist framework with its three-level stratified social ontology. In searching for ‘forming causes’ ethnographers are trying to identify the generative mechanism which produce specific lines of actions and not others, the necessary and sufficient conditions which trigger specific practices and not others or which make things be that way and not otherwise. This does not mean that ethnographers apply ready-made theoretical clichés to their research material (for example that capitalism determines people’s actions) but that they identify the case-specific process through which *in potentia* becomes *in presentia* (Collier 1974: Ch. 2)

As far as the second shortcoming is concerned, I think that descriptivism brings from the window what has been supposedly thrown out through the door, that is nominalism. In particular, by exhausting their descriptions on actors’ manipulative or bricoleur-like capabilities, ethnographers come to adopt as their main theoretical challenge the issues which have been posed by Rational-Action-Theory propositions. What is at stake, in my view, is not whether actors are rational or irrational or when and under what circumstances they are rational or irrational but how group-specific ingredients make social relations negotiable and mutable. Instead of seeing human action under the Weberian prism of instrumental or value-laden rationality, ethnographers could profit from a Jackson-inspired existential framework for approaching being with others. Michael Jackson (2013) proposes an existential framework for doing ethnography of which a central thesis is that if one wants to tap humans’ forms of decision making, one has to examine border situations. In researching border situations ethnographers can tap the generative mechanisms not only of actors’ decision-making process but of groups’ transformation as well.



For Jackson, social life is full of contingency, playfulness, unpredictability, mystery and emotion and it cannot be reduced to agency/structure dualisms. A shared human liability is actors' regression between a desire of sharing an identity with others and of standing out from others as singular persons. This image of social life coexists with the view that self is emerged through contradictions in the sense that 'life is made liveable both through acting upon the world *and* submitting to it, engaging with others *and* holding oneself back from them, accepting reality *and* imaginatively denying it' (Jackson 2013: 18). Thus, in addition to describing the details of humans' self-deception, ethnographers should pay attention to the group-specific dynamics which make it possible. For Jackson the dilemma of whether we are made or we make something of what we are made is false because we seldom 'stand at some metaphorical crossroads, contemplating which direction to take, rationally appraising the situation, making a choice, and acting on it' (Jackson 2013: 19). Let me make clear one of my main points: a critical dialogue between existential ethnography and a Critical-Realist framework of explanation could be of much help in approaching the issue of legitimacy through the prism of political anthropology. I suggest that ethnographers should leave aside the Geertzian web-of-significance Weberianism and start thinking of explanation as their major task. How could it be done?

First, I think that the implementation of an existentialism-inspired ethnography enables researchers to see legitimacy not through the Thomas-Znaniecki's motto, 'If men define situations as real, they are real in their consequences' (1926: 18), but as a total social fact in the sense of what they try to tap is not (only) 'natives' point of view' but the multidimensionality of being with others. Tapping the multidimensionality of being with others means that the ethnographer is trying to detect informants' surplus of meaning and life's tendency 'to deny our attempts to bind it with words and ideas' (Jackson 2013: 21). This holistic, *fait-total*-sociale approach to legitimacy is to treat informants' relation to political institutions as an embedded aspect of total social life rather than as an isolated segment of society. Undoubtedly, the main virtue of *Legitimacy* is that it remains faithful to this epistemological holism and to anthropology's long-standing distrust of the homo-economicus model of social action.

For instance, Spyridakis' chapter underlines that the Social Solidarity Income (SSI) should not be seen as an economic policy to which informants respond by means of profit-maximization reasoning but as a moralizing practice (Spyridakis 2019). This means that SSI, institutionalized as a state-funded welfare programme, establishes the social category of 'beneficiaries' of which the members think of SSI as a legitimate philanthropy not in procedural but in moral terms — this is the 'morals of legitimacy' Pardo refers to in *Legitimacy* (see more broadly Pardo 2000). However, this is a fragmented legitimacy since there are many informants who question this policy because it puts them in the vicious circle of poverty by keeping them out of the labour force. The image of a fragmented legitimacy is provided by Abraham's ethnography in North Kerala who highlights that legitimacy practices are deployed not in what Westerns would call 'public sphere' but in the materiality of space



(Abraham 2019). As she points out, the spatial organization of neighbourhoods sets the stage for the micro-politics of the morality of legitimacy which is processed by how different groups of people subscribe to different and multiple centres of legitimacy in the local. In a similar vein, Atalay (2019) shows how the legalization of credit card membership annual fees in Turkey conceals the displacement of democratic citizenship and the legal/legitimate separation in so far as banks persuade citizens to take loans and credit cards, thus legitimizing in way their debt.

As I previously stated, what these and the rest of the chapters share is a clear distrust to the assumption that universal rationality suffices to interpret people's preferences or strategic interests shaped by specific, culturally transmitted understandings of reality. On the contrary, these ethnographies point to the significance of informal networks diffused in many areas of economic life and built on local and culturally specific notions of trust, all of which dispute the image of humans promoted by the neo-classical economics as isolated and calculating individuals. However, I believe that an existentially-inspired ethnography could supplement this rejection of instrumental rationality since it is one thing to deconstruct a theoretical tradition and quite another to propose a viable and capable of enabling empirical research alternative image of social life. To this end, existential ethnography prioritizes values, passions and emotions as a crucial part of social action instead of dismissing these as Rational Action Theory do.

Of course, one should not read this priority as a caprice of some 19<sup>th</sup> century existential philosophy but should be reminded that economists like Keynes or Hirschman have analysed the role of passions and interests in economic decision making. More recently, by renaming passions and interests as 'animal spirits', Akerlof and Shiller (2009) concede that they refer to our peculiar relationship with ambiguity or uncertainty, sometimes we are paralyzed by them but sometimes they refresh and energize us, overcoming our fears and indecisions (Akerlof and Shiller 2009: 4). For instance, they note that when economists build most of their macro-economic reasoning upon the notion of 'confidence', what they propose is not a computer-like frame of mind from which both consumers and banks are imbued but that expectation, feelings, and beliefs is what shapes humans' care about future states. The more consumers and banks trust each other, the more the usage of credit cards will be increased in the future. Consumers' behaviour does not rest on whether they use information for making rational predictions but on the sense that they have about future outcomes. So, the virtue of an existential ethnography is to offer a detailed description of how these animal spirits shape the morals of legitimacy.

Second, by avoiding to conflate epistemological (what are the conditions of knowability 'legitimacy' as an object of study) with ontological levels (how are the objects of knowledge 'actually' constituted), Critical-Realist-inspired ethnographers can embrace causality not in linear (through variables) but in narrative terms. Narrative causality means the detailed identification of the process (or of the generative mechanism(s)) through which A is transformed into B and not C. This presupposes a rigorous methodological reflection on

sampling, data analysis and generalization, issues that traditionally have been seen as irrelevant to social anthropology (I firmly believe that this is a consequence of a hegemonic misreading of Dilthey's *erleben* [experience], which has been adopted as self-evident by quite a few ethnographers). Moreover (and this is one thing ethnography has left untouched), ethnography enacted through a Critical-Realist prism aims at explaining not informants' intended meanings but their non-intended consequences at social level (in the same way that the intended meanings of worldly asceticism gave shape to the emergence of capitalism's instrumental rationality). This is not new but it goes back to the much-debated issue regarding how and in what sense the mind is social. From a Critical-Realist point of view, it is the independency of mind's sociality that explains this gap between intended meanings and non-intended outcomes and of which the key of explanation is to be traced as a causal process. In other words, while an old-fashioned functionalism suffers from teleology and structuralism tends to disregard subjective meanings, Critical Realism, on the contrary, privileges a process-tracing explanatory framework that acknowledges subjectivity, context and temporality.

This is exactly the difference between an expository and explanatory approach underlined by Mannheim (2003). The first resembles those who try to construct a jigsaw puzzle by looking at the preordained and ready-made completed image. Mannheim does not dismiss in toto this way of approaching social facts since it is the first step in seeing how the part is connected to the whole. However, he says that in order for the pitfalls of teleology and determinism (either in its 'over-socialized' or in its 'culturalistic' variant) to be avoided structure is the order by which a causal sequence is not attributed to individual meanings: in order to get to know what banks are or what money is, researchers need not ask people why they take money from an ATM. As Mannheim puts it: 'the sum total of causal motivations does not explain the complete structure' (2003: 73). In this ontological conception, causal and interpretive operations are not in extreme opposites but have the following complementary direction: one describes an event by relating it to the totality in which it is inscribed and one explains it by detecting and identifying the causal path through which the non-intended meaning obtain an objective existence or form, or else, through which things are not in that way and not otherwise.

The benefit offered by the Critical-Realist-inspired ethnography that I have briefly described is that researchers can forge middle range explanations on the phenomenon they study. Let me give an example from the legitimacy debate. By comparing the urban ethnographies of the 'legal but illegitimate practices' from Colombia (Hurtado-Tarazona 2019) and Kenya (Koechlin 2019), one could trace the determinants of why collective action and demonstrations are undermined and annulled in non-western countries. Is the process of 'becoming middle class' related to these determinants? If yes, in what ways? Could the process of 'urban transformation' (for example, housing policies) play the role of the generative mechanism which gives shape to the 'fragmented legitimacy' so eloquently described by (almost) all of the chapters?

The reflections that I have offered are meant to underline that cases and comparisons are the best means for achieving theoretical propositions regarding specific phenomena. This can be obtained by focusing on the concept of *process* in which, as I have tried to show, three theoretical traditions are met. First, Gluckman's, Turner's and Leach's emphasis on conflict, faction, struggle and manipulative strategy. Second, the Chicago School's micro-sociological interest on identity, emergence and negotiation. Third, Critical Realism's insistence on searching for causal explanations in ontological levels that are not always accessed by agents. While I have exposed the first and the third theoretical tradition of the concept of 'process', let me briefly refer to the Chicago School conception of process as it has been discussed by Andrew Abbott (2016). Abbot's processual social ontology starts not from isolated and rational individuals trying to create social order either by convention (Hume) or by Sovereignty (Hobbes) but from events from which social entities and individuals evolve. Social life's internal boundaries are perpetually changing and its institutions or social groups are 'not fixed beings that can succeed one another, but lineages of events strung together over time, to which new things are always being bound, and from which old things are always being detached' (Abbott 2016: 202).

I firmly believe that the chapters in the *Legitimacy* volume constitute an excellent example of how one could approach morals of legitimacy through the 'process' concept, as it has been implemented in the first two theoretical traditions. What is missed is a comprehensive approach which tries to tap specific causal processes emerged from the ethnographic cases in the book and of which the goal will be ethnographic explanation (not ethnographic description). The comparative character of the *Legitimacy* volume is like a research 'treasure' through which ethnographers could bring to light generative mechanisms that will explain the phenomenon of which the cases are instantiations.

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