

RESEARCH ARTICLE

Relational legitimisation in dense institutional environments: The case of the UN Special Procedures

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Abstract

It is a truism that legitimacy is relational inasmuch as an international institution's legitimacy hinges on how it is perceived by relevant audiences. What is less discussed is that legitimisation practices may have another strong relational dimension as well, in which institutions portray themselves as being related to respected others. While the idea that international institutions associate themselves with others to borrow their legitimacy is not new, it has not as yet been thoroughly theorised. This article therefore brings together insights from research on the legitimisation of international institutions and relational sociology, as well as from related fields, to theorise the notion of 'relational legitimisation'. It also presents a case study on the Special Procedures of the United Nations Human Rights Council. Based on qualitative content analysis of annual thematic reports, the paper suggests that relational legitimisation is a common practice among the Special Procedures, and possibly also among other international institutions. It shows that relational legitimisation relies on a number of different frames – alignment being the most important one – and that association is sought primarily with epistemic authorities, especially those from the West, and other 'family members'.

Keywords: human rights; international organisations; legitimisation; relationalism; Special Procedures

Introduction

When the Vikings arrived in the Orkney Islands in the eighth century, they had little to base a claim to authority on. Sensing a need to be accepted as legitimate rulers by the inhabitants of the islands, they found a way of signalling that their claim to the land was justified: they buried their dead in or near the burial sites established by the former rulers.¹ This self-legitimisation practice was not confined to Orkney. Reuse of ancient burial sites was common in Viking Age southern Scandinavia, where it was adopted by individuals with high social status for the purpose of 'legitimizing their control and claims over land'.²

Something similar to what the Vikings did in Orkney can be seen to be done by international institutions: they too associate themselves with others they expect to be regarded as legitimate by relevant audiences. In doing so, they seek to elicit acceptance of their authority. The first declaration issued by the G6, for instance, the G7's predecessor, explicitly linked the new forum to established

¹Shane McLeod, 'Legitimation through association? Scandinavian accompanied burials and pre-historic monuments in Orkney', *Journal of the North Atlantic*, 28 (2015), pp. 1–15 (p. 11).

²Anne Pedersen, 'Ancient mounds for new graves: An aspect of Viking Age burial customs in southern Scandinavia', in Kristina Jennbert and Anders Andrén (eds), *Old Norse Religion in Long-Term Perspectives: Origins, Changes, and Interactions* (Lund: Norse Academic Press, 2006), pp. 346–53 (p. 351).

institutions such as the Organization for Economic Co-operation and Development (OECD);³ the Asian Infrastructure Investment Bank (AIIB) uses its website to showcase its Permanent Observer Status in the United Nations (UN) General Assembly;⁴ and international courts cite judgments handed down in national courts to legitimate their own.⁵

That international institutions should resort to association as a self-legitimation practice is not self-evident because institutions that operate in the same field frequently compete for resources and recognition. Recent scholarship has therefore begun to theorise and empirically probe ‘legitimation by differentiation’, a strategy focused on highlighting their own competitive advantage employed by international organisations (IOs) that find themselves in competition with other IOs.⁶ It has also been shown that IOs with overlapping mandates, like the World Bank and the International Monetary Fund (IMF), cooperate in day-to-day activities but publicly demarcate themselves from each other when they portray themselves as the ‘lead authority for a particular global problem’.⁷ Legitimation by differentiation has also been recorded in organisations that replace others, such as the African Union (AU), which initially tried to build its legitimacy by distinguishing itself from its predecessor.⁸

The growing body of research on the self-legitimation of international institutions has not ignored what I call ‘relational legitimation’. However, it is striking that scholars have so far focused mostly on the well-known triad of normative justifications – social purpose, procedures, and performance.⁹ There are notable exceptions that show that international institutions build relations with relevant others for the purpose of legitimation.¹⁰ Nonetheless, we lack a theorisation of the concept of relational legitimation and need more empirical research on international institutions’ relational legitimation practices. Addressing this gap is important. It helps us develop a more comprehensive account of how international institutions’ embeddedness in their environment shapes their legitimation practices and complements accounts that focus on the relationship between governing actors and their audiences.¹¹ It also is of practical relevance in times when international institutions are increasingly contested. Limited insights in international institutions’ legitimation practices that overlook the role of relation-building among governing actors hinder the development of sound policy advice. Furthermore, examining who is deemed worthy of being referenced, and who is not, provides valuable insights into global (dis-)integration processes. The aim of this article is, therefore, to theorise relational legitimation and investigate empirically the extent to

³Declaration of Rambouillet (1975), available at: https://g7g20-documents.org/fileadmin/G7G20_documents/1975/G7/Finance/Leaders/1%20Leaders%20Language/Declaration%20of%20Rambouillet_17111975.pdf }.

⁴Asian Infrastructure Investment Bank, ‘Permanent Observer Status in the United Nations’ (2023), available at: <https://www.aiib.org/en/about-aiib/index.html> }.

⁵Ezequiel Gonzalez-Ocantos and Wayne Sandholtz, ‘Constructing a regional human rights legal order: The Inter-American Court, national courts, and judicial dialogue, 1988–2014’, *International Journal of Constitutional Law*, 19:5 (2021), pp. 1559–96.

⁶Mona Saleh, ‘Legitimation by differentiation: How do international organizations claim legitimacy in complexity? (2023), available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4476116 }.

⁷Matthias Kranke, ‘Exclusive expertise: The boundary work of international organizations’, *Review of International Political Economy*, 29:2 (2022), pp. 453–76 (p. 454).

⁸Walter Lotze, ‘Building the legitimacy of the African Union: An evolving continent and evolving organization’, in Dominik Zaum (ed.), *Legitimizing International Organizations* (Oxford: Oxford University Press, 2013), pp. 111–31 (p. 131).

⁹Magdalena Bexell, Karin Bäckstrand, Farsan Ghassim, et al., ‘The politics of legitimation and delegitimation in global governance: A theoretical framework’, in Magdalena Bexell, Kristina Jönsson, and Anders Uhlin (eds), *Legitimation and Delegitimation in Global Governance: Practices, Justifications, and Audiences* (Oxford: Oxford University Press, 2022), pp. 25–46 (p. 34).

¹⁰Christina Boswell, ‘The political functions of expert knowledge: Knowledge and legitimation in European Union immigration policy’, *Journal of European Public Policy*, 15:4 (2008), pp. 471–88; Klaus Dingwerth, Antonia Witt, Ina Lehmann, et al., *International Organizations under Pressure: Legitimizing Global Governance in Challenging Times* (Oxford: Oxford University Press, 2019).

¹¹Magdalena Bexell and Kristina Jönsson, ‘Audiences of (de)legitimation’, in Jonas Tallberg, Karin Bäckstrand, and Jan A. Scholte (eds), *Legitimacy in Global Governance: Sources, Processes, and Consequences* (Oxford: Oxford University Press, 2018), pp. 119–33; Wolfgang Minatti, ‘Legitimate governance in international politics: Towards a relational theory of legitimation’, *Review of International Studies*, 50:4 (2024), pp. 662–81.

which it is a meaningful legitimization practice undertaken by international institutions and one that follows distinctive patterns.

Relational legitimization has its roots in relational sociology. Relational sociology, or relationalism, treats relations as primordial concepts and posits that agency and authority always derive from relations.¹² If we bring together relationalism and legitimization theory, we can conclude that international institutions legitimate themselves by building relations with relevant others. They may point out that they are authorised by them, they may align themselves with their positions and actions, or they may report instances of cooperation. A relevant other is any actor or institution considered legitimate by a relevant audience. Nonetheless, we should expect international institutions to build relations primarily with epistemic authorities (especially those from the West) and other institutions belonging to the same institutional family.

I draw on evidence from a case study on the Special Procedures of the UN Human Rights Council (HRC). The Special Procedures are independent experts mandated to collect information and provide advice to states on specific human-rights-related topics. Qualitative content analysis of the annual thematic reports of two Special Procedures allows me to draw the following conclusions. First, there is widespread evidence of relational legitimization. Second, all three relational legitimization frames are employed, with alignment being employed most often. Third, the Special Procedures do indeed predominantly build relations with epistemic authorities (especially those from the West) and actors and institutions from the wider UN family. Finally, I explore the conditions under which the findings may hold for other cases.

The article makes two broader contributions. It theorises and empirically corroborates a practice that has hitherto been neglected in the growing literature on the legitimization of international institutions. Specifically, it puts the focus on a legitimization practice that exploits an important dimension of their embeddedness in their environment and highlights dynamics of inclusion and exclusion in legitimization practices. In doing so, it helps develop a more comprehensive account of the institutions' legitimization practices that benefits empirical research into general questions relating to their origins and consequences. Furthermore, it adds to the literature on relationalism by focusing on legitimization through relation-building, a subject that has so far not been elaborated on specifically, thus also bringing empirical evidence into the literature on relationalism that has hitherto largely consisted of theoretical work.

The article is structured as follows. The next section introduces relational legitimization. The subsequent sections outline the article's empirical strategy and present its findings. The final section concludes.

Relational legitimization

Legitimacy and legitimization

Legitimacy is commonly defined as a 'generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions'.¹³ Legitimation is the ascription of legitimacy to an actor or institution that justifies their exercise of authority, and hence purposeful action intended to 'shape ... audiences' legitimacy beliefs'.¹⁴

¹²Ian Burkitt, 'Relational agency: Relational sociology, agency and interaction', *European Journal of Social Theory*, 19:3 (2016), pp. 322–39; Mustafa Emirbayer, 'Manifesto for a relational sociology', *American Journal of Sociology*, 103:2 (1997), pp. 281–317; Peter T. Jackson and Daniel H. Nexon, 'Relations before states: Substance, process and the study of world politics', *European Journal of International Relations*, 5:3 (1999), pp. 291–332.

¹³Mark C. Suchman, 'Managing legitimacy: Strategic and institutional approaches', *Academy of Management Review*, 20:3 (1995), pp. 571–610 (p. 574).

¹⁴Tobias Lenz and Fredrik Söderbaum, 'The origins of legitimization strategies in international organizations: Agents, audiences and environments', *International Affairs*, 99:3 (2023), pp. 899–920 (pp. 905, 907). Others are sceptical about the intentionality of legitimization practices, arguing that they 'may not always be intentional or goal-oriented' (Bexell et al., 'The politics of legitimization and delegitimation in global governance', p. 31).

Legitimacy matters for international institutions. Higher levels of authority and the end of the permissive consensus have raised expectations that international institutions should be perceived as legitimate by relevant audiences.¹⁵ From a functionalist perspective, legitimacy helps them engage in rule-making and promotes compliance among rule addressees.¹⁶ It also helps them stand up to their competitors¹⁷ or expand their scope of action.¹⁸

As a consequence, international institutions engage in self-legitimation vis-à-vis targeted audiences with whom legitimacy claims are supposed to resonate, or who might serve as intermediary audiences who influence the legitimacy beliefs of other audiences.¹⁹ Legitimation typically involves discursive, institutional, and/or behavioural practices. This article focuses on discursive practices – hence on day-to-day public justifications and other statements that construct or invoke specific narratives.²⁰ Such practices address different external audiences that are constituencies or observers of the institutions, including states and their publics (hence those affected by their rules) and civil society actors.²¹ Self-legitimation may also have an identity-building dimension when addressed to an audience within the institution, such as its own staff.²² Self-legitimation may be enacted collectively by an entire institution, or separately by members or individual bodies within it.²³ Much of the research on international institutions' (self-)legitimation has centred on formal IOs,²⁴ but, conceptually, legitimation can be applied to collective and individual social objects alike.²⁵

There is an emerging consensus in contemporary research on the legitimation of international institutions that three different normative justifications are central to the process: international institutions may ascribe legitimacy to themselves by highlighting the moral value of their purpose, the fairness of their procedures, or their performance in terms of fulfilling their mandate.²⁶ Relational legitimation, however, goes beyond this well-established triad. In essence, it assumes that international institutions build and maintain their legitimacy by associating themselves with other actors or institutions that are presumed to be legitimate.

¹⁵Henning Schmidtke, Swantje Schirmer, Niklas Krösche, et al., 'The legitimation of international organizations: Introducing a new dataset', *International Studies Perspectives*, 25:1 (2024), pp. 86–110 (p. 87); Dominik Zaum, 'International organizations, legitimacy and legitimation', in Dominik Zaum (ed.), *Legitimizing International Organizations* (Oxford: Oxford University Press, 2013), pp. 3–25 (pp. 3, 8); Michael Zürn, *A Theory of Global Governance: Authority, Legitimacy, and Contestation* (Oxford: Oxford University Press, 2018).

¹⁶Lisa M. Dellmuth and Jonas Tallberg, *Legitimacy Politics: Elite Communication and Public Opinion in Global Governance* (Cambridge: Cambridge University Press, 2023), pp. 8–9.

¹⁷Zaum, 'International organizations, legitimacy and legitimation', p. 12.

¹⁸Boswell, 'The political functions of expert knowledge'.

¹⁹Bexell et al., 'The politics of legitimation and delegitimation in global governance', pp. 25–7, 37–8.

²⁰Karin Bäckstrand and Fredrik Söderbaum, 'Legitimation and delegitimation in global governance: Discursive, institutional, and behavioral practices', in Jonas Tallberg, Karin Bäckstrand, and Jan A. Scholte (eds), *Legitimacy in Global Governance: Sources, Processes, and Consequences* (Oxford: Oxford University Press, 2018), pp. 101–18 (pp. 107–13).

²¹Bexell and Jönsson, 'Audiences of (de)legitimation', pp. 124–9; Jennifer Gronau and Henning Schmidtke, 'The quest for legitimacy in world politics: International institutions' legitimation strategies', *Review of International Studies*, 42:3 (2016), pp. 535–57 (p. 543).

²²Sarah von Billerbeck, '“Mirror, mirror on the wall”: Self-legitimation by international organizations', *International Studies Quarterly*, 64:1 (2020), pp. 207–19.

²³See Zaum, 'International organizations, legitimacy and legitimation', p. 15.

²⁴Dingwerth et al., *International Organizations under Pressure*; Dominik Zaum, 'Conclusion', in Dominik Zaum (ed.), *Legitimizing International Organizations* (Oxford: Oxford University Press, 2013), pp. 221–30.

²⁵Cathryn Johnson, Timothy J. Dowd, and Cecilia L. Ridgeway, 'Legitimacy as a social process', *Annual Review of Sociology*, 32:1 (2006), pp. 53–78.

²⁶Bexell et al., 'The politics of legitimation and delegitimation in global governance', p. 34; Tobias Lenz and Lora A. Viola, 'Legitimacy and institutional change in international organisations: A cognitive approach', *Review of International Studies*, 43:5 (2017), pp. 939–61 (p. 943); Jens Steffek, 'Triangulating the legitimacy of international organizations: Beliefs, discourses, and actions', *International Studies Review*, 25:4 (2023), pp. 1–24 (pp. 11–12), available at: {<https://doi.org/10.1093/isr/viad054>}.

Relationalism and relational legitimation

That relations matter for actors in several important ways is at the core of the theory of relationalism, whose key assumption is that relations, and not actors, are ‘analytical primitives’.²⁷ Relations are fluid and change as a result of the transactions that take place between the entities they link.²⁸ Relationalists assume that subjects are defined in their relations with others.²⁹ They engage in ‘bridging’, meaning that they establish ‘links between actors, practices and discourse’ and undertake ‘translation, coordination and alignment between perspectives’.³⁰ Hence, following a relational ontology, ‘entities arise from a web of relations’.³¹ Actors are therefore always ‘actors-in-relations’, implying that the ‘identities and roles of social actors are shaped by social relations’.³²

Furthermore, an actor’s or institution’s agency, power, and legitimacy also derive from their relationships with others. Hence, agency is ‘created by networks of relations’ and is metaphorically conceived as ‘the dancer’s social space within the figuration or configuration’.³³ Relations with others give actors power,³⁴ implying that power is ‘relational power’,³⁵ inasmuch as ‘larger relational circles’ and ‘more ... important others in these circles’ confer power.³⁶ It is therefore the ‘character of relationships’ between relevant actors that counts most in global governance.³⁷ Even more significant for this article is the assumption that a favourable position in a web also confers legitimacy, given that the latter is closely tied to recognition in relationships.³⁸ IOs such as the UN, for instance, appoint and align themselves with experts in the expectation that relationship-building will boost their legitimacy.³⁹

Relational legitimation, as used in this article, brings these insights from relationalism together with legitimation theory. It assumes that the institutional environment is key to legitimation and that actors or institutions may increase and sustain their legitimacy by establishing links to other presumably legitimate entities. Its underlying mechanism is the anticipated use of heuristics in the formation of legitimacy beliefs by relevant audiences. Heuristics help individuals develop attitudes in complex situations by providing cognitive shortcuts.⁴⁰ The concept has already been used in research on legitimacy beliefs to show that citizens form beliefs about IOs by extrapolating

²⁷David M. McCourt, ‘Practice theory and relationalism as the new constructivism’, *International Studies Quarterly*, 60:3 (2016), pp. 475–85 (p. 475).

²⁸Emirbayer, ‘Manifesto for a relational sociology’, p. 287.

²⁹Burkitt, ‘Relational agency’, p. 323.

³⁰Maryam Z. Deloffre, ‘The power of doing: Constitutive steering practices and the making of steering committees’, in Matthias Hofferberth, Daniel Lambach, Martin Koch, et al., ‘The why and how of global governors: Relational agency in world politics (Forum)’, *International Studies Review*, 24:4 (2022), pp. 13–16 (p. 15).

³¹Jackson and Nexon, ‘Relations before states’, p. 314.

³²Yaqing Qin, ‘A relational theory of world politics’, *International Studies Review*, 18:1 (2016), pp. 33–47 (p. 36).

³³Jackson and Nexon, ‘Relations before states’, p. 318.

³⁴Burkitt, ‘Relational agency’, p. 332.

³⁵Qin, ‘A relational theory of world politics’, p. 41.

³⁶Qin, ‘A relational theory of world politics’, p. 42.

³⁷Deborah D. Avant, Martha Finnemore, and Susan K. Sell, ‘Who governs the globe?’, in Deborah D. Avant, Martha Finnemore, and Susan K. Sell (eds), *Who Governs the Globe?* (Cambridge: Cambridge University Press, 2010), pp. 1–31 (p. 3).

³⁸Matthias Hofferberth, Daniel Lambach, Martin Koch, et al., ‘Introduction’, in Matthias Hofferberth, Daniel Lambach, Martin Koch, et al., ‘The why and how of global governors: Relational agency in world politics (Forum)’, *International Studies Review*, 24:4 (2022), pp. 2–5 (p. 3).

³⁹Nina Reinert, ‘Self-agentification by experts: A mechanism for human rights lawmaking’, in Matthias Hofferberth, Daniel Lambach, Martin Koch, et al., ‘The why and how of global governors: Relational agency in world politics (Forum)’, *International Studies Review*, 24:4 (2022), pp. 17–20 (p. 19).

⁴⁰Amos Tversky and Daniel Kahneman, ‘Judgment under uncertainty: Heuristics and biases. Biases in judgments reveal some heuristics of thinking under uncertainty’, *Science*, 185:4157 (1974), pp. 1124–31.

from their attitudes towards domestic institutions⁴¹ or other IOs,⁴² by comparing them to reference organisations,⁴³ or by following cues from elites.⁴⁴ Relational legitimation also subscribes to the idea that an institution's inherent properties – its social purpose, procedures, or performance – are not necessarily key to legitimation narratives or legitimacy beliefs. Instead, an institution can use the legitimacy of any actors or institutions with which it builds relations as a cognitive shortcut to its own legitimacy – assuming that relevant audiences form their legitimacy beliefs on the basis of the beliefs they hold about related actors or institutions. Normative justifications thus still matter in relational legitimation. But they matter primarily inasmuch as they relate to the actors and institutions with which an institution builds relations for the purpose of self-legitimation.

Scholars have not entirely neglected the idea that international institutions' self-legitimation practices may involve building relations with relevant others. It has been argued that legitimacy 'can be exported by association from the holder to other actors.'⁴⁵ It has also been shown that international institutions – whether major organisations with large bureaucracies,⁴⁶ smaller entities within IOs,⁴⁷ or transnational regulatory regimes⁴⁸ – engage in relation-building to legitimate themselves.

It is striking, however, that important recent publications on the legitimation of international institutions ignore relation-building. Zürn lists several legitimation narratives, including legal, participatory, and fairness narratives, but leaves out those that international institutions use to build relations with others.⁴⁹ Schmidtke et al. distinguish between legitimation standards related to procedure, performance, and purpose, on the one hand, and technocracy, liberalism, and communitarianism, on the other, but likewise disregard relation-building,⁵⁰ as do Dellmuth and Tallberg, who differentiate between legitimating messages that focus on social purpose, authority, procedures, and performance.⁵¹ Finally, Steffek's comprehensive account of the state of the art in research on the legitimacy and legitimation of IOs specifies 'normative arguments, pertaining to goals, procedures, and outputs of governance' as the content of international institutions' self-legitimation but does not take association into account.⁵²

The aim of this article, by contrast, is to put relational legitimation centre stage. This is important for two reasons. First, studying international institutions' legitimation practices lacks an important dimension if it does not take relation-building into account. Scholars who study them are interested in their origins, in how legitimation practices vary among international institutions, and in the effects of legitimation on citizens' legitimacy beliefs.⁵³ Taking relational legitimation practices into account enables these important questions to be addressed more comprehensively.

Second, studying international institutions' relational legitimation practices is important in its own right. Recent scholarship has concentrated on one relational dimension of legitimation: the

⁴¹ Lisa M. Dellmuth and Jonas Tallberg, 'The social legitimacy of international organisations: Interest representation, institutional performance, and confidence extrapolation in the United Nations', *Review of International Studies*, 41:3 (2015), pp. 451–75.

⁴² Iasonas Lamprianou and Giorgos Charalambous, 'Cue theory and international trust in Europe: The EU as a proxy for trust in the UN', *International Studies Review*, 20:3 (2018), pp. 463–88.

⁴³ Lenz and Viola, 'Legitimacy and institutional change in international organisations'.

⁴⁴ Lisa M. Dellmuth and Jonas Tallberg, 'Elite communication and the popular legitimacy of international organizations', *British Journal of Political Science*, 51:3 (2021), pp. 1292–313.

⁴⁵ Ian Hurd, 'Legitimacy, power, and the symbolic life of the UN Security Council', *Global Governance*, 8:1 (2002), pp. 35–51 (pp. 38–9).

⁴⁶ Dingwerth et al., *International Organizations under Pressure*; Zaum, 'Conclusion'.

⁴⁷ Boswell, 'The political functions of expert knowledge'.

⁴⁸ Julia Black, 'Constructing and contesting legitimacy and accountability in polycentric regulatory regimes', *Regulation & Governance*, 2:2 (2008), pp. 137–64.

⁴⁹ Zürn, *A Theory of Global Governance: Authority, Legitimacy, and Contestation*, pp. 70–77.

⁵⁰ Schmidtke et al., 'The legitimation of international organizations', p. 95.

⁵¹ Dellmuth and Tallberg, *Legitimacy Politics*, pp. 60–1.

⁵² Steffek, 'Triangulating the legitimacy of international organizations', pp. 11–12.

⁵³ Bexell et al., 'The politics of legitimation and delegitimation in global governance'; Steffek, 'Triangulating the legitimacy of international organizations', pp. 11–12.

relationship between governing actors and their audiences. It has been argued that perceptions of the legitimacy of international institutions and their legitimization practices are influenced by the cognitive schemata that audiences rely on⁵⁴ and by how audiences perceive other institutions.⁵⁵ Legitimation has also been described as a process of ‘congruence-finding’ in which the actors who enact legitimization practices and relevant audiences alter their normative expectations.⁵⁶ Zooming in on another relational dimension of legitimization, the relation-building practices of governing actors, complements this research. It provides another perspective on how international institutions’ embeddedness in their environment shapes their legitimization practices. In addition, it lays open how international institutions frame the nature of their relationships with relevant others and how dynamics of inclusion and exclusion structure those practices.

Relational legitimization frames

Relational legitimization, as used in this article, is an observable discursive practice. I assume that international institutions, when linking themselves to relevant others, use rhetoric that relates to particular frames, namely those that highlight authorisation, alignment, and cooperation. This rhetoric may be based on ‘explicit rationalization – i.e. articulating reasons why an authority has a right to rule’ and contain a clear evaluative element; it may also be implicit, relying on ‘messages of positive impressions of their rule’⁵⁷ or consisting of ‘everyday practices of governance,’⁵⁸ without involving explicit evaluation.

First, highlighting *authorisation* by others that are presumed to be legitimate is likely to be an important relational legitimization frame. References to authorisation by actors and institutions in an organisation’s (or system of authority’s) environment are believed to be an important resource that influences legitimacy beliefs and promotes rule-following behaviour, as are references to the authority of law.⁵⁹ Legitimation rhetoric that refers to authorisation is based on a ‘belief in a superior power’ that can justify an entity’s exercise of power.⁶⁰ Traditionally, the legitimacy of global governance institutions was seen as primarily stemming from state consent, that is, states’ acceptance of the rules to which the institutions bind them.⁶¹ Where bodies in an international institution have been created by another body within that same institution, reporting that intra-institutional authorisation can be a source of legitimacy, too. International institutions may also refer to less formal forms of authorisation, when they, for example, report that relevant others welcome their being authorised to fulfil their mandate.

Empirical research suggests that authorisation is an important legitimization practice used by states and international institutions alike. Legitimation in the form of formal authorisation by the UN has been important for states that want to conduct military interventions.⁶² It has also been shown that publics in democratic states view military interventions by their governments more favourably if the interventions are authorised by multilateral institutions that they consider legitimate.⁶³ IOs seek authorisation by other IOs to legitimate their actions, too. The North

⁵⁴ Lenz and Viola, ‘Legitimacy and institutional change in international organisations’.

⁵⁵ Lenz and Söderbaum, ‘The origins of legitimization strategies in international organizations’.

⁵⁶ Minatti, ‘Legitimate governance in international politics’, p. 675.

⁵⁷ Bäckstrand and Söderbaum, ‘Legitimation and delegitimation in global governance’, p. 109.

⁵⁸ Minatti, ‘Legitimate governance in international politics’, p. 675.

⁵⁹ Johnson et al., ‘Legitimacy as a social process’, pp. 59, 67; Theo van Leeuwen, ‘Legitimation in discourse and communication’, *Discourse & Communication*, 1:1 (2007), pp. 91–112 (p. 92).

⁶⁰ Anna C. Johansson and Jane Sell, ‘Sources of legitimization and their effects on group routines: A theoretical analysis’, *Legitimacy Processes in Organizations*, 22 (2004), pp. 89–116 (p. 94).

⁶¹ Allen Buchanan and Robert O. Keohane, ‘The legitimacy of global governance institutions’, *Ethics & International Affairs*, 20:4 (2006), pp. 405–37 (pp. 412–14).

⁶² Hurd, ‘Legitimacy, power, and the symbolic life of the UN Security Council’.

⁶³ Joseph M., Christopher Gelpi, Jason Reifler, et al., ‘Let’s get a second opinion: International institutions and American public support for war’, *International Studies Quarterly*, 55:2 (2011), pp. 563–83.

Atlantic Treaty Organization (NATO), for instance, went to great lengths to justify its intervention in Kosovo by reference to UN Security Council resolutions that, it argued, authorised the intervention.⁶⁴

Second, emphasising *alignment* with prestigious others constitutes another legitimization frame. Scholarship on isomorphism among IOs has argued that they tend to align their institutional design with the designs of other IOs to gain 'legitimacy benefits'.⁶⁵ Alignment, as used in this article, refers to rhetoric from international institutions that signals that they share the values and positions of relevant others or that they are acting in line with the way that relevant others act. Alignment has been identified as a relational legitimization practice engaged in by international courts. It has been shown that judges in international courts 'invoke external precedent as "persuasive authority"', assuming that they expect their judgments to be more persuasive and legitimate if they can argue that authoritative sources have come to the same conclusions.⁶⁶ Similarly, judges in international courts cite scholarly writings in their jurisprudence.⁶⁷

Alignment with relevant others and the frames they use has also been identified as a legitimization practice used by transnational advocacy groups. Non-state human rights organisations, for instance, build relations with each other to get the 'political clout that come[s] from being connected to other organizations also working for human rights improvement'.⁶⁸ Frame alignment among the members of a movement is also believed to provide legitimacy benefits for the movement as a whole.⁶⁹ Moreover, it is believed to be easier for transnational civil society actors to get support for their own ideas if these can be constructed as being aligned with existing ones⁷⁰ or if they use frames that resonate with those accepted by their (intermediary) targets.⁷¹

Third, international institutions legitimate themselves by building actual ties and *cooperating* with others they want to be associated with, then reporting on these cooperative relationships. IOs, accordingly, 'seek external validation for their authority claims ... through links and partnerships with other organizations which bestow a stamp of approval and recognition of authority'.⁷² They try to draw powerful states and other important organisations into their work⁷³ or open up to civil society actors⁷⁴ in an effort to improve their legitimacy. The World Bank and the IMF, for example, have set up dialogue forums with civil society actors as an 'institutional legitimization strategy'⁷⁵ and advertise them on their websites.

Cooperation as a relational legitimization practice is also discussed in management studies and network theory. Accordingly, organisations try to legitimate themselves by forming strategic

⁶⁴Ugo Villani, 'The Security Council's authorization of enforcement action by regional organizations', *Max Planck Yearbook of United Nations Law*, 6 (2002), pp. 535–57 (pp. 544–5).

⁶⁵Lenz and Söderbaum, 'The origins of legitimization strategies in international organizations', p. 915.

⁶⁶Gonzales-Ocantos and Sandholtz, 'Constructing a regional human rights legal order', p. 1562.

⁶⁷Nora Stappert, 'A new influence of legal scholars? The use of academic writings at international criminal courts and tribunals', *Leiden Journal of International Law*, 31:4 (2018), pp. 963–80.

⁶⁸Amanda Murdie, 'The ties that bind: A network analysis of human rights international nongovernmental organizations', *British Journal of Political Science*, 44:1 (2014), pp. 1–27 (p. 2).

⁶⁹David A. Snow, E. Burke Rochford, Steven K. Worden, et al., 'Frame alignment processes, micromobilization, and movement participation', *American Sociological Review*, 51:1 (1986), pp. 464–81.

⁷⁰Richard Price, 'Reversing the gun sights: Transnational civil society targets land mines', *International Organization*, 52:3 (1998), pp. 613–44 (pp. 628–31).

⁷¹Fanxu Zeng, Jia Dai, and Jeffrey Javed, 'Frame alignment and environmental advocacy: The influence of NGO strategies on policy outcomes in China', *Environmental Politics*, 28:4 (2019), pp. 747–70 (pp. 2, 15).

⁷²Zaum, 'Conclusion', p. 224; see also Anna Holzschneider, Thirid Bahr, Lisa Pantzerhielm, et al., 'Positioning among international organizations: Shifting centers of gravity in global health governance', *International Studies Quarterly*, 68:2 (2024), pp. 1–16 (pp. 4–5), available at: <https://doi.org/10.1093/isq/sqae073>.

⁷³Zaum, 'Conclusion', p. 224.

⁷⁴Jonas Tallberg, Thomas Sommerer, and Theresa Squatrito, *The Opening Up of International Organizations: Transnational Access in Global Governance* (Cambridge: Cambridge University Press, 2013).

⁷⁵Melanie Coni-Zimmer, Nicole Deitelhoff, and Diane Schumann Diane, 'The path of least resistance: Why international institutions maintain dialogue forums', *International Affairs*, 99:3 (2023), pp. 941–61.

alliances with other organisations. Building coalitions may not only have material benefits for those that pool their resources but also enables firms that are in greater need of legitimization to borrow the legitimacy of already-approved organisations.⁷⁶ Similarly, scholars using network theory see networking as a legitimization practice, with actors who occupy key node points in a network benefiting disproportionately.⁷⁷ Transnational social movements, for example, employ networking as a 'deliberate attempt to leverage connectivity for organizational legitimacy', with 'claiming a connection to another organisation' being an effective legitimization device.⁷⁸

Reference objects

Who are the actors or institutions that international institutions build relations with for the purpose of self-legitimation vis-à-vis relevant audiences? Generally, they may be any deemed to possess legitimacy in the eyes of relevant audiences within or outside the institution. This may encompass international courts, other IOs, entities of the same institutional family, states, representatives of civil society, academics, media, and business actors. Yet two types of respected others are likely to be particularly attractive: epistemic authorities (especially those from the West) and members of the same institutional family.

International institutions use knowledge provided by *epistemic authorities* to take well-founded decisions and govern effectively.⁷⁹ Yet they also forge links with epistemic authorities for the purpose of self-legitimation. They often link up with, or draw on knowledge provided by, experts to gain legitimacy.⁸⁰ They also associate themselves with civil society actors in the hope that they can benefit from their legitimacy.⁸¹ Such behaviour is attractive to international institutions for several reasons. Generally, epistemic authorities are seen as producing "legitimate" knowledge.⁸² Academics, who draw on the status of science, are seen as possessing non-partisan expert knowledge,⁸³ while civil society actors derive their status as authorities from claiming moral integrity.⁸⁴ Hence, building relations with academics may help international institutions cloak themselves in an aura of expertise and justify cause-and-effect claims, while association with civil society actors may help them justify moral claims.

However, not all academics or academic institutions and civil society actors may be equally regarded by international institutions as useful epistemic authorities to build relations with. For self-legitimation purposes, we should expect references to be made primarily to epistemic authorities from the West. Knowledge from the Global South is frequently excluded on account of 'racial stratifications in meaning-making processes'.⁸⁵ This applies to academia, where Western knowledge often possesses higher status.⁸⁶ Scholars have also observed social hierarchies among civil society

⁷⁶Tina M. Dacin, Christine Oliver, and Jean-Paul Roy, 'The legitimacy of strategic alliances: An institutional perspective', *Strategic Management Journal*, 28:2 (2007), pp. 169–87.

⁷⁷Emilie M. Hafner-Burton, Miles Kahler, and Alexander H. Montgomery, 'Network analysis for International Relations', *International Organization*, 63:3 (2009), pp. 559–92 (pp. 569–70).

⁷⁸Takuma Shibaike, 'Legitimacy and legitimization practices: An Analysis of TSMO networks', *Complexity Governance & Networks*, 8:1 (2022), pp. 1–24 (p. 2).

⁷⁹Emanuel Adler and Steven Bernstein, 'Knowledge in power: The epistemic construction of global governance', in Barnett Michael and Raymond Duvall (eds), *Power in Global Governance* (Cambridge: Cambridge University Press, 2005), pp. 294–318 (p. 304).

⁸⁰Boswell, 'The political functions of expert knowledge', pp. 471–2.

⁸¹Jan A. Scholte, 'Civil society and democracy in global governance', *Global Governance*, 8:3 (2002), pp. 281–304.

⁸²Adler and Bernstein, 'Knowledge in power', p. 303.

⁸³Peter M. Haas, 'Introduction: Epistemic communities and international policy coordination', *International Organization*, 46:1 (1992), pp. 1–35 (p. 11).

⁸⁴Zürn, *A Theory of Global Governance: Authority, Legitimacy, and Contestation*, p. 52.

⁸⁵Maïka Sondarjee, 'Coloniality of epistemic power in international practices: NGO inclusion in World Bank policymaking', *Global Society*, 38:3 (2024), pp. 328–50 (p. 330).

⁸⁶Siddharth Tripathi, 'International Relations and the "Global South": From epistemic hierarchies to dialogic encounters', *Third World Quarterly*, 42:9 (2021), pp. 2039–54 (p. 2042).

actors, with lower-status actors being less likely to have their arguments heard and recognised.⁸⁷ Accordingly, IOs such as the World Bank have been shown to be more likely to open up to Western civil society actors than to those from other regions.⁸⁸

We should also expect international institutions to build links to similar institutions within the same *family*. New UN bodies, for instance, tend to forge links with already-established UN bodies to capitalise on their ‘UN family resemblance’.⁸⁹ UN bodies also portray themselves as ‘cooperative partner[s]’, since ‘system-wide coherence and coordination with other members of the UN system became more central as legitimacy standards after 1990’.⁹⁰ This expectation draws inspiration from social identity theory, which posits that actors define their group membership through self-categorisation and by accentuating similarities between themselves and other members of the same category.⁹¹ It also draws inspiration from organisational sociologists who suggest that organisations can enhance their legitimacy if they receive endorsements from respected others in their environment⁹² or present themselves as ‘being similar to other organizations in their fields’.⁹³

Empirical strategy

This article investigates relational legitimization practices adopted by international institutions. Specifically, it aims to shed light on the scope of the relational legitimization practices that international institutions employ, the specific relational legitimization frames they use, and the reference objects of their relation-building endeavours.

Case selection

I have chosen the UN HRC’s Special Procedures for my empirical analysis. The Special Procedures are independent experts or small groups of experts that are Charter-based institutions and receive limited administrative support from the Office of the UN High Commissioner for Human Rights (OHCHR).⁹⁴ They are appointed by the HRC, have thematic or country mandates for fixed terms, provide advice to UN member states, and report on states’ behaviour to the HRC.⁹⁵ The mandate-holders consider themselves part of the UN, although they do not receive instructions from any UN entity when discharging their mandates.⁹⁶

The first Special Procedures were established about 60 years ago, and former UN secretary general Kofi Annan famously described them as the ‘crown jewels’ of the UN human rights regime.⁹⁷ Nonetheless, the Special Procedures still need to engage in self-legitimation: They cannot base their

⁸⁷ Sarah S. Stroup and Wendy H. Wong, ‘Leading authority as hierarchy among INGOs’, in Ayşe Zarakol (ed.), *Hierarchies in World Politics* (Cambridge: Cambridge University Press, 2017), pp. 175–97 (pp. 175–7).

⁸⁸ Sondarjee, ‘Coloniality of epistemic power in international practices’, p. 338.

⁸⁹ Dingwerth et al., *International Organizations under Pressure*, p. 150.

⁹⁰ Dingwerth et al., *International Organizations under Pressure*, p. 221.

⁹¹ Michael A. Hogg and Dominic Abrams, *Social Identifications: A Social Psychology of Intergroup Relations and Group Processes* (London: Routledge, 1988); Henri Tajfel and John Turner, ‘An integrative theory of intergroup conflict’, in William G. Austin and Stephen Worchel (eds), *The Social Psychology of Intergroup Relations* (Belmont: Wadsworth, 1979), pp. 56–65.

⁹² John W. Meyer and Brian Rowan, ‘Institutionalized organizations: Formal structure as myth and ceremony’, *American Journal of Sociology*, 83:2 (1977), pp. 340–63 (pp. 459–62).

⁹³ Paul J. DiMaggio and Walter W. Powell, ‘The iron cage revisited: Institutional isomorphism and collective rationality in organizational fields’, *American Sociological Review*, 48:2 (1983), pp. 147–60 (p. 153); see also Suchman, ‘Managing legitimacy’, p. 581. Obviously, environments and fields normally encompass more, and more diverse, actors than institutional families.

⁹⁴ Jane Connors, ‘Special Procedures: Independence and impartiality’, in Nolan Aofe, Rosa Freedman, and Thérèse Murphy (eds), *The United Nations Special Procedures System* (Leiden: Brill Nijhoff, 2017), pp. 52–86 (p. 64).

⁹⁵ Rosa Freedman and Jacob Mchangama, ‘Expanding or diluting human rights? The proliferation of United Nations Special Procedures mandates’, *Human Rights Quarterly*, 38:1 (2016), pp. 164–93 (pp. 168–9).

⁹⁶ Author interview with Victor Madrigal-Borloz.

⁹⁷ Connors, ‘Special Procedures’, p. 83.

authority on formal state consent,⁹⁸ and their expert status is ‘only valid when socially affirmed’.⁹⁹ Their advice is not legally binding, and they have no means of coercing states into cooperating with them or following their advice.¹⁰⁰ I have, therefore, chosen a case in which I can reasonably expect to observe relational legitimation, if it occurs. At the same time, the Special Procedures are not the easiest case for observing relational legitimation, as the mandate-holders could also rely on other legitimation practices. Moreover, the Special Procedures have to take care that their perception as independent experts is not compromised,¹⁰¹ and they have overlapping mandates with the human rights treaty bodies and the HRC’s Universal Periodic Review, which is why we could also expect them to legitimate themselves through dissociation from rather than association with others.

Among the 60 Special Procedures that had been established as of November 2023, I selected (a) the Special Rapporteur (SR) on the negative impact of unilateral coercive measures (UCM) on the enjoyment of human rights and (b) the Independent Expert (IE) on protection against violence and discrimination based on sexual orientation and gender identity (SOGI). These two were chosen because they have particularly contentious mandates and are backed by different state alliances.¹⁰² The SR on UCM is backed by the Non-Aligned Movement (NAM), while it is opposed by most members of the UN’s Western European and Others Group (WEOG).¹⁰³ The IE on SOGI, by contrast, is backed by European and Latin American countries and the United States (US) (and some Asian and African countries) but is opposed by members of the Organisation of Islamic Cooperation (OIC), a significant number of African states, and China and Russia.¹⁰⁴ Special Procedures with contested mandates in particular need to engage in self-legitimation.¹⁰⁵ The case selection, therefore, once again enables me to observe relational legitimation (if it occurs) and helps me avoid potential bias by centring on Special Procedures with different ideological leanings. There have been two mandate-holders in each case up to November 2023, namely Idriss Jazairy

⁹⁸Surya P. Subedi, ‘Protection of human rights through the mechanism of UN Special Rapporteurs’, *Human Rights Quarterly*, 33:1 (2011), pp. 201–28 (p. 209).

⁹⁹Ingvald Bode, ‘Expertise as social practice: The Special Procedures at the UN Human Rights Council and the individual construction of experts’, in Andrea Schneiker, Christian Henrich-Franke, Robert Kaiser, et al. (eds), *Transnational Expertise: Internal Cohesion and External Recognition of Expert Groups* (Baden-Baden: Nomos, 2018) pp. 101–25 (p. 103).

¹⁰⁰Marc Limon and Ted Piccone, ‘Human Rights Special Procedures: Determinants of influence, understanding and strengthening the effectiveness of the UN’s independent human rights experts’, Versoix: Universal Rights Group (2014), available at: <https://www.brookings.edu/wp-content/uploads/2016/06/un-human-rights-experts-evaluation-piccone.pdf>, p. 16.

¹⁰¹Rhona K. M. Smith, ‘The possibilities of an independent Special Rapporteur scheme’, *The International Journal of Human Rights*, 15:2 (2011), pp. 172–86 (p. 175).

¹⁰²Alexandra Hofer, ‘The developed/developing divide on unilateral coercive measures: Legitimate enforcement or illegitimate intervention?’, *Chinese Journal of International Law*, 16:2 (2017), pp. 175–214; Anthony J. Langlois, ‘Making LGBT rights into human rights’, in Michael Bosia, Sandra M. McEvoy, and Momin Rahman (eds), *The Oxford Handbook of Global LGBT and Sexual Diversity Politics* (Oxford: Oxford University Press, 2020), pp. 75–88.

¹⁰³HRC, ‘Resolution adopted by the HRC: Human rights and unilateral coercive measure’, A/HRC/RES/27/21 (3 October 2014), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/179/07/PDF/G1417907.pdf?OpenElement>, p. 6; HRC, ‘Resolution adopted by the HRC on 28 September 2017: Human rights and unilateral coercive measures’, A/HRC/RES/36/10 (9 October 2017), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/293/92/PDF/G1729392.pdf?OpenElement>, pp. 3–4; HRC, ‘Resolution adopted by the HRC on 6 October 2020: Human rights and unilateral coercive measures’, A/HRC/RES/45/5 (12 October 2020), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/259/79/PDF/G2025979.pdf?OpenElement>, p. 3.

¹⁰⁴HRC, ‘Resolution adopted by the HRC on 30 June 2016: Protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/RES/32/2 (15 July 2016), available at: <https://documents.un.org/doc/undoc/gen/g16/154/15/pdf/g1615415.pdf>, p. 3; HRC, ‘Resolution adopted by the HRC on 12 July 2019: Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/RES41/18 (19 July 2019), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/221/62/PDF/G1922162.pdf?OpenElement>, p. 2; HRC, ‘Resolution adopted by the HRC on 7 July 2022: Mandate of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/RES/50/10 (15 July 2022), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/407/77/PDF/G2240777.pdf?OpenElement>, pp. 2–3.

¹⁰⁵Elvira Domínguez-Redondo, *In Defense of Politicization of Human Rights: The UN Special Procedures* (Oxford: Oxford University Press, 2020), p. 175.

(May 2015–December 2019) and Alena Douhan (since March 2020) as SR on UCM and Vitit Muntarbhorn (August 2016–October 2017) and Victor Madrigal-Borloz (January 2018–October 2023) as IE on SOGI.¹⁰⁶

Data and method

For data, I have selected the annual thematic reports that the Special Procedures have to submit to the HRC. For the SR on UCM, I consider all nine of the thematic reports that have been published from the creation of the mandate in 2015 until 2023; for the IE on SOGI all seven thematic reports published between 2017, when the mandate was created, and 2023 (for an overview of the data, see [section 1](#) of the appendix). The reports cover specific themes related to the mandate and the activities undertaken during the reporting period. Each report is roughly 20 pages long. The reports are, together with country reports and communications, the key publications produced by the Special Procedures;¹⁰⁷ their audience is not confined to states but also includes civil society actors, academia, other (UN) institutions, and any other constituents and observers.¹⁰⁸ As the reports are very similar in structure and content, they can be used both for a longitudinal analysis of relational legitimisation practices and for a comparison between the practices of the two Special Procedures. In addition, I conducted an interview with one mandate-holder, to be able to contextualise the findings from the document analysis.¹⁰⁹

I have employed manual qualitative content analysis¹¹⁰ to do justice to the richness of the empirical material. I developed categories for relational legitimisation frames and categories for reference objects. The coding unit is a statement building a relation with a reference object that uses a specific frame. Each code consists of a combination of a frame category and a reference object category. Every text passage that is coded may receive one or several codes. However, I treat every paragraph of the reports as a sense unit. This implies that I count every combination of a frame category and a reference object category (e.g. ‘alignment’ + ‘civil society’) only once in each paragraph, which means that I might underestimate rather than overestimate the extent of relational legitimisation. A codebook with further coding rules and anchor examples can be found in [section 2](#) of the appendix.

As discussed above, I distinguish between three types of relational legitimisation frames and have therefore developed three categories: ‘authorisation’, ‘alignment’, and ‘cooperation’. For authorisation, I code statements that underscore that the Special Procedures have been given a mandate by relevant others or that relevant others welcome their appointment. Alignment covers statements that signal that the Special Procedures share the values and positions of relevant others, value their mandate-related behaviour, see themselves as allies who fight for a common cause, or trust the information they provide. Cooperation relates to statements that report that relevant others work together with or consult the Special Procedures or that announce that the Special Procedures plan to work with or consult relevant others for the fulfilment of their mandate.

As for the reference objects, I have developed the following categories: ‘international courts’, ‘IOs’, ‘UN’, ‘states’, ‘civil society’, ‘academia’, ‘media’, and ‘business’. To explore whether Western epistemic authorities (‘civil society’ and ‘academia’) are in fact being addressed most often, I focus on a subset of all coded reports, namely those of 2017 and 2022 by both Special Procedures, while considering all the epistemic authorities with which relations are built in each paragraph.¹¹¹

¹⁰⁶In November 2023, Graeme Reid assumed the position of IE on SOGI.

¹⁰⁷Christophe Golay, Claire Mahon, and Ioana Cismas, ‘The impact of the UN Special Procedures on the development and implementation of economic, social and cultural rights’, *The International Journal of Human Rights*, 15:2 (2011), pp. 299–318 (p. 312).

¹⁰⁸Author interview with Victor Madrigal-Borloz.

¹⁰⁹The interview with Victor Madrigal-Borloz was conducted online on 10 June 2024.

¹¹⁰Philipp Mayring, ‘Qualitative content analysis: Theoretical background and procedures’, in Angelika Bikner-Ahsbahr, Christine Knipping, and Norma Presmeg (eds), *Approaches to Qualitative Research in Mathematics Education: Advances in Mathematics Education* (Dordrecht: Springer, 2015), pp. 365–80.

¹¹¹Academic institutions and civil society actors are considered Western if their headquarters are in a member (or observer) of the UN’s WEOG. Individuals are classified based on the institution they are affiliated with.

I do not claim that legitimization is the only purpose behind making statements that build positive relations with reference objects, which needs to be taken into consideration when interpreting the findings. It seems plausible, for instance, that there is an element of ritual in statements that invoke authorisation by the HRC and that mentioning actors and institutions that have cooperated with the mandate-holder also has the function of providing information. As it is generally challenging to ascertain the motivation behind public statements, there is always a risk of over-inclusiveness, especially when considering not only explicit but also implicit rhetoric. Ignoring implicit rhetoric is not an option, however, because heuristic thinking can be triggered by explicit justifications *and* by implicit statements that convey the impression that an institution is related to relevant others in positive ways. Even so, I assume that statements that build relations with relevant others cannot be reduced to mere ritual or information provision. Theoretically, relation-building is assumed to have a self-legitimizing dimension. Empirically, mandate-holders have a certain leeway when writing their reports, do not have to follow a standardised template, and know that they need to legitimate themselves. Finally, rhetoric that builds positive relations with relevant others can still influence the legitimacy beliefs of targeted or self-appointed audiences, even if its (primary) purpose is not legitimization.¹¹²

Lastly, to rule out legitimization by association being overshadowed by legitimization by differentiation, I search for instances of the latter in each report. Specifically, I look for statements in which the Special Procedures signal that they are better equipped than other actors and institutions to carry out the task assigned to them.

Exploring generalisability

Eventually, I explore how far the findings may be generalisable beyond the Special Procedures. I briefly discuss expectations regarding the conditions under which international institutions should engage in relational legitimization and those under which the findings on frames and reference objects may be transferable beyond the selected case. I also code three similar reports from different contexts – one from the IE on the enjoyment of human rights by persons with albinism,¹¹³ one from the UN Children's Fund (UNICEF),¹¹⁴ and one from the Organization for Security and Co-operation in Europe (OSCE)'s Representative on Freedom of the Media.¹¹⁵ The purpose of coding additional reports from other institutions is not to test the expectations but to explore their plausibility.

Results

Scope

Relational legitimization practices occur frequently in the two Special Procedures' annual thematic reports to the HRC. Overall, 1,840 codes that capture instances of relational legitimization appeared in the 16 reports chosen for analysis. Every document page suitable for analysis (299 pages altogether) contained 6.2 codes on average. This finding remained remarkably stable for the two Special Procedures: The reports from the SR on UCM yielded on average 5.9 codes per page (924 codes on 156 pages); the reports from the IE on SOGI on average 6.4 codes per page (916 codes on 143 pages) (see Figure 1).

The finding that relational legitimization is a common feature in the selected reports also holds over time, with values ranging from 3.8 codes per page in 2015 to 8.0 codes per page in 2023,

¹¹²See Bexell et al., 'The politics of legitimization and delegitimation in global governance', pp. 30–1.

¹¹³Independent Expert on albinism, 'Harmful practices and hate crimes targeting persons with albinism. Report on the enjoyment of human rights by persons with albinism', A/HRC/49/56, (4 January 2022), available at: <https://documents.un.org/doc/undoc/gen/g22/000/74/pdf/g2200074.pdf?OpenElement>.

¹¹⁴UN Children's Fund, 'Rights denied: The impact of discrimination on children' (November 2022), available at: <https://www.unicef.org/reports/rights-denied-discrimination-children>.

¹¹⁵OSCE Representative on Freedom of the Media, 'Online safety and digital security for all journalists: A prerequisite for media freedom' (July 2022), available at: <https://www.osce.org/files/f/documents/7/d/522169.pdf>.

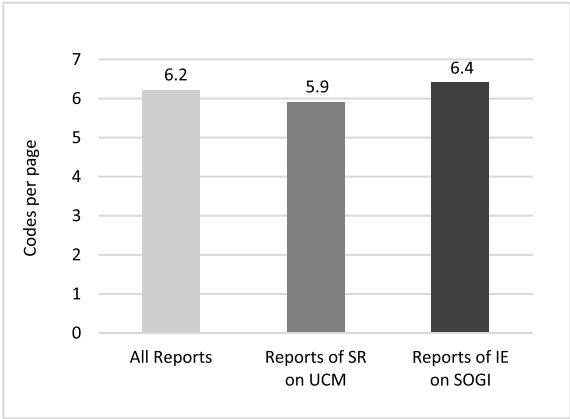


Figure 1. Scope.

and it applies to both Special Procedures. There is a slight increase in the number of coded text passages over time (see [Figure 2](#)). This is not in line with the expectation that relation-building is particularly important for new institutions.¹¹⁶ Yet the slight increase might be due to differences among individual mandate-holders, the time needed to develop relational legitimisation practices, and a rise in the number of actors that the mandate-holders actually worked together with. There might also be a decrease in the coming years, given that the mandates are still fairly young.

These findings suggest that relational legitimisation is a relevant phenomenon. This does not imply that legitimisation practices that rely on normative justifications are irrelevant. In fact, the reports also include statements in which the Special Procedures point to the social purpose of their task, the fair procedures that their work is based on, and their achievements. Nonetheless, the findings from the analysis suggest that relational legitimisation is an important legitimisation practice alongside others.

Frames

There is a clear pattern in terms of which relational legitimisation frames are used. Alignment is the dominant frame: It received 63.3% – and therefore a little less than two-thirds – of all codes (1,164 out of 1,840). Cooperation received slightly more than one third of all codes, namely 34.6% (638). The remaining codes were assigned to authorisation (2.1% or 38). This pattern was again highly stable for both Special Rapporteurs. In the reports of the SR on UCM, 64.1% of all codes were assigned to alignment (592 out of 924), 33.4% to cooperation (309), and 2.5% to authorisation (23). In those of the IE on SOGI, 62.5% of all codes were attributed to alignment (572 out of 916), 35.9% to cooperation (329), and 1.6% to authorisation (15). Again, this pattern remained stable over time: in every year, alignment codings clearly outnumbered those for cooperation and especially authorisation. Values for alignment ranged from 56.6% (2023) to 83.2% (2016), values for cooperation from 14.8% (2016) to 43.1% (2023), and values for authorisation from 0.3% (2023) to 8.3% (2015). [Figures 3](#) and [4](#) summarise these findings; the subsequent paragraphs contextualise the findings and provide examples.

Alignment is the dominant relational legitimisation frame, probably because it is the most malleable and hence convenient frame, not requiring an actual (authorisation or cooperation) relationship that needs to exist to be reported on. The Special Procedures portray themselves as similar to relevant others by highlighting the fact that they hold the same positions or work for the same cause. For instance, the IE on SOGI makes clear that his positions are in line with those of other

¹¹⁶Lenz and Viola, ‘Legitimacy and institutional change in international organisations.’

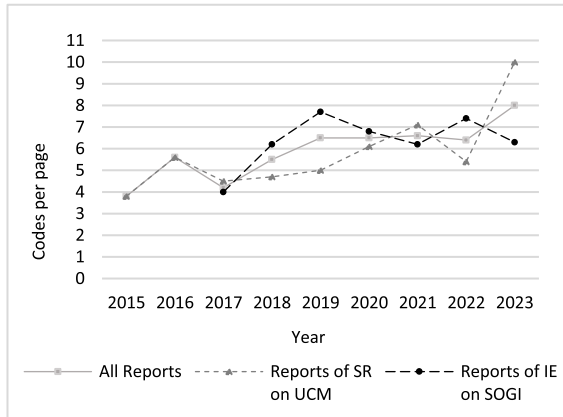


Figure 2. Scope over time.

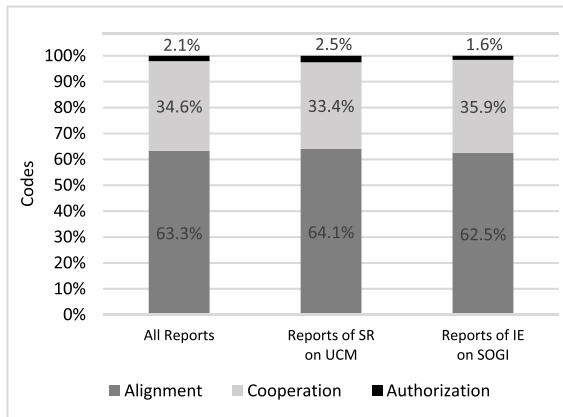


Figure 3. Frames.

UN Special Procedures.¹¹⁷ Agreement with positions held by other UN bodies is also pointed out, as the following comment by the IE on SOGI on standards for the collection and management of data on SOGI rights shows: ‘The mandate concurs with UNDP¹¹⁸ that related standards should develop first as self-enforced standards and later as mandatory international standards.’¹¹⁹ Both Special Procedures also associate themselves with the positions and actions of individual states. The SR on UCM, for example, mentions that he ‘wishes to reiterate his appreciation to the authorities of the United States’ for having annulled sanctions that had brought harm to individuals.¹²⁰

¹¹⁷Independent Expert on SOGI, ‘Report on protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/38/43 (11 May 2018), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/132/12/PDF/G1813212.pdf?OpenElement>, p. 9.

¹¹⁸United Nations Development Programme.

¹¹⁹Independent Expert on SOGI, ‘Data collection and management as a means to create heightened awareness of violence and discrimination based on sexual orientation and gender identity. Report on protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/41/45 (14 May 2019), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/138/27/PDF/G1913827.pdf?OpenElement>, p. 115.

¹²⁰Special Rapporteur on UCM, ‘Negative impact of unilateral coercive measures on the enjoyment of human rights. Report on the negative impact of unilateral coercive measures on the enjoyment of human rights’, A/HRC/42/46 (5 July 2019), available at: <https://docs.un.org/en/A/HRC/42/46>, p. 11.

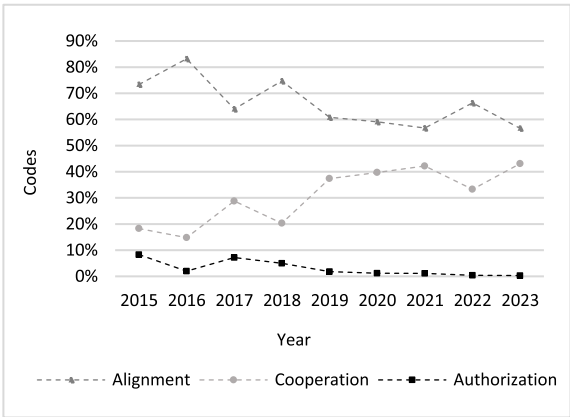


Figure 4. Frames over time.

Finally, both experts include references to scientific publications, in that way connecting themselves to scientific authorities. The SR on UCM, for instance, routinely cites scientific publications that document the negative effects of unilateral sanctions on the enjoyment of human rights.¹²¹ Alignment also occurs in more implicit ways. For instance, the Special Procedures may, when giving advice to states, highlight the importance of other actors, whether specific actors or an entire actor category, and stress that they would value their contribution. The IE on SOGI, for example, emphasises that he appreciates the contributions of non-state actors, underlining that he ‘recommends that States create and uphold an enabling environment for civil society organizing for the rights of trans, non-binary and gender-nonconforming persons, and respect and protect their right to freedom of assembly and association.’¹²²

Reporting cooperation with other actors or institutions is another relevant relational legitimization practice, although it occurs less frequently. The Special Procedures report that states have invited them for visits as part of their mandate,¹²³ suggesting that those inviting them recognise them as legitimate experts – especially given that states are under no obligation to receive them.¹²⁴ Similarly, the Special Procedures mention that other actors and institutions cooperate with them by submitting information, with the IE on SOGI, for example, reporting on the response to a call for submissions from various actors.¹²⁵ The experts also highlight that they work together with others in their efforts to improve states’ compliance with human rights standards. The IE on SOGI, for example, mentions that ‘along with nine other special procedures, he voiced concern to the Ghanaian authorities at draft legislation criminalizing a sweeping range of so-called “LGBTQI activities”’.¹²⁶ Furthermore, the Special Procedures highlight that they are regularly invited to attend workshops and conferences, again indicating that they are recognised by those who want them

¹²¹E.g. Special Rapporteur on UCM, ‘Report on the negative impact of unilateral coercive measures on the enjoyment of human rights’, A/HRC/36/44 (26 July 2017), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/224/28/PDF/G1722428.pdf?OpenElement>, pp. 9–11.

¹²²Independent Expert on SOGI, ‘The law of inclusion. Report on protection against violence and discrimination based on sexual orientation and gender identity’, A/HRC/47/27 (3 June 2021), available at: <https://docs.un.org/en/A/HRC/47/27>, p. 20.

¹²³E.g. Special Rapporteur on UCM, ‘Report on the negative impact of unilateral coercive measures on the enjoyment of human rights’, A/HRC/30/45 (10 August 2015), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/177/05/PDF/G1517705.pdf?OpenElement>, p. 3.

¹²⁴Freedman and Mchangama, ‘Expanding or diluting human rights?’, p. 169.

¹²⁵IE on SOGI, ‘Data collection and management as a means to create heightened awareness of violence and discrimination based on sexual orientation and gender identity’, p. 4.

¹²⁶Independent Expert on SOGI, ‘The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities and populations affected by discrimination and violence based on sexual orientation and

at the events.¹²⁷ Finally, the Special Procedures point to informal consultations with an array of different actors.¹²⁸

The Special Procedures rarely highlight that they are formally or informally authorised by higher-level UN bodies or UN member states. This is contrary to expectations to a certain extent. It seems that the Special Procedures see more value in portraying themselves as being aligned with others 'on equal footing', rather than highlighting that they owe their existence to some superior entity or the consent of states. However, if the authorisation frame is used, it is used early on in the reports so that any such statements are prominently placed.¹²⁹ The Special Procedures do indeed regularly mention that they have been appointed by the HRC,¹³⁰ signalling that 'all mandates are created equal', irrespective of the number of votes in favour they receive in the Council.¹³¹ They also typically add that they are discharging their mandate 'in accordance with' HRC resolutions.¹³² Referring to another key UN institution, the SR on UCM also mentions that the General Assembly 'requested him' to add specific information to his report to the Assembly.¹³³ Moreover, the following statement by the IE on SOGI indicates that he wants his readers to recall that his authority ultimately derives from the consent of UN member states: 'The Independent Expert has accepted to be the custodian of a mandate stemming from the vision of States committed to eradicating violence and discrimination based on sexual orientation and gender identity.'¹³⁴ Finally, there are also instances of the Special Procedures highlighting informal forms of authorisation, with the SR on UCM mentioning a 'letter of welcome from the United Nations High Commissioner for Human Rights'.¹³⁵

Reference objects

Which actors and institutions do the Special Procedures associate themselves with? Overall, we can see that relations are established with different kinds of actors and institutions, but that, as expected, relations with epistemic authorities and other UN bodies stand out. In total, 65.5% (1,205) of all codings apply to epistemic authorities and UN entities, with epistemic authorities (civil society¹³⁶ and academia¹³⁷) accounting for 35.4% (652) and the UN for 30.1% (553).¹³⁸ This finding holds for both Special Procedures: for the SR on UCM, 62.1% of all codes apply to epistemic authorities

gender identity in relation to the Sustainable Development Goals. Report on protection against violence and discrimination based on sexual orientation and gender identity', A/HRC/50/27 (22 November 2022), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/597/09/PDF/G2259709.pdf?OpenElement>}, p. 14.

¹²⁷ E.g. SR on UCM, 'Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', p. 4.

¹²⁸ E.g. Special Rapporteur on UCM, 'Unilateral coercive measures: Notion, types and qualification. Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', A/HRC/48/59 (8 July 2021), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/175/86/PDF/G2117586.pdf?OpenElement>}, p. 2.

¹²⁹ The low number of references to the authorisation frame was possibly influenced by the selection of thematic rather than country mission reports.

¹³⁰ E.g. Independent Expert on SOGI, 'Report on protection against violence and discrimination based on sexual orientation and gender identity', A/HRC/35/36 (19 April 2017), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/095/53/PDF/G1709553.pdf?OpenElement>}, p. 3.

¹³¹ Author interview with Victor Madrigal-Borloz.

¹³² E.g. SR on UCM, 'Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', p. 3.

¹³³ SR on UCM, 'Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', p. 3.

¹³⁴ IE on SOGI, 'Report on protection against violence and discrimination based on sexual orientation and gender identity', p. 3.

¹³⁵ Special Rapporteur on UCM, 'Negative impact of unilateral coercive measures: Priorities and road map. Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', A/HRC/45/7 (21 July 2020), available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/187/55/PDF/G2018755.Pdf?OpenElement>}, p. 3.

¹³⁶ 23.8% or 439.

¹³⁷ 11.6% or 213.

¹³⁸ Association with other types of reference object occurs less frequently: States (21.5% or 395 codings), IOs (5.1% or 94), media (3.5% or 65), international courts (2.9% or 53), business (1.5% or 28).

or UN entities, and for the IE on SOGI 69.9%.¹³⁹ It also holds over time, as epistemic authorities and UN entities together account for at least 55.4% of all codes (2,016) in every year, with the highest share being 73.4% in 2017. Figures 5 and 6 summarise these findings, and the subsequent paragraphs give examples and interpret them.

As expected, the Special Procedures are particularly likely to engage in self-legitimation by highlighting relations with epistemic authorities. We see ample use of alignment with civil society, as when the IE on SOGI asserts that ‘progressive Islamic organizations such as the Al-Fatiha Foundation similarly argue that laws criminalizing homosexuality are incompatible with the values of peace and tolerance adopted by the Prophet Muhammad’.¹⁴⁰ Cooperation with civil society actors is also reported, for example, when the IE on SOGI recalls that he ‘attended and presented a keynote speech at the fourth regional conference organized by Pan Africa ILGA.’^{141,142} We likewise see frequent alignments with academic authorities, as exemplified by the SR on UCM announcing that he will engage with reform processes such as the Interlaken Process and the Bonn/Berlin Process, in which academic institutions were heavily involved.¹⁴³ That actors and institutions legitimate themselves by building relations with epistemic authorities supports findings from existing research on the European Union (EU), according to which civil society actors ‘supply the Union with popular legitimacy “from below”’.¹⁴⁴ Similarly, it has been said of the European Commission that ‘political organizations are likely to use expert knowledge to signal their legitimacy’ and are ‘keen to make its use of knowledge explicit to actors in its environment’.¹⁴⁵

The expectation that epistemic authorities from the West are particularly attractive reference objects is by and large confirmed using a subset of reports of 2017 and 2022 (see Table 1). Their dominance is particularly obvious when it comes to alignment with academics or academic institutions. In fact, in 94.3% (66 out of 70) of all statements in which the mandate-holders align themselves with academics or academic institutions, they align themselves with Western ones. If we consider the SR on UCM alone, the proportion rises to 100%, as all 46 academic alignment references are Western-directed. The complete absence of alignment with non-Western academics or academic institutions is all the more interesting if we recall that no WEOG member or observer voted for the SR’s mandate. It is also to some extent surprising if we consider that references to non-Western sources could be a means to bolster the standing and enhance the visibility of such sources¹⁴⁶ and could resonate with audiences who reject Western sources categorically. Alignment with civil society actors is disproportionately Western-oriented, too, but the share is on the whole lower (44.3% or 27 out of 61). But in reports on cooperation with civil society actors, the picture is different: only 16.7% (6 out of 36) of them are from the West, probably because the issues covered resonate with civil society actors from non-Western contexts and because non-Western civil society actors have opportunities to offer themselves as cooperation partners and gatekeeping dynamics are less pronounced.¹⁴⁷ These findings raise important normative questions regarding dynamics

¹³⁹ For the SR on UCM, 28.5% (263) of all codings apply to epistemic authorities and 33.6% (311) to UN entities. For the IE on SOGI, 43.5% (398) of all codings apply to epistemic authorities and 26.4% (242) to UN entities.

¹⁴⁰ Independent Expert on SOGI, ‘Freedom of religion or belief, and freedom from violence and discrimination based on sexual orientation and gender identity. Report on protection against violence and discrimination based on sexual orientation and gender identity, A/HRC/53/37’ (7 June 2023), advance unedited version, available at: <https://www.ohchr.org/en/documents/thematic-reports/ahrc5337-report-independent-expert-protection-against-violence-and>), p. 17.

¹⁴¹ International Lesbian, Gay, Bisexual, Trans and Intersex Association.

¹⁴² IE on SOGI, ‘Data collection and management as a means to create heightened awareness of violence and discrimination based on sexual orientation and gender identity’, p. 4.

¹⁴³ SR on UCM, ‘Report on the negative impact of unilateral coercive measures on the enjoyment of human rights’, p. 16.

¹⁴⁴ Markus Thiel, ‘European civil society and the EU fundamental rights agency: Creating legitimacy through civil society inclusion?’, *Journal of European Integration*, 36:5 (2014), pp. 435–51 (p. 448).

¹⁴⁵ Boswell, ‘The political functions of expert knowledge’, p. 475.

¹⁴⁶ See Matthias Ecker-Ehrhardt, ‘“But the UN said so ...”: International organisations as discursive authorities’, *Global Society*, 26:4 (2012), pp. 451–71.

¹⁴⁷ The number of references to cooperation with academics or academic institutions is too small for interpretation.

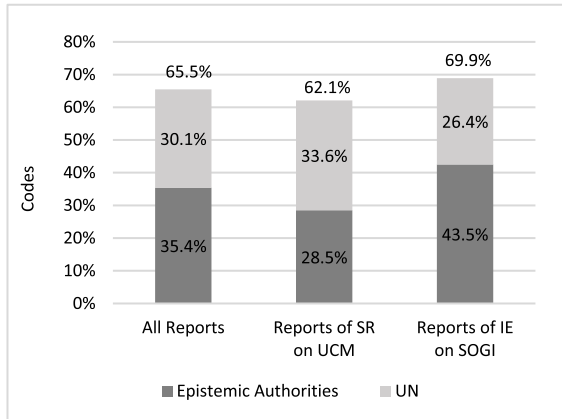


Figure 5. Reference objects.

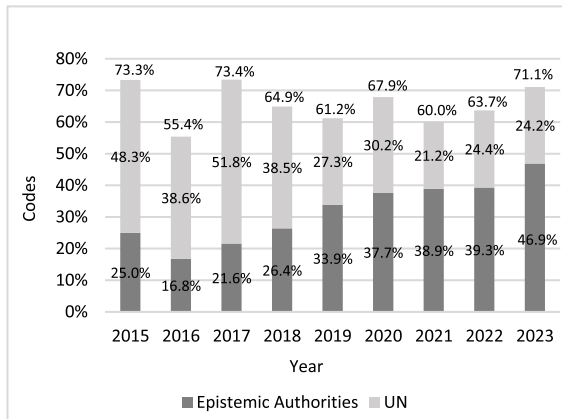


Figure 6. Reference objects over time.

Table 1. Share of references to Western epistemic authorities (in subset of reports of 2017 and 2022).

	Academia	Civil society
Alignment		
All reports	94.3% (66/70)	44.3% (27/61)
Reports of SR on UCM	100% (46/46)	55.6% (5/9)
Reports of IE on SOGI	83.3% (20/24)	42.3% (22/52)
Cooperation		
All reports	57.1% (4/7)	16.7% (6/36)
Reports of SR on UCM	33.3% (1/3)	0% (0/5)
Reports of IE on SOGI	75% (3/4)	19.4% (6/31)

of inclusion and exclusion in global governance. Relational legitimation may have an integrative function, especially if different actors and institutions regard relations to the same reference objects as sources of legitimacy. This function may be undermined, however, by an overrepresentation of Western epistemic authorities among reference objects that hides non-Western sources of knowledge.

Besides building relations with epistemic authorities, another widespread legitimization practice used by the Special Procedures is to associate themselves with the UN as a whole or with specific UN bodies.¹⁴⁸ As mentioned above, the Special Procedures prominently remind their readers that they are authorised by the HRC. Highlighting alignment and cooperation with UN bodies is common, too. As mentioned earlier, the Special Procedures frequently portray themselves as sharing the positions of other Special Procedures or other reputable UN bodies.¹⁴⁹ They also frequently stress the value of cooperating with other UN entities when discharging their mandate.¹⁵⁰ Such highlighting of one's belonging to a family as a legitimization practice has already been observed when it comes to other UN institutions such as the International Atomic Energy Agency (IAEA) and the UN Refugee Organization.¹⁵¹ Obviously, the Special Procedures consider it beneficial to portray themselves as being embedded in a community of UN institutions and endorsed by them,¹⁵² especially in light of their being rather young entities with contested mandates. In addition, the comparatively high share of statements building relations with UN entities might also be due to the fact that UN entities are global entities and might thus be recognised as legitimate authorities by both actors supporting and those disapproving of the specific mandate.

Legitimation by differentiation

Legitimation by association is not overshadowed by legitimation by differentiation. The Special Procedures, as part of their mandate, obviously distance themselves from the behaviour of states that, in their assessment, commit human rights violations. However, although the Special Procedures have overlapping mandates with the human rights treaty bodies and the HRC's Universal Periodic Review, among others, I found in the entire corpus only three instances in which the mandate-holders point to the comparative advantages of their approaches compared to those of other relevant international bodies.¹⁵³ It seems that for small institutions like the Special Procedures, which need good working relationships with others, it is considered more beneficial to stress similarities and cooperative relations rather than uniqueness and competitive advantage. This ties in with the finding that 'when rapporteurs stake out differences from official UN policy, they may find that UN staff members distance themselves from them as a result.'¹⁵⁴ It also resonates with the assumption that, owing to resource shortages, the Special Procedures need to cultivate good relations with all actors and institutions that may affect the implementation of their mandate.¹⁵⁵

Exploring generalisability

It is obviously difficult to generalise from a single case or a limited number of cases. Nonetheless, we can direct our attention to the conditions under which relational legitimation would be particularly

¹⁴⁸ See also Limon and Piccone, 'Human Rights Special Procedures', pp. 26–7.

¹⁴⁹ e.g. IE on SOGI, 'The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities and populations affected by discrimination and violence based on sexual orientation and gender identity in relation to the Sustainable Development Goals', p. 4.

¹⁵⁰ E.g. SR on UCM, 'Negative impact of unilateral coercive measures', p. 14.

¹⁵¹ Dingwerth et al., *International Organizations under Pressure*, pp. 130–60, 195–231.

¹⁵² See also Domínguez-Redondo, *In Defense of Politicization of Human Rights*, p. 169; Smith, 'The possibilities of an independent Special Rapporteur scheme', p. 197.

¹⁵³ IE on SOGI, 'The law of inclusion', p. 9; SR on UCM, 'Report on the negative impact of unilateral coercive measures on the enjoyment of human rights', p. 4; Special Rapporteur on UCM, 'Report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights', A/HRC/39/54 (30 August 2018), available at: <https://docs.un.org/en/A/HRC/39/54>, p. 15. This does not exclude the Special Procedures distinguishing themselves from actors and institutions with overlapping mandates on other occasions.

¹⁵⁴ Joanna Naples-Mitchell, 'Perspectives of UN Special Rapporteurs on their role: Inherent tensions and unique contributions to human rights', *The International Journal of Human Rights*, 15:2 (2011), pp. 232–48 (p. 236).

¹⁵⁵ Bode, 'Expertise as social practice', pp. 117–18; Golay et al., 'The impact of the UN Special Procedures on the development and implementation of economic, social and cultural rights', p. 309.

useful for international institutions and probe whether particular findings from the selected cases would or would not travel to other institutions.

As regards scope, it is assumed that legitimization by association is particularly important for international institutions that lack standing.¹⁵⁶ This would imply that relational legitimization is less important for institutions with less contested mandates and those whose authority in a specific field is generally recognised. The findings from my coding of additional reports confirm this assumption. Relational legitimization can, for instance, be observed in the report by UNICEF, the lead organisation on children's rights, and the report by the IE on albinism, a comparatively uncontroversial Special Procedures mandate, but in both instances it can be observed less often, also suggesting that referring to relevant others is not merely routine.¹⁵⁷

As for the findings on frames, it seems plausible that, being generally the most malleable and convenient frame of the three, alignment would be used most often in other cases. My additional codings support this expectation, as in all additionally coded reports alignment predominates too. It is even more dominant in the UNICEF report and that of the OSCE's Representative on Freedom of the Media. It seems as if international institutions that are less dependent on cooperation with others use the cooperation frames less. It may also be that older and more established institutions see less value in highlighting that they have been authorised by other prestigious institutions.

Some of the findings on the actors and institutions with which relations are built should hold beyond the case of the Special Procedures, while others may be confined to institutions that are embedded in a dense web of family relations. In light of their inherent qualities, it seems plausible that epistemic authorities are attractive reference objects for a wide range of international institutions. However, building relations with members of the same institutional family may be a common practice only among institutions that belong to families with many (prestigious) members. Both expectations are supported by the additionally coded reports: I found numerous references to epistemic authorities in them, but only in the reports of UN institutions were references to family members present in sizable numbers.

Conclusion

This article has shown that relational legitimization is a meaningful legitimization practice adopted by the UN Special Procedures. Not only is it a fairly widespread practice used by both the SR on UCM and the IE on SOGI, but its common use can also be observed in every thematic report submitted to the HRC between the authorisation of the two mandates and 2023. There are also discernible patterns. While all relational legitimization frames are used, alignment is consistently used most often. Furthermore, whereas relations are built with different reference objects, relations with epistemic authorities (especially those from the West) and other members of the UN family stand out. The article has also explored the conditions under which the findings may travel beyond the case chosen for analysis.

The article contributes to the two strands of research from which the concept of relational legitimization is built, that is, research on the legitimization of international institutions and research on relationalism. It conceptualises and empirically substantiates a legitimization practice that has, up to now, been overshadowed by the well-known triad of legitimization narratives that focus on an institution's social purpose, procedures, and performance. It adds to the literature on relationalism by zooming in on relation-building's use for legitimization purposes and providing empirical research to a field that has so far remained largely theoretical and conceptual. Specifically, by focusing on international institutions' relation-building practices, the article offers another perspective on the relational dimension of their legitimization practices that complements accounts that concentrate on the link between the institutions and their audiences. This is not only important in itself, but it

¹⁵⁶ Ecker-Ehrhardt, 'But the UN said so ...', p. 459.

¹⁵⁷ Information on the scope of relational legitimization, the frames used, and the share of references to epistemic authorities and members of the same institutional family in the additionally coded reports can be found in [section 3](#) of the appendix.

also benefits research into the origins and consequences of the institutions' legitimization practices by shedding light on one that is often neglected. Finally, the article's findings are of practical relevance. Understanding how international institutions build relationships with relevant others not only provides insights into how international institutions legitimate themselves, but also reveals which actors and institutions are considered legitimate – those with whom building relationships is considered useful in an increasingly contested global order.

The article's analysis and findings open up several promising avenues for future research. First, the conditions under which relational legitimization is likely to occur and those under which findings are generalisable beyond the UN Special Procedures should be further studied. Second, it might be worthwhile exploring how relational legitimization interacts with other legitimization practices. Specifically, future research should look systematically into the conditions under which international institutions turn to association *or* dissociation for the purpose of legitimization, and how these two practices might interact. Third, the article theoretically assumes, but does not show empirically, that relational legitimization practices resonate with relevant audiences and alter or affirm their legitimacy beliefs vis-à-vis international institutions. Survey experiments could be used to investigate the effects of relational legitimization and to ascertain how relation-building is perceived by the audiences in question.

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