

POLITICAL LEGITIMACY STRATEGIES AND DISCOURSES: *Prototypes and Stereotypes*

Structure of the Lecture

1. **Political Legitimacy, the Concept.**
2. **Functions of Political Legitimacy.**
3. **Sources of Legitimacy.**
4. **Divine Rights & Monarchy. Charismatic Leaders.**
5. **Contemporary Legitimising Discourses.**
6. **Legitimising Violence as “Humanitarian Intervention”**

Political Legitimacy, the Concept.

“Legitimacy is linked to the **moral justification**—not the creation—of **political authority**. Political bodies such as states may be **effective**, or **de facto**, **authorities**, without being legitimate.

- They **claim the right to rule** and to create obligations to be obeyed, and as long as these claims are met with sufficient acquiescence, they are **authoritative**.
- **Legitimate authority**, on this view, **differs from merely effective or de facto authority** in that it **actually holds** the right to rule and creates political obligations (e.g. Raz 1986).
- According to an opposing view (e.g. Simmons 2001), political authority may be **morally justified** without being legitimate, but only legitimate authority generates political obligations.” (Peter, 2014).
- “The **stability and functioning** of any kind of political regime—including democratic or representative ones—relies on the combination of the capacity of rulers and government officials to use **coercion** and the development of **political legitimacy**.
- **Political legitimacy** can be described as people’s recognition and acceptance of the validity of the rules of their entire political system and the decisions of their rulers.
- Accordingly, two things can be expected from political systems that have a considerable level of political legitimacy:
 - First, these political systems will be more resilient to **survive periods of crisis**, and,

- > second, rulers and authorities will enjoy a fundamental condition needed to formulate and **implement policies in an effective manner** (i.e., they will be able to make decisions and commit resources without needing to obtain approval from the ruled and without resorting to coercion for every decision)." (Aragon, 2008)

I. Political Legitimacy, the Concept

- "Power relationship is not legitimate because people believe in its **legitimacy, but because it can be justified in terms of their beliefs**" (Beetham 1991: 11).
- In Jürgen Habermas' words: "Every general theory of justification remains **peculiarly abstract** in relation to the historical forms of legitimate domination. ...
- Is there an alternative to this historical injustice of general theories, on the one hand, and the standardlessness of mere historical understanding, on the other?" (Habermas 1979: 205)
- **I. Political Legitimacy, the Concept**
- If legitimacy is interpreted descriptively, it refers to **people's beliefs** about **political authority** and, sometimes, political obligations. In his sociology, Max Weber put forward a very influential account of legitimacy that excludes any recourse to normative criteria (Mommsen 1989: 20).
- According to **Weber**, that a political regime is legitimate means that its participants have certain beliefs or faith ("**Legitimitätsglaube**") in regard to it: "*the basis of every system of authority, and correspondingly of every kind of willingness to obey, is a belief, a belief by virtue of which persons exercising authority are lent prestige*" (Weber 1964: 382).

II. Functions of Political Legitimacy.

- "The **main function** of legitimacy is precisely to **justify coercive power** (for a recent discussion of two alternative approaches to legitimacy and a defense of the coercion-based interpretation, see Ripstein 2004).
- **Legitimacy**, in this interpretation, is linked to the creation of political authority qua **defining the permissible use of coercive power**. Again, there are different ways in which this idea might be understood." (Peter, 2014)

III. Sources of Legitimacy.

- "As is well known, Weber distinguishes among three main sources of legitimacy—understood as both the acceptance of authority and of the need to obey its commands.
- People may have faith in a particular political or social order because it has been there for a long time (tradition), because they have faith in the rulers (charisma), or because they trust its legality—specifically the rationality of the rule of law (Weber 1990 [1918]; 1964).

- Weber identifies legitimacy as an important explanatory category for social science, because faith in a particular social order produces social regularities that are more stable than those that result from the pursuit of self-interest or from habitual rule-following (Weber 1964: 124).” (Peter, 2014)

III. Sources of Legitimacy

3.1. Consent

3.2. Beneficial Consequences

3.3. Public Reason and Democratic Approval

3.1. Consent

- “Although consent theory has been dominating for a long time, there are many well-known objections to it.
- Some of them are about as old as consent theory itself.
- David Hume, in his essay “Of the Original Contract”, and many after him object to Locke **that consent is not feasible**, and that **actual states have almost always arisen from acts of violence**.
- The attempt to legitimize political authority via consent is thus, at best, wishful thinking (Wellman 1996).
- Hume's own solution was, like Bentham later, to propose to justify political authority with reference to its beneficial consequences.” (Peter, 2014)
- 3.2. Beneficial Consequences
- In the utilitarian view, legitimate political authority should be grounded on the **principle of utility**.
- This conception of **legitimacy is necessarily a moralized one**: the legitimacy of political authority depends on what morality requires.
- Many are **not convinced** that such instrumentalist reasoning provides a satisfactory account of political legitimacy. Rawls (1971:175f) and Jeremy Waldron (1987: 143f) object that the utilitarian approach will ultimately only convince those who stand to benefit from the *felicific calculus [Bentham's algorithm]*, and that it lacks an argument to convince those who stand to lose. (Peter, 2014)

3.3. Public Reason and Democratic Approval

- A democratic decision is always about the **common good**. In democratic decision-making, citizens thus compare their interpretations of the general will. If properly conducted, it reveals the general will. **This is the legitimate decision.**
- Active participation by all **may not generate a consensus**. So why would those who oppose a particular decision be bound by that decision?
- On Rousseau's view, citizens can—and will want to—learn from democratic decisions.
- Since the democratic decision, if conducted properly, correctly reveals the general will, **those who voted against a particular proposal will recognize that they were wrong** and will adjust their beliefs about what the general will is.
- In this ingenious way, individual are only bound by their own will, but everyone is bound by a democratic decision.

Divine Rights & Monarchy.

- The **divine right of kings** is a political and religious doctrine of royal and political legitimacy. It asserts that a monarch is subject to no earthly authority, deriving his right to rule directly from the will of God.
- The **king is thus not subject to the will of his people**, the aristocracy, or any other estate of the realm, including (in the view of some, especially in Protestant countries) the Church.
- According to this doctrine, since only God can judge an unjust king, the king can do no wrong. The doctrine implies that any attempt to depose the king or to restrict his powers runs contrary to the will of God and may constitute **sacrilegious act**.
- The remoter origins of the theory are rooted in the **medieval idea** that God had bestowed earthly power on the king, just as God had given **spiritual power and authority** to the **Church**, centering on the Pope.
- The theory of divine right was abandoned in England during the Glorious Revolution of 1688–89.
- The American and French revolutions of the late eighteenth century further weakened the theory's appeal, and by the early twentieth century, it had been virtually abandoned.

Contemporary Legitimising Discourses.

Legitimising Violence as “Humanitarian Intervention”

- **Legitimation. Typologies**

- The **legitimation** of a regime is never dependent upon a single mode of legitimation exclusively, and during its life, the Soviet regime sought legitimation through a number of different modes.

The most important of these were:

1. **Ideocratic legitimation.** This comes about when the populace shares the values of the regime. It reflects commitment to and belief in the ideology which underpins the regime and, in the Soviet case, was reflected in the metanarrative.
- ② 2. **Teleological**, or goal-rational legitimation. Legitimacy stemmed from the performance of tasks which contributed towards the achievement of specified goals.
- ② In this case, the **claim for legitimacy rested on progress towards the achievement of communism.**
- ② The linkage of this type of legitimation to the end goal makes it particularly important for those working in the bureaucratic apparatus, since it was their task to facilitate achievement of that goal
3. **Charismatic legitimation.** Here legitimacy was based on the perception of the possession of extraordinary, superhuman powers and qualities. Authority stemmed from such qualities, but what was important was the **belief** that these existed rather than that they actually did.
4. **Nationalist legitimation.** This came about through direct association of the regime with nationalist sentiment and symbols. This could be closely linked with appeals for legitimacy on **traditional grounds**, on the argument that the regime represents the traditional roots from which the **community sprang** and the values with which it had always been associated.
5. **Performance legitimation.** In this conception, legitimacy stems from the **satisfaction** of the needs, wants and aspirations of the citizens.

In the Soviet case, the teleological goal of communism and how that came to be defined meant that **performance legitimation** became closely linked with goal-rational **legitimation**.

- ② 6. **Democratic legitimation**, or the sense that authority flowed from the granting to the government of a mandate by the mass of the populace.
- ② 7. **Legal-rational legitimation.** This meant that the exercise of authority flowed by virtue of the legality of the procedures used and the position occupied by the authority itself.
- ② Observance of established procedures, rules and regulations was the basis of this notion of legitimacy.

All seven modes of legitimation were used by the regime at different times in its life in varying combinations.

- The capacity of these to constitute a stable basis for the regime's quest for legitimacy was shaped fundamentally by changes in the **symbolic representations** contained in the **metanarrative**.
- Therefore the way that that **metanarrative** changed over time had a direct impact on the viability and shape of the regime's **legitimation programme**, and ultimately on the viability of the regime itself.
- VI. Legitimising Violence as "Humanitarian Intervention"
- "Kosovo was not the first military campaign termed a "**humanitarian intervention**." But it did rekindle debate on whether and when a state or group of states may use force with the stated aim of preventing or ending widespread and grave violations of fundamental human rights of individuals other than their own citizens.
- Kosovo demonstrated the **increased currency of humanitarian intervention rhetoric** as grounds for **legitimizing the use of force**.
- And while commentators have yet to agree on the exact contours of the doctrine of **humanitarian intervention**, there is little doubt that states increasingly seek to use it to justify the forcible intrusion into sovereign states, and that the mainstream media and many nonstate actors participate in laying the groundwork for intervention justified in human rights terms." (Mertus, 2001)
- *Internationalization of the discourse of legitimisation.*
- "*Studies such as* Volcic and Erjavec 2007, van Dijk 2007, etc., point to the appropriation of many **legitimisation strategies** originally found in the **war-on-terror discourse**, by sociopolitical actors in countries other than the US.
- The most prominent strategy is, again, that of **enemy conflation**.
- Volcic and Erjavec (2007) give an example of young Serbs construing an **analogy** in which Serbia is to Muslims in the Balkans as the United States is to terrorists like Al-Qaeda." (Cap, 2006: xiii).
- Legitimising Violence as "Humanitarian Intervention"
- Iraq War George Bush's Speech
[George W Bush's Speech 10 Years Later.wmv](#)

References

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