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# ‘We are not a partnership’ – constructing and contesting legitimacy of global public–private partnerships: the Scaling Up Nutrition (SUN) Movement

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## ABSTRACT

While the legitimacy of global public–private partnerships (partnerships) remains contested, particularly within the fields of health and nutrition, they continue to proliferate. How do partnerships gain and maintain support and recognition in the face of opposition and conflicting perceptions about their legitimacy? Drawing on interviews, observations and document analysis, this article discusses how a nutrition partnership, the Scaling Up Nutrition Movement (SUN), has legitimized itself over time through different strategies and normative justifications – and explores the influence of various audiences in shaping its legitimation strategies. As SUN struggles to reconcile conflicting demands among its various audiences through discursive and institutional strategies, an increasing mismatch between SUN’s rhetoric as a country-driven movement and its formalized global governance structures has developed. The article shows how the study of legitimation of partnerships can reveal underlying political struggles that ultimately shape the distribution of power within global governance.

## KEYWORDS

Legitimacy; legitimation; global public–private partnerships; multi-stakeholder; global governance; nutrition

## 1. Introduction

The ‘Scaling Up Nutrition Movement’ (SUN) was established in 2010 as a multistakeholder and multi-sectoral initiative promoting nutrition action globally. It involves civil society, business, UN agencies, bilateral and private donors – working together to support efforts in 61 low- and middle-income member countries<sup>1</sup> to reduce malnutrition, particularly chronic malnutrition (stunting) among young children. While SUN has been celebrated for raising global attention to the issue of child malnutrition across policy sectors, it has from its very establishment encountered extensive criticism, especially for allowing too much power to the food industry, promoting market-based nutrition interventions, and for weak accountability towards affected communities. SUN is classified as a partnership under the UN Global registry of voluntary commitments and multi-stakeholder partnerships (UN, *n.d.*), and its structures and functions correspond to what in the International Relations (IR) literature is called ‘global public–private partnerships’<sup>2</sup> (partnership). Nevertheless, SUN insists on calling itself a ‘country-driven movement,’ and has actively resisted being called a ‘partnership’.

The resistance against the ‘partnership’ term illustrates that, despite their popularity and prevalence in global governance, the legitimacy of partnerships remains contested. This reflects broader

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normative debates about the rearrangement of roles and authority in global governance, and the underlying power structures (Andonova, 2017).

This study discusses how SUN has legitimized itself over time through different strategies and normative justifications, and explores the influence of various audiences in shaping its legitimation strategies. It shows how legitimation efforts have evolved to ensure social approval and acceptance of partnerships' authority to govern. Partnerships often encounter legitimacy dilemmas in seeking to reconcile differing and occasionally conflicting legitimacy perceptions among their audiences of various state and nonstate actors (Black, 2008). These dilemmas may lead to difficult trade-offs and internal contestations regarding choices of legitimation strategies (Schleifer, 2019). Since the first explorations of how nonstate actors achieve legitimacy in global governance (Cashore, 2002), research on legitimation of hybrid global governance mechanisms has expanded within the field of IR (cf. Andonova & Carbonnier, 2014; Bäckstrand & Kylsäter, 2014; Glasbergen, 2013). However, few scholars have explored such processes within the institutionally complex field of nutrition, where the proliferation of partnerships is highly contested (Hoddinot et al., 2015). Contestations have been particularly strong regarding the inclusion of the food industry within public nutrition policy-making. Nutrition does not have one institutional home at the global level, but is governed by a variety of state and nonstate actors from different sectors, such as health and agriculture. Such plurality of actors with divergent interests and norms substantiates a broader variety of legitimation strategies and narratives than within more state-based fields (Bäckstrand & Söderbaum, 2018, p. 115).

The article contributes to the literature on legitimation in global governance in several ways. First, it studies a partnership within the complex field of nutrition. Second, it scrutinizes the interaction between different types of normative justifications and strategies (discursive and institutional) and how these are shaped through legitimation contests with various internal and external audiences. Third, it illustrates how politics and power relations condition the very processes of what gets legitimized – responding to calls from IR scholars for greater attention to the politics of legitimation in global governance (Bernstein, 2018; Hurd, 2018). The study is based on document analysis, interviews and observations from 2010 until 2017.

The findings show that SUN has carefully navigated between different and at times conflicting legitimacy demands of its various audiences and to shifting global normative agendas. The study illustrates that partnerships' legitimation strategies are dynamic, but it also shows how the distribution of power among audiences determines whose preferences are reflected in different legitimation strategies. While critical civil society actors' demands for more democratic and fair procedures, and rights-based approaches were met primarily through institutional 'window-dressing' and discursive 'lip-service', demands by donors, private sector actors and certain multilateral agencies for internal accountability and results, were in contrast met by institutional measures effectively strengthening and formalizing SUN's top-down structures. Growing discontent within SUN illustrates the need for partnerships to effectively balance legitimation strategies, taking into account legitimacy concerns of all audiences in order to successfully improve legitimacy perceptions.

## 2. Conceptual framework

### 2.1. Legitimacy and legitimation strategies of global partnerships

Legitimacy can be studied as a normative or a sociological phenomenon (Buchanan & Keohane, 2006). Much research on the legitimacy of partnerships is normative, examining what *should* be considered legitimate forms of authority, evaluating whether partnerships live up to predefined criteria

of appropriate rule (like accountability, participation, and effectiveness) (Bäckstrand, 2006; Bexell & Mörth, 2010; Pattberg et al., 2012; Schäferhoff et al., 2009). In contrast, a sociological approach understands legitimacy, in line with the thinking of Max Weber (1978), as a dynamic process of change where legitimacy is an outcome of peoples' beliefs in an authority's right to rule (Bernstein, 2011). While some sociologically-oriented scholars have studied legitimacy purely as an empirical phenomenon (e.g. by surveying public confidence in an institution) (Dellmuth & Tallberg, 2015), this study views the normative and sociological as intertwined. Beliefs in legitimacy are shaped by norms regarding the exercise of power, and such norms reflect prevailing perceptions in a society (Beetham, 2013; Quack, 2010; Reus-Smit, 2007). The legitimacy of partnerships is as such not absolute, but varies over time and in according to the perspectives of those assessing it (Bull & McNeill, 2010, p. 105).

In line with the globalization of economic and social relations since the 1990s, global partnerships have proliferated and become an integral part of global governance. Nevertheless, their legitimacy remains contested and in response, efforts at legitimation have evolved. Legitimation of partnerships can be conceptualized as 'the process of seeking and/or gaining social approval and acceptance of authority to govern' (Andonova, 2017, p. 208). Unlike state-based global governance institutions (global institutions), voluntary partnerships generally do not hold formal authority to govern in the sense of ruling and generating binding policies, and they do not derive formal-legal legitimacy from states' consent. Rather, partnerships exert more diffuse forms of authority, particularly through their epistemic capacity to shape belief systems, interests, and preferences (Zürn, 2017), and will actively seek legitimacy to ensure cooperation and support of their various audiences to achieve their goals and maintain their influence (Bernstein & Cashore, 2007; Suchman, 1995).

Global institutions generally seek to legitimize themselves through discursive or institutional strategies (Gronau & Schmidtke, 2016). *Discursive legitimation* is communicated through language and the use of argument and reason about why an authority has the right to rule or exercise power. Through rhetoric and narrative construction in a wide range of public text and speech acts, an institution can justify and give a positive impression of its activities. *Institutional legitimation*, which more recently has come under scholars' attention, is expressed through institutional reform conforming with normative expectations of audiences. This may involve administrative reorganizations, transparency initiatives, broadened participation, policy adjustment in response to critiques, etc.<sup>3</sup> (Bäckstrand & Söderbaum, 2018).

## 2.2. Normative contestations of partnerships' input and output legitimacy

While legitimation practices necessarily are context-dependent and related to partnerships' particular functions, they also reflect prevailing social norms about appropriate exercise of power at the global level (Reus-Smit, 2007, p. 167). Reference to norms of appropriate rule is particularly relevant to partnerships operating in the institutionalized global public domains, and within fields such as health and nutrition, constituted by norms related to the intrinsic worth of human life and expectations of improved human welfare. In such cases, partnerships become arenas for negotiation and contestation of public and private purposes (Andonova & Carbonnier, 2014). Often, these legitimacy contestations reflect different perceptions about the appropriateness of partnerships' 'outputs', referring to the capacity to solve problems requiring collective action, and of their 'inputs', referring to the qualities of procedures or other institutional features such as expertise (Bexell & Mörth, 2010; Glasbergen, 2013).<sup>4</sup> Evaluations of global institutions' *input legitimacy* generally refer to whether global governance processes comply with principles of procedural fairness and democratic

standards, such as accountability, transparency, participation and representation<sup>5</sup> (Scholte & Tallberg, 2018). Despite involvement of nonstate actors non-accountable towards affected populations, enhanced scope and quality of participation can arguably strengthen partnerships' input legitimacy (Dingwerth, 2007). This may be done through functional rather than electoral representation (Meadowcroft, 2007); deliberation and shared learning for better decision-making (Bäckstrand, 2006; Risse, 2005); strengthened internal accountability mechanisms (e.g. peer, public, reputational, market, financial accountability) (Steets & Blattner, 2010); and by ensuring procedural fairness. For these reasons, 'inclusiveness' and 'multi-stakeholderism' have become key terms in the legitimation of partnerships' 'inputs' (Schleifer, 2019).

Claims about other institutional features or qualities transcending governance processes can also influence beliefs in partnerships' input legitimacy. Expertise in terms of technical or scientific knowledge has for example for long been recognized as a source of private authority (Cutler et al., 1999) and has become a key feature in the legitimation of partnerships (Bull & McNeill, 2010). Partnerships can also gain moral authority through their adoption of progressive social agendas and may hold some formal-legal legitimacy if endorsed by the UN General Assembly or in virtue of working to achieve member-state based goals and commitments. The special 'image', or organizational identity of partnerships as something 'novel', flexible and informal also shape perceptions of their input legitimacy (Andonova, 2017, p. 9; Bull & McNeill, 2010). Emerging at a time of growing dissatisfaction with inefficiencies of multilateral negotiations, partnerships have notably been hailed as the new way to achieve what governments and the UN could not manage alone (Bull & McNeill, 2007). They are seen as *more* pragmatic, solution-oriented, flexible, efficient and un-bureaucratic than intergovernmental processes, and as creating win-win situations for state and market actors, providing collective goods by pooling resources, skills and expertise (Reinicke & Deng, 2000).

However, while partnerships may reduce participation gaps and power asymmetries in global governance by challenging state-centered authority (Cashore, 2002), scholars have challenged the input legitimacy of many partnerships. They point to dominance of Western donors and corporations in partnerships' decision-making processes, underrepresentation of affected actors, undemocratic selection processes, conflicts-of-interest, and inattention to power asymmetries between participants, effectively limiting equality of participation (Buse & Harmer, 2004; Hawkes & Buse, 2011; Martens, 2007; McKeon, 2017; Richter, 2004; Utting & Zammit, 2009; Zammit, 2003). Faced by such criticisms, the way in which partnerships frame themselves is changing. Increasingly, the distinction between 'public and private' and the term 'partnership' signifying shared authority among actors, are replaced by other terms, such as 'multistakeholder' and 'initiatives'. This 're-framing' of partnerships could be viewed critically as a legitimation strategy as it effectively blurs the contrast between public and private actors and removes attention from contentious procedural qualities, towards a stronger focus on performance (Bartsch, 2011; Bäckstrand & Kylsäter, 2014).

In the absence of conventional democratic input legitimacy, performance or *outputs* is more commonly underpinning legitimation of partnerships (Bäckstrand & Kylsäter, 2014; Dingwerth, 2017). Partnerships are promoted as 'the modern strategy of problem-solving', offering a solution to complex global challenges requiring collaboration across various types of actors and sectors (Peters & Pierre, 2010, p. 42). Their performance depends however on their specific functions, which vary greatly – from advocacy and awareness-raising, to standard-setting and implementation (Bull & McNeill, 2007). Nevertheless, studies showing limited effectiveness, especially regarding broader outcomes and social impact, increasingly challenge perceptions of partnerships' output legitimacy (Pattberg et al., 2012, p. 241; Schäferhoff et al., 2009, p. 461). Legitimacy perceptions may also be challenged by negative unintended consequences as partnerships may reduce state-willingness to

regulate, thus challenge intergovernmental organizations' authority (Utting & Zammit, 2009), and increase fragmentation of global governance, creating work duplication and coordination challenges (Rushton & Williams, 2011). Dingwerth and Witt (2019) also note how global institutions' output legitimacy is challenged in terms of the moral acceptability of the values underlying their work (p. 44). As many partnerships emphasize economic growth, and market competition over civic visions like human rights, justice and equity, they are criticized for promoting technical, market-based 'quick-fix' solutions to single issues, skewing resources and attention away from underlying causes of complex structural problems (McKeon, 2017; Storeng, 2014).

### 2.3. Audiences and politics of legitimation

While global institutions' legitimation strategies are shaped in response to broader normative and institutional pressures prevailing in the relevant issue-area, several scholars have shown how demands and normative expectations of legitimacy-granting audiences influence legitimation processes (Bernstein, 2011; Gronau & Schmidtke, 2016; Reus-Smit, 2007; Symons, 2011; Zaum, 2013). In line with Bexell and Jönsson (2018), legitimacy-granting audiences can generally be understood as actors who hold or withhold beliefs of appropriate authority vis-à-vis a governance arrangement, including both state and nonstate actors that might be, or not be, bound by the authority of a governance institution. The relevance of different audiences in terms of influencing global institutions' legitimation strategies is however a matter of much debate, and varies across institutions and over time (Symons, 2011; Zaum, 2013). Scholars have shown how the legitimation challenge is particularly complex for hybrid institutions seeking to affect both state and nonstate actors inside and outside their institutional boundaries, and which generally depend upon the support and recognition from a diversity of actors (Bernstein, 2011; Boström & Hallström, 2013; Glasbergen, 2013; Schleifer, 2019).

As the different audiences' normative beliefs and demands may be conflicting, partnerships face 'legitimacy dilemmas' whereby satisfaction of one demand may lead to non-satisfaction of another (Black, 2008). Partnerships may respond by 'window dressing,' enacting institutional changes that do not bring the expected organizational change, or by 'empty promises' where discourse is not reflected in institutional change (Fransen, 2012). Often ignored in IR studies on legitimation, the distribution of power among legitimacy-granting audiences plays a crucial role within legitimation processes (Symons, 2011). Partnerships become 'political arenas in which struggles over influence and divergent interests take place,' resulting in a 'bargaining game' where the distribution of power determines whose preferences are reflected in legitimation strategies (Schleifer, 2019, p. 54). Legitimation strategies can thus reinforce existing power relationships as the most powerful actors manifest their positions through strategic discourse or actions in defense of the status quo (Beetham, 2013, p. 104; Hurd, 2018). To reveal *who matters* in terms of shaping legitimation strategies, one must identify the audiences for legitimacy claims, their norms and expectations, their relative power and authority vis-à-vis each other and in relation to the legitimacy-claiming institution (Bernstein, 2018).

## 3. Methodology

Rich context-specific empirical material is necessary when seeking to uncover the political dynamics behind legitimation processes. Case studies can also reveal limitations of strict analytical distinctions of audiences by showing how norms, values and interests do not in all contexts vary in line with actor type and hierarchical relationships (Bexell & Jönsson, 2018). This empirical study of SUN's

legitimation practices rests on a qualitative within-case analysis, drawing on data from a variety of primary and secondary sources. The relevant audiences of SUN's legitimation, their beliefs and expectations and the relations between them, were determined empirically, as outlined in the following section about SUN. The case exemplifies that partnerships' legitimacy can be challenged both from *within* by internal audiences, and by external actors, and that legitimacy beliefs are not necessarily related to actor-type. Different UN agencies have for example held conflicting views regarding SUN's appropriate form of governance. This shows the limitations of strict analytical audience categories, and supports Bernstein's point that establishing the boundaries of relevant political communities or audiences is an empirical and interpretive task unlikely to be without controversy (Bernstein, 2011, p. 28).

SUN's discursive legitimation practices were identified through analysis of speeches by SUN representatives, online promotional material, progress reports, evaluations, strategies and policy documents from 2011–2017. The material was analysed with particular attention to how SUN described and justified itself and how it appealed to normative justifications related to input and output legitimacy. With attention to the broad legitimacy dimensions of input and output legitimacy, the study grounds the analysis of SUN's legitimation within broader normative debates about partnership legitimacy, while at the same time allowing for empirical exploration of legitimation particular to the case of SUN. Institutional legitimation practices were identified by a combination of document analysis, interviews and observations to clarify intentions and drivers behind reforms or new policies. The interviews and observations also provided insight into the motivations behind SUN's different legitimation practices, who they were targeted at, and the bargaining involved in efforts to satisfy different demands.

Thirty-two in-depth, semi-structured interviews were conducted between 2014 and 2016, with actors then currently or formerly representing SUN's global governance structures (secretariat, governing boards, stakeholder networks (UN, donor, business, civil society)), and SUN countries, as well as with civil society actors and academics outside of SUN. Observation was carried out through a two-week visit to the SUN Secretariat in Geneva, participation at SUN events and meetings (e.g. a strategy meeting in Dar-es-Salaam and the SUN Global Gathering in 2015), and at nutrition conferences (e.g. the 2014 Second International Conference on Nutrition (ICN2), and a 2015 World Health Organization (WHO) technical consultation on conflicts-of-interest in nutrition programmes).

#### 4. The SUN Movement

SUN has no legal status but is placed under the aegis of the UN Secretary-General (UNSG). The UNSG appoints SUN's highest decision-making body, the Lead Group whose members include public and private donors, UN agencies, businesses, civil society organizations and SUN country governments. SUN's Global Coordinator acts as Assistant UNSG and the SUN Secretariat is hosted by UNOPS in Geneva. Global self-organized and self-funded stakeholder networks (business, civil society, UN, donors) support, together with the Secretariat, the 61 member countries' national efforts to improve nutrition in line with SUN's strategy and principles and with global normative commitments to reduce malnutrition<sup>6</sup> (SUN, 2016a).

While SUN does not have the authority to enforce compliance with policies or practices, it exerts 'soft' authority through the diffusion of ideas and norms about how and why malnutrition should be understood and addressed. The uptake of these ideas in SUN member countries is facilitated by the fact that members of SUN's leadership structures represent economic, political and epistemological powerful state and nonstate actors, upon whose support SUN member countries depend (Harris,

2017). SUN does not support member countries directly with financial resources, although some financial donor assistance can be received by nonstate actors through a ‘Pooled Fund’ (SUN, 2018a). Rather, the main form of support is provided as technical capacity building. This is partly provided by the Secretariat and SUN’s global networks, but primarily through the ‘Maximizing the Quality of Scaling Up Nutrition project’ (MQSUN), funded by the United Kingdom’s Department for International Development. Through this project, public and private actors provide technical expertise to SUN countries ‘on the design, implementation and evaluation of evidence-based, nutrition-specific and nutrition-sensitive programming and policies’ (MQSUN+, 2020). The Secretariat also facilitates learning exchanges among countries and stakeholders through platforms such as teleconferences, webinars and the in-person ‘Global Gathering’ (SUN, 2018a). The Secretariat itself depends on donor funding, received in 2011–2016 from the European Union, Canada, Ireland, the Gates Foundation, the United Kingdom, the Netherlands, Germany, France and the Micronutrient Initiative.<sup>7</sup> Business, private and bilateral donors also provide ‘in-kind’ contributions to the Secretariat, such as seconded staff and evaluation funding (SUN, 2014, p. 17). SUN’s *internal* audiences consist thus of governments and nonstate actors within its member countries whose practices SUN seeks to affect, in addition to the multilateral agencies, public and private donors, businesses and civil society organizations making up SUN’s global structures and upon whose support SUN depends. The task of reconciling the views and demands of these various actors through legitimation practices rests primarily with the Secretariat, acting as an *agent* of legitimation.

SUN’s legitimation strategies must be understood within the context of its establishment revealing conflicting interests and legitimacy beliefs among various state and nonstate actors involved in global nutrition governance. During the years prior to SUN’s establishment, nutrition had gained increased prominence at the global arena. A number of politically and economically powerful actors, such as the World Bank, the Gates Foundation, USA and Canada, and multinational food corporations, became involved with an interest in investing in cost-effective, evidence-based technical micronutrient interventions to reduce child undernutrition (Lie, 2019). Together with the World Food Program (WFP), UNICEF and a number of international NGOs, these actors were key in driving forward the establishment of a multistakeholder initiative (SUN) to address a seemingly ‘fragmented and dysfunctional’ international nutrition system (Morris et al., 2008, p. 82). Along the way, support to an existing global harmonizing platform for nutrition (the UN Standing Committee on Nutrition (UNSCN)), excluding the private sector, was reduced (Michèle et al., 2019). Eventually, the powerful actors behind SUN’s creation, came to occupy leadership positions within SUN’s global governance structures and play important roles in the legitimation of SUN.

The criticisms that have been put forth of SUN mirror broader and longstanding normative debates within global nutrition governance. In terms of input legitimacy, SUN has been criticized for creating conflicts-of-interest due to its inclusion of food corporations within governance boards, ignorance of power asymmetries among SUN members, and limited accountability towards affected communities (Oenema, 2014; Schuftan & Greiner, 2013). Debates about its output legitimacy have been related to concerns that SUN would skew resources away from sustainable rights-and food-based approaches to address the underlying causes of all forms of malnutrition, towards technical quick-fix solutions to address the narrow issue of child stunting (Clapp & Scrinis, 2017). The brunt of this criticism has come from external issue specific civil society actors promoting the right to food and nutrition. These actors have explicitly opted out from joining SUN and represent an important *external* legitimacy granting audience, challenging SUN’s legitimation through publications and oppositional campaigning (Gupta et al., 2017; Times of India, 2017). Their voices have among others made resonance within the (former) Brazilian and Indian Governments, who so far



have decided against joining SUN.<sup>8</sup> SUN's legitimacy has also to some extent been challenged *from within* by actors with similar concerns, most notably by civil society organizations, and by representatives of the UNSCN Secretariat, the WHO and the UN Food and Agriculture Organization (FAO) who initially were critical to the establishment of SUN.

## 5. Legitimation of the SUN Movement

### 5.1. Claiming input legitimacy through discourse and institutional 'window dressing'

Both in response to and in anticipation of criticisms and conflicting demands from its various audiences, SUN has from the very start legitimized itself by appealing to input-based governance norms. This legitimation has primarily been discursive, coupled with institutional 'window-dressing' to please critical external audiences, without compromising the demands of powerful internal audiences.

In terms of *discursive legitimation strategies*, progress reports 2011–2014 framed SUN as neutral and independent, stressing its reliance on evidence and expert-knowledge, with statements such as: 'SUN is also pragmatic: its members are not motivated by rhetorical statements or political positioning, but by producing evidence and demonstrating results.' (SUN, 2012, p. 13). To justify its approach to malnutrition criticized during its establishment, SUN frequently referred to authoritative epistemic sources, the scientific evidence base, and the economic advantages of investing in mainly technical nutrition interventions (SUN, 2012, 2013). SUN was also initially legitimizing itself by emphasizing its innovative and informal structure relative to existing institutions. It described itself as 'a different kind of organization designed for an evolving world,' not just 'another institution, fund or programme' (SUN, 2012, p. 10), or 'an initiative, project, or programme' (Nabarro, 2013, p. 666). SUN's inclusiveness relative to existing institutions excluding the private sector was emphasized; it was described as a 'big tent' (Mokoro, 2015, p. 353), and as an 'entity *giving space* (...), rather than taking space' (MDF, 2013, p. 14). By portraying itself as more informal and inclusive than existing governance structures, SUN responded to expectations of it to reduce fragmentation and dysfunctions within global nutrition governance. Several informants confirmed this effort on the part of the SUN Secretariat staff. As a member of SUN's UN Network noted: 'They [the SUN Secretariat] don't want to be accused of creating a more complex governance landscape. Not another institution. But it is making things more complex.'<sup>9</sup> A former Secretariat staff-member explained: 'SUN is only a coordination hub for countries. (...). We just want to see better-functioning global governance.'<sup>10</sup>

To underscore its informality and to deflect input-related criticisms, SUN was also from the start deliberately avoiding calling itself a 'partnership'. The term never appears in SUN's official communications material, and informants from the Secretariat described their efforts to ensure that SUN was not seen as a partnership. One informant even mentioned an 'internal [Secretariat] policy' of *not* calling SUN a partnership,<sup>11</sup> and another explicitly stated that SUN was not a partnership, like critical civil society actors claimed, but only facilitated that different actors 'sit around the same table and talk'.<sup>12</sup>

This active avoidance of using the 'partnership' term can be seen both as a reaction to the broader normative critique of partnership input legitimacy, as well as to the specific criticisms of nutrition partnerships, and to SUN's input legitimacy in particular, as expressed by external civil society actors and some critical internal audiences. Thus, in response to criticisms of conflicts-of-interest, power asymmetries and limited external accountability, SUN rather decided to call itself a *country-led movement*: 'The SUN Movement is driven by its member countries' (SUN, 2019), clearly shaping

beliefs in itself as an informal and bottom-up initiative. Speaking at SUN's Global Gathering in 2014, the former director of the WFP and co-chair of the SUN Business Network explicitly emphasized the importance of the term 'movement':

(...) if anyone asked you what a movement looks like, this is what a movement looks like. (...) Waltz's dictionary defines a movement as a series of organized activities working toward an objective. Also as an organized effort to promote or attain an end, for example the US civil rights movement, or the women's movement. By bringing people together, putting policies in place and mobilizing support for country level action, SUN has truly created an ever more effective movement.<sup>13</sup>

Comparison of SUN with grassroots-initiated anti-Establishment social movements seems at odds with SUN's form of governance, set up by powerful Western donors and UN agencies, involving some of the most influential private actors in global health. An external evaluation of SUN scrutinized this mismatch, stating: 'The terminology of SUN as a movement that is country-driven is used as a way of emphasizing that it seeks to avoid imposing top-down solutions on countries (...),' serving as 'a powerful metaphor, and a simplified perspective on the complex dynamics of how SUN operates in practice' (Mokoro, 2015, p. 22). Interviews with informants involved in establishing SUN confirmed that the term was deliberately chosen to shape perceptions of SUN as 'bottom-up,' not driven by powerful interests, but by its member-countries. As stated by a former senior member of the SUN Secretariat:

We started to work on the idea of what initially was called the "initiative for scaling up nutrition." But then we started to call it a *movement* for scaling up nutrition. (...). And the reason was to try to move away from it being controlled and owned by different interests, to try to make it something that was only owned by and serving the interests of countries.<sup>14</sup>

A member of the SUN UN Network also closely involved in SUN's establishment confirmed this strategy: 'I remember we discussed the term "movement". (...). And how important it was to put countries in the driving seat.'<sup>15</sup>

Thus, by emphasizing member-country influence, SUN sought to be perceived as representative of, and accountable to the needs of its member-countries, and ultimately to affected communities. SUN has clearly tried to enhance perceptions of its input legitimacy by gradually increasing the share of member-country representatives on its governance boards. However, while member-countries clearly have some influence on SUN's governance and operations, to claim that countries themselves actually *lead* SUN, seems like an overstatement. Member countries were minimally involved in establishing SUN and most of its work is funded by Western private and bilateral donors. SUN's Lead Group is chaired by UNICEF and its Executive Committee by the World Bank (previously the Gates Foundation)<sup>16</sup> and representatives of SUN member countries are still in a minority compared to other state and nonstate actors.<sup>17</sup> While the Secretariat consults member countries on matters related to SUN's governance, there is no denying that the actors upon whose support SUN depends exert considerable influence. Observations from within the Secretariat confirmed that the demands and expectations of donors and multilateral agencies often take precedence, despite staff efforts. This dynamic was also described by a former consultant to the Secretariat:

What have countries driven? (...). I think there's a fairly strong perspective from them [the SUN Secretariat] about what it is that countries need, and the sense that they have to protect that against the donors, and to a certain extent against the UN. So "country-driven" may be better framed as: "a couple of peoples' interpretation of what countries need, driving what they are determining as the direction".<sup>18</sup>

By framing itself, not as a partnership, but as a country-driven movement, SUN not only diverts attention away from its inclusion of the private sector and its formal top-down donor/UN-led structure, it also creates connotations to democratic qualities of participation and external accountability – input legitimacy standards called for by SUN’s critical audiences. At the same time, SUN seeks input legitimacy as it claims functional representation of different interests and expertise by emphasizing its inclusive multistakeholder approach, aligning itself with the normative expectations of supportive internal audiences. The somewhat ‘eclectic’ discursive legitimation during SUN’s first years, thus illustrates how partnerships seek to reconcile different and at times conflicting demands among their various audiences and in line with the broader normative environment.

In addition to discursive legitimation, SUN also responded to criticisms of its input legitimacy through certain *institutional legitimation strategies*; by including civil society actors and member-country representatives within its Lead Group and by establishing a Civil Society Network. While membership of this network is open to all national and international civil society organizations committed to SUN’s objectives and principles, in practice it remains largely dominated by major international Non-Governmental Organizations, such as Save the Children, supportive of SUN from the start (Michéle et al., 2019).

SUN has also made institutional efforts to address the issue of conflicts-of-interest. Firstly, its Principles of Engagement explicitly state that ‘both personal and institutional conflicts of interest must be managed with the highest degree of integrity’ (SUN, 2015a), and companies that would like to join the SUN Business Network must comply with UN guidance on health and nutrition and the International Code of Marketing of Breastmilk Substitutes<sup>19</sup> (SBN, 2019). Secondly, after a request from the Lead Group, SUN commissioned in 2013/ 2014, development of guidelines for preventing and managing conflicts-of-interest within SUN multi-stakeholder platforms (SUN, 2015b). While these institutional measures indicate willingness to address issues raised by critics, they seem more like ‘window dressing’ in terms of actual effects. While SUN’s Business Network restricts membership of breast-milk-substitute companies, other multinational food and beverage corporations whose products conflict with public health nutrition, such as PepsiCo and Mars, are members (SBN, 2020). Further, SUN’s conflicts-of-interest guidelines have been deemed weak, focusing more on protecting the principle of inclusiveness than actually preventing conflicts-of-interest (Lie & Granheim, 2017; Michéle et al., 2019, pp. 59–60). During interviews and observations, business and private donors within SUN’s governance boards and networks, seemed particularly reluctant to address conflicts-of-interest. When confronted about the issue at the ICN2 by an external civil-society actor, the former chair of the Executive Committee and representative of the Gates Foundation responded for example: ‘I don’t even call it conflicts of interest. Everyone around the table has interests. It’s about how we manage those interests.’<sup>20</sup> In a recent SUN review, it becomes clear that conflicts-of-interest is an ongoing and growing concern among SUN’s civil society members and member countries (SUN, 2020).

Including civil society within its global governance structures and implementing efforts to address conflict-of-interest show SUN as responsive to criticisms by external and internal audiences. However, as found in earlier studies, these institutional measures represent narrow interpretation of critics’ normative demands, not to conflict with the demands of more powerful audiences (Schleifer, 2019). The resolution of legitimacy dilemmas within partnerships is hence conditioned by political positioning and power divergences across different legitimacy-granting audiences.

## 5.2. Claiming output legitimacy through institutional reform and discursive ‘lip service’

While the input-related discursive legitimation continued as SUN developed, SUN gradually became more concerned with improving perceptions of its *output* legitimacy. As stated in its new strategy ‘From inspiration to impact’ (2016–2020); ‘focusing on impact and results at scale must now be the focus moving forward, this time with increased coordination, improved accountability and communication of what is and isn’t working to scale up nutrition’ (SUN, 2016a, p. 17). Speaking at the strategy launch, the former UNICEF chair of the Lead Group stated: ‘Success is built not just around creating a structure and process, success is creating results’.<sup>21</sup>

However, SUN’s new strategy did not only put a stronger emphasis on outputs, it also shifted focus as regards the *types* of outputs promoted and the values underpinning performance. This discursive shift aligned with normative and institutional developments within the area of nutrition and development. Notably, following the ICN2 and the UN Decade of Nutrition (2016–2025), governments made new commitments to combating *all forms* of malnutrition. The 2030 Agenda for Sustainable Development also marked a shift towards a more holistic developmental focus anchored in principles of equity, human rights and justice (UNSCN, 2019). SUN had always claimed to be rights-based, but its discourse now shifted from a strong focus on the economic benefits of reduced child stunting, towards more explicit expressions of how SUN’s multistakeholder approach represented the only way to realize the right to adequate food and ‘nutrition justice’.<sup>22</sup> It also shifted its focus to address all forms of malnutrition, not just stunting (SUN, 2016a).

This discursive legitimation was also in line with long standing demands by civil society and other critical audiences, for more attention to human rights, equity, and all forms of malnutrition. Observations from within the Secretariat and interviews confirmed that there were serious tensions among internal audiences around the type of rhetoric SUN should adapt in the new strategy.<sup>23</sup> The meaning of the term ‘nutrition justice’ was for example debated among UN agencies’ staff, civil society actors and the Secretariat, eventually leading to the term being discarded in the adopted strategy as no definition could be agreed upon. The Secretariat was particularly sensitive to the reluctance of certain donors to support a human-rights-based agenda, noting how they would take care to phrase human-rights issues ‘as obscurely as possible’.<sup>24</sup>

This discursive shift thus seemed to be a strategy to stay attuned with broader normative developments while balancing the normative demands of different audiences. Recent research on the actual effects of SUN’s work within member countries suggest that the rights-based discourse is not reflected in practice as SUN has done little to promote action to generate demands for good nutrition as a right. SUN is also found to contribute to promote technical nutrition interventions still focusing on stunting, rather than addressing structural causes of malnutrition in all its forms in a sustainable manner (Harris, 2017; Michéle et al., 2019).

In terms of *institutional legitimation strategies*, a stronger focus on outputs and on improving performance of SUN countries was also strongly mirrored in a number of institutional reforms within SUN’s new strategy period. The push for results came primarily by donors, following an evaluation assessing SUN’s effectiveness and efficiency (Mokoro, 2015, p. 1). The evaluation found that SUN had produced limited results in terms of country-level nutrition actions; very few SUN countries had result frameworks and plans for how to achieve SUN’s objectives; and nutrition resource mobilization had been slow (Mokoro, 2015, pp. 86–87). To improve performance, the evaluation recommended strengthening SUN’s global governance arrangements, including ‘the creation of a senior body that can exercise effective supervision of the implementation of SUN’s strategy’ (Mokoro, 2015, p. xviii). Despite initial resistance from some UN agencies, internal civil society

actors, and the Secretariat that felt they had to ‘protect’ countries from more top-down governance and donor influence,<sup>25</sup> it was decided to establish a new accountability framework and a more ‘hands-on’ Executive Committee to ‘oversee the development and implementation of the Movement’s strategy and its operating modalities’ (SUN, 2016b). Secretariat staff clearly noted how donors and private sector actors were driving the reforms to improve results, saying: ‘donors won’t touch it if not [results are produced]. And we need donor money.’<sup>26</sup> And: ‘the private sector is very impatient. They think things aren’t moving fast enough. They get very bored with process talk.’<sup>27</sup> One of them even feared the push for results over process would hurt SUN in the long run:

(...) things go wrong if it [SUN] is seen as an imposed program. (...) We (...) are expected to create results all the time. And if you’re expected to create results, that means calling people to account (...). I’d prefer the movement not to be so pushy on results.<sup>28</sup>

Certain donors, especially the Gates Foundation, played a particularly influential role in the new institutional developments as they funded the evaluation, hired consultants actively preparing and participating in strategy development, and participated actively in an interim steering committee tasked with taking the findings of the evaluation forward. Other influential members of this committee included the WB, UNICEF, the WFP, USA, Canada, the European Commission and Unilever, and only one representative of a SUN member country.<sup>29</sup>

An accountability framework was also developed at the time, to better monitor and evaluate different members’ contributions towards SUN’s strategy. The ‘Monitoring, Evaluation, Accountability and Learning (MEAL) System’ however mainly contributes to improve internal accountability upwards from countries towards SUN’s global structures, being based on countries’ self-assessments and other data sources, enabling comparison of country performances evaluated against 79 indicators (SUN, n.d.). This system allows for comparisons and evaluations of member-countries’ performance against global goals and SUN’s objectives – contributing to direct donor and private sector funding and investments.

The institutional reforms aimed at improving perceptions of SUN’s output legitimacy thus resulted in more formalized and ‘top-down’ governance structures, actually moving SUN further away from its proclaimed form as an informal, country-driven movement. As noted in a recent review of SUN: ‘there is a deficit in mutual accountability among the various actors in the SUN Movement. In practice, SUN members who are significantly dependent on international assistance are more rigorously assessed than are the funding providers’ (SUN, 2018b, p. viii).

Thus, in contrast to the discursive “lip-service” and institutional “window dressing” meeting critics’ demands, the demands for internal accountability and results by influential internal donors, private sector actors and multilateral agencies, were met by effectful institutional reforms. This illustrates the role of power in conditioning legitimation processes, where some audiences are more influential in manifesting their positions than others.

## 6. Discussion and conclusion

This case study of SUN’s legitimation processes shows that partnerships face a variety of legitimacy dilemmas in seeking recognition and support from their diverse legitimacy-granting audiences. Operating within the crowded field of global nutrition governance, where tensions surrounding partnerships and the role of the food industry is particularly contested, SUN was from the start confronted by legitimacy dilemmas. Could it: be inclusive of the food industry while at the same time prevent conflicts-of-interest?; be ‘country-driven’ and ‘multistakeholder’?; be effective without

imposing top-down solutions?; be human-rights-based without ensuring participation by rights-holders? The dilemmas reflected real political and normative contestations across its various legitimacy-granting audiences, mirroring broader normative debates about partnership input and output legitimacy, and cutting across actor-types and hierarchical relationships. For SUN, the most significant conflict was between external civil society actors critical to SUN's business inclusion and technical nutrition approaches, and internal donors, private sector actors and certain multilateral agencies supportive of such. As these demands pulled in opposite directions, the Secretariat faced considerable legitimation challenges, resulting in somewhat eclectic and at times contradictory legitimation strategies.

During the early years, SUN legitimized itself mainly through discourse grounded in input-based values. It focused on framing itself in line with expectations of being more efficient than UN-led processes, expert-driven, inclusive, multistakeholder and accountable towards affected communities. In response to criticisms of conflicts-of-interest and broader normative critiques of input legitimacy of partnerships, SUN resisted the 'partnership' term and rather called itself a *country-driven movement* – with associations to democratic standards of participation and external accountability. It also put in place certain institutional measures in response to criticisms, but mainly as 'window dressing.' Over time as the pressure for results, particularly from donors and private sector actors, increased, SUN's legitimation shifted towards greater emphasis on outputs. This shift was evident through its discourse, but more importantly through institutional reforms strengthening its top-down and internal accountability structures – leading to a growing mismatch between its rhetoric and institutional structures. This mismatch is also evident in its adoption of a human-rights and equity discourse, paying 'lip-service' to critics demanding rights-based approaches to address all forms of malnutrition.

The analysis thus showed how normative demands for more democratic and fair procedures and rights-based approaches, primarily put forth by external civil-society actors, were addressed through weak institutional measures and discourse. By contrast, normative demands for internal accountability and results, put forth by donors, private sector actors and multilateral agencies holding influential positions in SUN brought real institutional reforms. As shown by other studies, such differentiated responses are not uncommon when partnerships respond to conflicting legitimacy beliefs; reflecting the relative power of different audiences in shaping legitimation strategies.

By focusing on the political dynamics behind SUN's legitimation, the study illustrates Bernstein's point that 'Power is implicated in any form of governance and what its legitimation requires' (Bernstein, 2011, p. 42). Legitimacy contestations are indeed grounded in substantive grievances over how power and wealth are distributed within global governance, and within global nutrition governance more specifically. The fact that SUN legitimizes itself as something it is *not*, is misleading and arguably contributes to reinforce existing power asymmetries within nutrition governance. Not only does SUN gloss over the fact that its governance remains dominated by powerful Western donors and UN agencies, it also diverts attention away from how it has contributed to opening up national and global nutrition governance to private sector actors – whose interests are not necessarily in line with public nutrition goals or broader societal values like human rights and equity. In terms of implications for its effectiveness, SUN seems to fall victim to its own failure to effectively address critics demands and countries' interests as internal discontent and mistrust is growing (SUN, 2020, p. 36). This highlights the importance of partnerships to balance legitimation strategies, taking into account legitimacy concerns of all audiences in order to successfully improve legitimacy perceptions.

## Notes

1. And the Indian States Jharkhand, Maharashtra, Uttar Pradesh and Madhya Pradesh.
2. Multiple definitions of global public–private partnerships exist. This study adheres to a definition by Andonova (2017, p. 2) aligned with common understanding of the phenomenon in IR:
 

Global public-private partnerships are voluntary agreements between public actors (IOs, states, or substate public authorities) and nonstate actors (nongovernmental organizations [NGOs], companies, foundations, etc.) on a set of governance objectives and norms, rules, practices, or implementation procedures and their attainment across multiple jurisdictions and levels of governance.
3. Some authors describe institutional efforts to (de)legitimise an institution as ‘behavioural’ (Tallberg & Zürn, 2019), while others again distinguish between ‘institutional’ and ‘behavioural’ practices (Bäckstrand & Söderbaum, 2018). This study adapts the notion of institutional practices as the focus is on institutional and policy changes intended to legitimise a partnership, not on behavioural practices, such as protest, to delegitimise an institution.
4. The distinction between input and output legitimacy was originally defined by Fritz Scharpf (1999) to distinguish between process and substance of governance (in Scholte & Tallberg, 2018, p. 59). Since, the terms have been used, as here, to distinguish more broadly between partnerships’ performance and their features related to procedures and other governance qualities, such as expertise and moral authority (Bull & McNeill, 2010).
5. The concept of ‘throughput’ legitimacy was later developed by Vivien Schmidt, referring to the procedural fairness of decision-making processes (Scholte & Tallberg, 2018, p. 59).
6. Including the World Health Assembly’s targets for maternal and young child nutrition and its Non-Communicable Diseases Global Monitoring Framework, and the UN Sustainable Development Goals (SUN, 2016a).
7. Now Nutrition International. Donors listed according to size of contributions.
8. Although some Indian States have joined.
9. Interview, representative of the SUN UN Network, Geneva, 1 December, 2014.
10. Interview, former staff member of the SUN secretariat (1), Rome, 20 November, 2014.
11. Informal conversation, former consultant to the SUN secretariat (1), Geneva, 8 October, 2015.
12. Interview, former staff member of the SUN secretariat (1), Rome, 20 November, 2014.
13. Transcript, speech by Erthrin Cousin, the SUN Global Gathering, Rome, 16 November 2014. (<https://scalingupnutrition.org/about-sun/sun-movement-global-gathering/sun-movement-global-gathering-2014/>).
14. Interview, former senior staff member of the SUN Secretariat (2), Geneva, 12 November, 2015.
15. Interview, representative of the SUN UN Network, Geneva, 1 December, 2014.
16. The Lead Group is chaired by UNICEF. The Executive Board was chaired by the Gates Foundation until January 2019 when replaced by the World Bank. (<https://scalingupnutrition.org/sun-supporters/sun-movement-executive-committee/>).
17. 5 out of 27 Lead Group members were representatives of SUN countries in 2019 (<https://scalingupnutrition.org/wp-content/uploads/2019/09/SUN-Lead-Group-2019.pdf>), and 8 out of 17 Executive Committee members (<https://scalingupnutrition.org/wp-content/uploads/2019/11/SUN-Movement-Executive-Committee-BIOS.pdf>).
18. Interview, former consultant to the SUN secretariat (2), via phone, 20 November 2015.
19. ‘The Code is designed to prevent companies from promoting infant formula, other milk formulas and food that fully or partly replace breast milk’ (Save the Children, 2018, p. vi).
20. Observation, panel debate: ‘Improving policy coherence for nutrition: nutrition in all sectors’, ICN2, Rome, 20 November, 2014.
21. Speech by Anthony Lake, former director, UNICEF, launch of SUN strategy 2016–2020, New York, 2016.
22. Welcome speech by David Nabarro at the SUN Global Gathering, 2015. Day 1. 20 Oct. 2015. (42–43:33 min) [https://www.youtube.com/watch?v=kYERFN38DQA&feature=emb\\_title](https://www.youtube.com/watch?v=kYERFN38DQA&feature=emb_title)
23. Observations, the SUN secretariat, Geneva, November, 2015.

24. Interview, former staff member of the SUN secretariat (3), Geneva, 2 December 2014.
25. Observations, the SUN secretariat, November 2015, and the SUN Visioning meeting, Dar es Salaam, April, 2015.
26. Interview, former senior staff member of the SUN Secretariat (2), Geneva, 12 November 2015.
27. Interview, former staff member of the SUN secretariat (3), Geneva, 2 December 2014.
28. Interview, former senior staff member of the SUN Secretariat (2), Geneva, 12 November 2015.
29. See Mokoro (2015, p. 460) for an overview of the Visioning sub-group's members.

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No potential conflict of interest was reported by the author(s).

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