

REVIEW ARTICLE

Legitimacy, Authority and Power: Some Key Concepts in the Understanding of Contemporary Societies

Brigida Marovelli
brigida.marovelli@gmail.com

Italo Pardo (ed.) (2000). *Morals of Legitimacy: Between Agency and System*. New York, Berghahn Books.

and

Italo Pardo and Giuliana B. Prato (2011). *Citizenship and the Legitimacy of Governance: Anthropology in the Mediterranean Region*. Farnham; Burlington, Ashgate.

Not without rhetoric, the Mediterranean Sea has been depicted as a hub of tolerance and mutual understanding throughout the centuries. Over the last few years, it has been a death trap for thousands of people escaping from countries such as Eritrea, Libya, Tunisia, Egypt, and Somalia. On 3 October, 2013, 366 corpses were recovered one mile away from Lampedusa's shore (Day, 2013). Hundreds of people drowned in a shipwreck in the Mediterranean Sea, while trying to reach Europe. They were travelling in an overcrowded boat from the Horn of Africa. Over three days, 200 people lost their lives in a similar event in the Mediterranean waters.

It is interesting to look at what kind of debate this mournful event provoked in Italy. According to the Italian immigration law 'Bossi-Fini', the survivors of this tragedy had to be investigated for having entered the country illegally and were denied the right to attend the funerals of their relatives and friends who died in the shipwreck (Latta Nadea 2013). Furthermore, according to the same law, fishing crews are not allowed to rescue illegal immigrants trying to cross the Sicilian Channel. However, the fishermen who did not stop on these occasions were blamed and those who saved people in high waters were celebrated as heroes. The latter did not abide by the Italian state Law; many of them said to their interviewers that the 'law of the sea' follows its own, different principles.

I believe that these events could be held as exemplary of the complex relations among legitimacy, authority and citizenship in real life situations. They also point to the need to contextualize the ideas related to legality and power. It is exactly in this perspective that the two books that I will discuss in this review article are noteworthy.

Morals of Legitimacy: Between Agency and System, edited by Italo Pardo (2000b) in 2000, is a collection of essays addressing definitions of legitimacy in different settings, including Italy, India, Britain, Cyprus, Papua New Guinea, and Japan. This book has contributed to the political debate within anthropology, because it tackles the issues related to the cultural construction of legitimacy and, consequently, of trust, authority and morality. More than ten

years after its publication, these topics are far from being exhausted. Recently, Italo Pardo and Giuliana Prato (2011a) edited a second collection, which explores these meanings further. In *Citizenship and the Legitimacy of Governance. Anthropology in the Mediterranean Region* (Pardo and Prato, 2011a), legitimacy is studied in its relation to the contested concept of citizenship in the Mediterranean Region. Both volumes start by examining the discourse on legitimacy, pointing to a general agreement about the crisis of legitimacy and of democracy. However, the most recent book aims specifically to address the ‘displacement of citizenship’, which according to the authors is demonstrated by two distinct but interconnected phenomena: ‘the re-emergence of localisms’ and ‘the development of transnationalism’ (Pardo and Prato 2011b: 11).

In spite of the difference in geographical focus, the two volumes share a wide range of topics. In his introduction to *Morals of Legitimacy* (2000a), Pardo clearly explains that people do not see what is legal as necessarily legitimate; on the other hand, what is not legal is not automatically regarded as illegitimate. Pardo and Prato (2011b) also follow this line of reasoning when they write that ‘what is not legal may, thus, acquire an aura of moral justification and become widely accepted as legitimate’ (p.2). In the case of the shipwreck mentioned earlier, the rescue of human beings in the Mediterranean was seen by ordinary people as legitimate even if it was illegal according to the national Italian law, and these actions were also portrayed as a moral duty by the media. These processes of legitimation and de-legitimation constitute the fulcrum of the two volumes under discussion here.

According to this theoretical framework, the system of law and of morality, which is often viewed as rigid and unchanging, is in fact negotiable and Pardo’s (2000a: 9) expression in this matter is particularly evocative, as he talks of ‘the porosity of the law’. This idea is further explored by Peter Fitzpatrick (2000), who takes into account the need for the law to respond to changes and to adjust to the shifting circumstances of social life. In order to adapt to society, ‘[l]aw cannot be purely fixed and pre-existent’ (p. 159).

While seeing the need for the law to be responsive to an ever-changing society, a warning about bureaucratization and ‘juridification’ of all life aspects comes across many of the essays in these volumes. John Fitzpatrick (2000: 178) overtly worries about the juridification of the private sphere, which in the past was mediated by communities and collectivities. In his discussion about the increased number of noise complaints in the UK he introduces the concept of juridification borrowed from Habermas (1987 quoted in Fitzpatrick J., 2000). More precisely, he shares Habermas’s concern about the pervasiveness of the law entering aspects of social life, such as family and school, previously regulated informally by ‘mutual understanding’ (J. Fitzpatrick 2000: 178).

From this point of view, a central question is the way in which the state takes legitimate control. In his essay about vigilantism, Abrahams (2000) shows how Tanzanian institutional powers, such as the police, bureaucrats and lawyers, stress the illegal nature of vigilantes groups, implying that the right to exercise ‘arrest and punishment’ (p. 111) belongs only to the state.

Taking into account material drawn from historical and contemporary sources, Abrahams's ethnographic analysis demonstrates that vigilantism and the official institutional system promote their idea of social order, and in the name of the common good they exercise power, which can lead to 'serious miscarriages of justice' (p. 123).

The failure of the state to take legitimate control is addressed in Pardo's (2011) essay about the rubbish crisis in Naples, whereby the gap between citizenship and the law seems to become insurmountable. In their chapter about the criminalization of black youth in poor urban areas in Lisbon, Fernandes and Morte (2011) also examine this issue, arguing that the Portuguese state contributes to creating prejudices and stereotypes against minorities, due to 'contradictory discourses and measures' (p. 91).

These reflections can be placed into the wider discourse that Pardo originally initiated about trust and distrust. He argues that trust becomes a 'precious commodity in situations in which power is seen to be exercised with insufficient or absent concern with the fundamental responsibility of guaranteeing the rights of citizenship' (2000a: 7). Motivated by Pardo's Neapolitan ethnography (1996, 2011, 2012), this concern can be extended to most of the contributions to both volumes. I would argue that the systematic failure of the élite to be seen as legitimate is particularly apparent in the Italian southern regions, due to the history of the Italian Unification and to the firm repression of social movements throughout the centuries. Nevertheless, this grassroots distrust in the people in power who man the state institutions — and, in the long run, in the institutions themselves — has been observed in many different contexts.

One of the implications of this theoretical reflection is that it helps changing the perspective on marginality, because these ethnographies unmistakably invite a refusal to label and dismiss particular cultural and moral frameworks as marginal when they are not in line with dominant ideologies (Pardo 2000a: 22).

These dynamics of inclusion and exclusion link to Abrahams' (2000) contribution on vigilantism, when he discusses the concept of 'frontier', as elaborated by the work of Kopytoff (1987, quoted in Abrahams 2000). From this point of view, the power of the state is not distributed evenly over a territory and its authority is stronger in certain areas. 'The long arm of the law', Abraham argues, 'does not stretch everywhere with equal force, and areas where its power is significantly diluted or resisted have a frontier quality. The simplest model of such frontiers or edges of state power is a spatial one of centre and periphery' (2000: 113).

We can easily grasp how such a view could be applied to the Mediterranean Region. Pardo and Prato (2011b) highlight how Mediterranean cultures have been chosen as an anthropological object of study and seen as the 'exotic' nearer us. The Mediterranean Region does have these frontier qualities, as recent immigration trends demonstrate. It is located at the margins of Europe, where at times 'the long arm of the law' does not seem to reach or, when it does, its legitimacy is widely questioned.

Pressures from transnational powers such as the European Union are often received as illegitimate at the local level. In other cases, the requests of this transnational institution are difficult to be met by national states. This is made clear by Spyridakis (2011) who shows how the central Greek government and the local institutions are unable to face such pressures. Close to Spyridakis's reflection about Greece, Bardhoshi (2011) investigates the 'transformation period' in Albania and emphasizes that the country is caught in-between the requests of the European Union and the local agenda. Dembour (2000) looks at the European Court of Human Rights in Strasbourg to demonstrate, through an array of legal decisions taken by the Court in matter of religious conflict, how 'Christian beliefs, practices and sensitivities are better accommodated than those of other faiths' (p. 221). Sedmak (2011) questions the portrayal of Slovene Istria as a multicultural setting, drawing attention to the unequal distribution of social power among different ethnic groups; the Italian minority in Slovene Istria has in fact guaranteed more rights than other immigrant groups.

These considerations confirm that the European Union's transnational power is perceived 'on the ground' as financial and economic pressure aimed at meeting a capitalistic idea of modernization, while leaving behind the rights of citizenships. Following Pardo's (2011) analysis of Neapolitan and Italian institutions, this weakness can lead, and in my opinion is already leading, to a de-legitimation of European authority and to a widespread distrust in its institutions. The rise of anti-European movements and parties seems to confirm this tendency.

There are another two elements, which are really important when it comes to anthropology in Mediterranean settings. First, as it has been widely discussed by Pardo (1996, 2011), Mediterranean anthropology has engaged mainly with rural villages, contributing to stereotypes of backward societies held frozen in time and lacking modernization. Since cities are a demanding anthropological object of study, their empirical investigation requires an engagement with macro processes. Urban settings offer an opportunity not to be missed; particularly, in order to engage with the complexity of Mediterranean cultures, avoiding pre-existent paradigms, such as patron-client, honour and shame and the like, mainly based on an orientalist, prejudicial approach. Second, Mediterranean people have been often described as lacking agency and ability to perform any form of resistance. This view has been encouraged by the mainstream historiography as much as by social scientists. Fortunately, both volumes under consideration here see people as continuously negotiating legitimacy and citizenship; not as puppets but as agents, even when operating in disempowering marginal social contexts. A good example is given by Manos Spyridakis's (2011) chapter about shipbuilding activities in the Piraeus. In such a setting, it would be easy to victimize the local workers but, recalling Pardo's Naples ethnography (1996) Naples, Spyridakis sees workers as 'managing their existence' in an 'attempt to manoeuvre selectively in order to establish some control over the circumstances of inequality and to improve the conditions of their life in the context of their collective employment experience' (Spyridakis 2011: 167).

This discussion about agency is not related to the Mediterranean region only. It is adopted by the majority of the contributors to both volumes, who engage with globalizing processes without forgetting the ability of people to face, resist and adjust to change.

There are a few methodological implications of these works which I would like to highlight. First, they bring back a comparative perspective to the anthropological debate. Second, they prioritise ethnography but they are courageous enough to face grander issues in the wider society. Finally, these two books may be seen as crossing boundaries and interests among disciplines, but they are instead the kind of anthropology that challenges boundaries, frontier zones and ideas of marginality.

While I was writing this article, another event was reported as responsible for a 'breakdown in trust' (Hamilos 2013) among Western countries. Edward Snowden's revelations about the mass surveillance action by the US National Security Agency have generated a gigantic diplomatic crisis. Watching the news and reading about this event in a renewed light thanks to the debate about legitimacy, citizenship and trust in these volumes, I had to reconsider my initial question. I first asked myself why these books were relevant in the contemporary anthropological discourse. I now believe that an ethnographically informed discussion about authority and power can further our understanding of the contemporary world when placed in such a thought-provoking and stimulating theoretical background. I think the anthropological contributions of the two volumes show us the way for a more in-depth understanding of the societies we live in.

References

- Abrahams, R. (2000). Vigilantism, State Jurisdiction and Community Morality: Control of Crime and 'Undesirable Behaviour' When the State 'Fails'. In I. Pardo (ed.).
- Bardhoshi, N. (2011). The 'Citizen' and the 'Transformation' Period in Albania: the Case of Tirana's Periphery. In I Pardo and G. B. Prato (eds).
- Day, M. (2013). Italy boat wreck: Hundreds of migrants feared dead after ship sinks off Lampedusa coast. *The Independent*, 04/10/2013.
<http://www.independent.co.uk/news/world/europe/italy-boat-wreck-hundreds-of-migrants-feared-dead-after-ship-sinks-off-lampedusa-coast-8855735.html>
Accessed 03/11/2013.
- Dembour, M-B. (2000). The Cases that were not to be: Explaining the Dearth of Case-Law on Freedom of Religion at Strasbourg. In I Pardo (ed.).
- Fernandes, M. and Morte, T. (2011). Stereotypes and Other Lies: The Media and the Construction of Racial Hatred. In I Pardo and G.B. Prato (eds).
- Fitzpatrick, J. (2000). A Quiet Life: Right or Duty? In I Pardo (ed.).
- Fitzpatrick, P. (2000). Magnified Features: The Underdevelopment of Law and Legitimation. In I Pardo (ed.).
- Hamilos, P. (2013). Spain warns US of breakdown in trust after new NSA revelations. *The Guardian*, 28 October 2013. <http://www.theguardian.com/world/2013/oct/28/spain-warns-us-ambassador-breakdown-trust-nsa> Accessed 03/11/2013
- Latza Nadea, B. (2013). Italian Shipwreck Survivors to be Prosecuted and Fined. <http://www.thedailybeast.com/articles/2013/10/07/italian-shipwreck-survivors-to-be-prosecuted-and-fined.html> Accessed 03/11/2013
- Pardo I. (1996). *Managing Existence in Naples. Morality, action and structure*. Cambridge: Cambridge University Press.
- Pardo I. (ed.) (2000). *Morals of legitimacy: Between Agency and System*. New York: Berghahn Books.
- Pardo I. (2000). Introduction - Morals of Legitimacy: Interplay Between Responsibility, Authority and Trust. In I. Pardo (ed.).
- Pardo I. (2011). Italian Rubbish: Elemental Issues of Citizenship and Governance. In I Pardo and G. B. Prato (eds).
- Pardo, I. and Prato, G. B. (2011). Introduction: Disconnected Governance and the Crisis of Legitimacy. In I Pardo and G. B. Prato (eds).
- Pardo, I. and Prato G. B. (eds) (2011). *Citizenship and the Legitimacy of Governance: Anthropology in the Mediterranean Region*. Farnham: Ashgate.
- Pardo I, Prato G. B. (eds) (2012). *Anthropology in the city: methodology and theory*. Farnham: Ashgate.

Sedmak, M. (2011). Displacement of Citizenship: The Multicultural Reality of Slovene Istria. In I. Pardo and G. B. Prato (eds).

Spyridakis, M. (2011). Between Structure and Action: Contested Legitimacies and Labour Processes in the Piraeus. In I. Pardo and G. B. Prato (eds).