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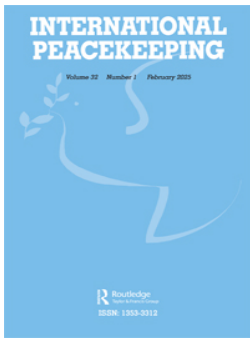
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Inside the UN Security Council. Legitimation Practices and Darfur

by Jess Gifkins, Oxford, Oxford University Press, 2023, 240 pp., £76.00 (hardback), ISBN 9780192869029

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BOOK REVIEW

Inside the UN Security Council. Legitimation Practices and Darfur,
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Looking back in early 2025, the UN Security Council's negotiations on Darfur between 2004 and 2007 appear to reflect a bygone era when openly hostile great power relationships were thought to be waning, and when considerations of legitimacy and responsibility could readily be argued to matter in multilateral decision-making. Rather than a throwback to seemingly simpler times, however, Jess Gifkins' richly contextualized study of the contentious negotiations presents an innovative approach to explaining the paradoxes and pathologies of Security Council decision-making through the lens of states' legitimation practices. It ties together institutional power, formal and informal rules, and Council members' varied interests to analyse the processual dimension of legitimacy concerns during negotiations. The study thus complements existing accounts of the legitimacy of the institution or of individual decisions. In further opening the black box of habitualized, i.e. standard Security Council practice, Gifkins also offers important insights for the ongoing discussion on UN Security Council reform as it shifts from the 'big' questions of membership and voting rights to 'smaller' reforms of agenda setting and procedure.

Gifkins makes two principal arguments. First, legitimacy matters in Security Council negotiations, not only when it comes to the perception of the Council and its decisions, but also for explaining the *process* of decision-making. Focussing on legitimation practices thus introduces a hitherto overlooked factor to explaining Council decision-making that helps account for inconsistencies and contradictions between member states' behaviour and their material interests or stated preferences. Second, the legitimation practices of the Council can be distinguished into internal and external practices, i.e. those that seek to legitimize a particular decision, and those that concern the legitimacy of an actor, i.e. member state. Taken together, internal and external legitimation practices at once 'constrain and enable decision-making' (p. 71).

Gifkin's arguments are developed in two parts. The first chapter draws on Barnett and Duvall's¹ notion of institutional power to map out the formal and informal power of the permanent (P5) and elected (E10) Council members, and of the second and third UN (although not the General Assembly). It analyses the structural advantages of the P5 vis-à-vis the E10 in addition to their formal prerogatives, and details how both sets of actors harness their formal and informal power to sway the Council, including recent collaborative efforts by E10 members.

¹Barnett and Duvall, "Power in International Politics," 39–75.

Building on this mapping, chapter two draws on the practice turn in IR and relational understandings of legitimacy to conceptualize these strategies as legitimation practices that ‘moderate the effects of institutional power’ (p. 53). Gifkins defines legitimation practices as ‘repeated patterns of behaviour that serve to reinforce the legitimacy of an actor or a decision’ (p. 62). *Internal legitimation practices*, such as seeking unanimity, using previously agreed language, and garnering the support of states from the region seek to enhance the legitimacy of a Council decision. *External legitimation practices*, by contrast, seek to enhance the legitimacy of the actor and address external audiences, such as domestic audiences or allied states. They include the quality, consistency, and legitimacy of the arguments used to defend a state’s choices, and the need to be seen to be ‘doing something’. Gifkins’ discussion of the five legitimation practices provides ample evidence for demonstrating how each practice exerts its own pull on negotiators, leading in turn to path dependencies, unintended consequences and constraints, or implementation challenges further down the line. The discussion thus makes a highly compelling argument for the constraining and enabling role of legitimation practices, whilst remaining even-handed in acknowledging and factoring in alternative explanations at every turn. A welcome addition to this chapter would have been a more detailed discussion of the criteria involved in the abductive selection of the principal legitimation practices.

The book’s second part explores the legitimation practices that drafters employed across four negotiations concerning Darfur, in turn addressing Council negotiations on agenda-setting, sanctions, the referral to the International Criminal Court (ICC), and peacekeeping. Chapter 4 revisits the Council’s belated decision to add the violence in Darfur to its agenda in May 2004 (p. 86). Focusing on the US administration’s efforts to normalize its relationship with Sudan, it argues that Washington ultimately ceased its resistance to adding Darfur to the Council’s agenda following mounting domestic and international lobbying (p. 99). The chapter also provides fascinating insights into the role of the UN Secretariat, including inter-departmental divisions over policy, in seeking to shape international opinions. The following chapter on sanctions argues that Western states employed sanctions out of a desire to be seen to be ‘doing something’ by domestic audiences, whilst the Chinese government, despite repeatedly trying to stall decisions behind closed doors, subsequently abstained from blocking resolutions publicly out of concern for its international standing. Once again, Gifkins’ analysis not only demonstrates how legitimation practices shaped Council decision-making, but simultaneously details their often-unintended consequences for constraining actors’ subsequent room for manoeuvre.


Chapter 5 on the ICC referral tackles the US decision to permit the resolution’s passage despite its fundamental opposition to the legal precedent this created for the future role of the ICC. Gifkins argues that while Washington had indeed negotiated far-reaching concessions, its prior legitimation practices as an ‘advocate for Darfur’ (p. 161) ultimately deterred it from using its veto despite continued concerns. While this analysis emphasizes external

legitimation, the final empirical chapter on the creation of UNAMID analyses a wider pattern of legitimation practices. Given Khartoum's resistance to peacekeeping, Council negotiators resorted to a set of internal and external legitimation practices. These included garnering unanimity and the support of regional states (internal), and being seen to be 'doing something' on the part of Western governments alongside Chinese pressure on Khartoum as external legitimation practices. The analysis particularly of the first, failed attempt to deploy peacekeepers without the genuine consent of the Sudanese government showcases the pitfalls of text-based compromises and their implications for future practice. The chapter also emphasizes instances of strategic leadership by the Secretariat. Taken together, the four case studies make a highly compelling argument about the significance of internal and external legitimation practices for the process and outcomes of Security Council negotiations, including their many contradictions. While the analysis is slightly tilted towards the US, UK, and China, it constitutes an indispensable resource for scholars and students of Security Council procedure and reform, skilfully paving the way for further research into the role of legitimation practices beyond the UN Security Council and beyond liberal hegemony.

Bibliography

Barnett, Michael, and Raymond Duvall. "Power in International Politics." *International Organization* 59 (2005): 39–75.

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