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# Rethinking Legitimacy and Illegitimacy

*A New Approach to Assessing Support and  
Opposition across Disciplines*

AUTHOR **Robert D. Lamb**

*A Report of the CSIS Program on Crisis, Conflict, and Cooperation*

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ISBN: 978-1-4422-2859-7 (pb); 978-1-4422-2860-3 (eBook)

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Rowman & Littlefield  
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Lanham, MD 20706  
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# Preface

Some years ago, I lived in Medellín, Colombia, studying the dynamics of violence in several of the hillside slums that, through much of their history, had been controlled by gangs. Since the city (and the state more generally) had barely any presence in these neighborhoods, I wanted to learn how the gangs who controlled them governed. This was during a period when interest in counterinsurgency doctrine was growing, the “surge” of U.S. troops in Iraq had just taken place, the Afghan surge was in the near future, and talk about “legitimacy” as an objective of warfare was at a peak. But much of the literature on legitimacy, democracy, and governance that military doctrine was built from treated legitimacy as something that applied mainly to states (and, by extension, to groups that wanted to control state power). Having studied cybernetic theory from John Steinbruner and the macro-level effects of “microbehaviors” from Thomas Schelling, I was more interested in understanding the microdynamics of legitimacy in nonstate situations. Medellín offered a perfect opportunity: different gangs controlled different neighborhoods in different ways, many for long stretches of time. What did legitimacy and governance look like when the unit of analysis was a gang and not a state? And how did that affect the patterns of violence in those particular neighborhoods?

Studying these questions was not easy, because much of the best work on legitimacy and governance had been written for scholarly audiences and was not always suitable for use as a tool for policy analysis. Some of that work also assumed that the state was the proper unit of analysis for research on legitimacy and governance. Existing frameworks would therefore need to be adapted for both a nonstate context and a policy audience. After reviewing the literatures in a dozen academic and policy subdisciplines, I developed two frameworks that I used as the basis for my dissertation on the dynamics of legitimacy and governance in gang-controlled neighborhoods. My intention was to design general frameworks that could be applied not just to gangs in Medellín but to any number of situations where the dynamics of support, opposition, and authority needed to be understood.

Since then, I have used the governance framework for several research projects I have led at CSIS and a paper I produced for the Asia Foundation. The legitimacy framework, I am told, has informed revisions to the U.S. military’s counterinsurgency doctrine (which certainly has picked up some of the language), and there has been corporate interest in applying it to help understand the sources of frictions in important business relationships as well.

Given the broad interest in finding better ways to assess governance and legitimacy—not just in counterinsurgency but in a very wide range of situations—I have been asked fairly regularly over the past few years whether these frameworks were available in a format more accessible than appendices in an unpublished PhD thesis of 657 pages. Until now, they have not been.

This report is a revision of my conceptual analysis and assessment framework for legitimacy, introduced in Appendix C of “Microdynamics of Illegitimacy and Complex Urban Violence in Medellín, Colombia,” which I defended in 2009 (doctoral thesis, University of Maryland School of Public Policy, 2010). That was itself a revision of a working paper I presented at a student conference in early 2005, “Measuring Legitimacy in Weak States.” (I plan to publish a companion report for the governance framework, and the thesis itself is under review for publication with an academic press.)

I am grateful to my thesis adviser, John D. Steinbruner, and committee—Nancy Gallagher, Karol Soltan, David A. Crocker, and Carol Lee Graham—for their guidance. I am thankful as well to Max Kelly of the Center for Complex Operations at the National Defense University for introducing my work on legitimacy to those involved in the revisions to the Army-Marines field manual on counterinsurgency. And I thank CSIS for encouraging me to make this work more broadly available as a CSIS publication. It is my hope that readers in all fields might find it a useful starting point for assessing situations where support and opposition need to be better understood.

# Executive Summary

Decisionmakers often need to understand how much support or opposition an organization, institution, position, or policy faces or is likely to face. Legitimacy, according to many fields of study and practice, is something that induces voluntary support. It is therefore an important intellectual resource for decisionmakers. Because it cannot be observed, however, measuring and assessing legitimacy is difficult.

This report analyzes the concepts of legitimacy and illegitimacy, discusses some issues involved in measuring them in the real world, and introduces a new multidimensional, multilevel, bilateral framework for assessing them in situations where the sources and dynamics of support or opposition need to be better understood. The first chapter introduces the concept of legitimacy and some of the main reasons there is interest in assessing it (e.g., finding potential sources of opposition can help a decisionmaker lower costs or risks). Chapter 2 is a short intellectual history, drawing on scholarship in political philosophy, the social sciences, psychology, organizational studies, military doctrine, and other disciplines and subdisciplines. Chapter 3 introduces the concept of illegitimacy as something more than a mere absence of legitimacy and discusses other concepts whose real-world effects can sometimes be mistaken for legitimacy and that therefore complicate its measurement. It also discusses the questions and measurement challenges that are central to the assessment framework, which is introduced in the final chapter.

This summary introduces the key concepts and basic steps of a legitimacy assessment, which can be carried out at four levels of complexity: a rapid assessment, a multilevel assessment, a bilateral assessment, and a comprehensive assessment.

## Key Concepts and Terms

To assess legitimacy, it is critical to understand the following points:

- *Legitimacy is “worthiness of support.”* Legitimacy is a sense that something is right or good or that one has a moral obligation to support it. In some contexts, legitimacy is a worthiness of loyalty or imitation. Illegitimacy is not merely a sense that something is not worthy of support. Rather, illegitimacy is a worthiness of opposition, a sense that one must work to resist, undermine, or fight something. Neutrality is a worthiness of neither support nor opposition. Because people tend to voluntarily do what

they believe is the right thing to do, legitimacy induces voluntary compliance with demands and requests or encourages voluntary participation in collective endeavors. Illegitimacy induces resistance to things that people believe it is morally necessary to oppose. In short, legitimacy induces compliance, encourages participation, and lowers the costs of sustaining a position, institution, or relationship, and so achieves stability, while illegitimacy induces disobedience, encourages opposition, and raises costs, and so threatens stability and sustainability.

- *Legitimacy is broadly applicable.* Potential subjects of a legitimacy assessment can include a government, a position of authority, an organization, membership, a border, a corporation, a division of labor, a state, a statelet, a distribution of economic or political goods, an association, a regime, a mafia, a system, a command, a means of production, or an institution for marriage, education, law, justice, property, and the regulation of violence—anything that somebody can judge to be worthy or unworthy of their support or opposition. The framework presented in this report uses the term *conferee* to describe whatever is being assessed for its legitimacy and *referee* to describe the group of people whose perspective about the conferee’s legitimacy is being studied (i.e., the referees’ judgments *confer* legitimacy upon the conferee). It can be applied to any kind of conferee.
- *Legitimacy is multidimensional.* The literature on what makes something legitimate is voluminous, but it can be summarized: people are motivated by what is right. Something is more likely to be considered worthy of support the more it is considered predictable, justifiable, equitable, accessible, and respectful. These five dimensions describe the types of indicators that should be sought to measure legitimacy: *predictable* (a necessary but not sufficient condition that includes transparency and credibility), *justifiable* (judgments about important values: what is right, good, proper, admirable, etc.), *equitable* (ideas about fairness, that is, inequalities are justified), *accessible* (having a say in processes for making decisions affecting one’s life, a weak version of consent), and *respectful* (treatment consistent with human dignity and pride). The more indicators are in agreement across these dimensions, the more likely legitimacy is present. Likewise, the more unpredictable, unjustifiable, inequitable, inaccessible, and disrespectful something is—and the more indicators for these dimensions are in agreement—the more likely it is to attract opposition. Inconsistency of indicators suggests that something other than legitimacy and illegitimacy are at play (fear, deception, etc.).
- *Legitimacy is multilevel.* Legitimacy can be conferred at multiple levels of analysis. For the purposes of the framework introduced in this report, each dimension of legitimacy (predictable, justifiable, etc.) should be measured at three levels of analysis: individual, group, and system. *Individual beliefs* are private judgments about the conferee, usually measured through surveys, focus groups, or interviews of the referee population. How much confidence or trust do people express in their government, a political party, an industry, or a charity? *Group behaviors* are public actions by referees that express a judgment about the conferee. Voluntarily participating in

elections, paying taxes, and obeying laws are potential indicators that citizens consider their state legitimate. High worker turnover and a need for private security are potential indicators that negative judgments are being made about a company. *Public attributes* are the observable features of the conferee system under study (a government, organization, regime, etc.). Does the business operate in a way that is consistent with the values of its customers, workers, investors, and other stakeholders? Do government officials treat citizens with respect, according to the citizens' definition of respectful treatment? Do leaders share similar ideological or religious beliefs as constituents? If yes, referees are likely to consider the business, government, or leaders worthy of their support.

- *Legitimacy is bilateral.* Worthiness of support is a two-way street. It is common to talk about the legitimacy of a state according to its citizens: citizens judge whether state institutions are worthy of their support, and if so, they comply with legitimate state demands (obey laws, pay taxes, etc.). It is equally important, however, to talk about the legitimacy of the citizenry according to state officials. For a political system to be stable, not only do the people need to consider their rulers worthy of support, but the rulers need to consider the people worthy of citizenship, worthy of providing services to, and worthy of being governed and not merely controlled. Similarly, if corporations in regulated industries believe regulators have the right to issue rules, and regulators believe those companies have the right to make a profit, the system will likely run smoothly. A failure of legitimacy in one direction of that relationship, however, could distort the economy or corrupt the political system. Where legitimacy is not bilateral, frictions in the system will develop that significantly increase the costs of getting things done.
- *Legitimacy is unobservable.* There are, however, ways to measure phenomena that cannot be directly observed. One can theorize about the causes of the phenomenon and how they interrelate, then measure indicators representing those causal factors. The five dimensions of legitimacy discussed above should be used as a guide to finding causal indicators. One can also consider the effect that the unobservable phenomenon has on the world, then measure an indicator for that effect. Since legitimacy is a worthiness of support, an indicator that measures support can be used as an effect (or proxy) indicator of legitimacy. This framework uses both proxy and causal indicators.

## Assessing Legitimacy and Illegitimacy

With the foregoing information it is possible to construct an assessment framework. To illustrate its use, examples will be drawn from the first case to which this framework was applied: the legitimacy of gang governance in the slums of Medellín, Colombia, during its most violent period. But the same analysis can be used to study the dynamics of support or opposition for a company, a regime, a sector, or just about any system or relationship.

The first step of a legitimacy assessment is to answer three questions: (1) *Legitimacy of what?* This identifies the conferee, or the unit of analysis, whose legitimacy is being

assessed. In the example, the conferee is the youth gang that controlled the community. (2) *Legitimacy according to whom?* This identifies the referee, the people whose judgments about legitimacy are to be taken into consideration. In the example, the referees are the people who lived in the community the gang controlled. (3) *Legitimacy by what criteria?* This is the first step in identifying the indicators through which judgments about legitimacy will be assessed. It requires a bit of study about the referee population. What are the norms and expectations of the people who live in the community under study? In what aspects of their lives do they most value predictability? What moral values have the greatest influence over how actions and outcomes are judged and justified? By what criteria do they evaluate merit, desert, and equality? How much access do they believe they should have over decisions that affect their lives (e.g., selection of leaders, resolution of conflicts), and what kinds of decisions do they or do they not want some degree of influence over? What are the cultural norms for respectful treatment?

Once this information is collected, indicators need to be identified. Three measurement strategies can be used, and the choice will determine the types of indicators to seek:

- *Qualitative.* Using documents, interviews, and data, a qualitative legitimacy assessment provides a rich contextual understanding of the relationships or system, structured according to the indicators identified above (predictable aspects of the relationship, judgments about values and fairness, etc.).
- *Mixed.* The method is the same, but a mix of qualitative and quantitative data are analyzed to determine whether an indicator is positive (indicating legitimacy), negative (indicating illegitimacy, or worthiness of opposition), or neutral (worthiness of neither support nor opposition), and whether each indicator seems to be rising, falling, or static.
- *Quantitative.* In this strategy, the analyst creates a mathematical model of how the indicators interrelate, then produces a scale, simulation, or some other numerical representation of the dynamics of legitimacy.

The specific indicators to be collected will depend on how much time and resources are available for the analysis. There are four levels of sophistication of a legitimacy assessment: a rapid assessment, a multilevel assessment, a bilateral assessment, and a comprehensive assessment. All are multidimensional, that is, they require information to be collected for all five sets of causal indicators (predictable, justifiable, equitable, accessible, and respectful) and for a set of proxy indicators (for overall support or opposition).

- A *rapid assessment* evaluates indicators only at the system level (e.g., the gang's worthiness to govern). For a rapid assessment, the analyst needs to identify only system-level indicators (e.g., information and data about the gangs and their behavior), not individual- or group-level indicators. This assessment determines whether the data for each indicator suggest legitimacy (support, or a positive value), illegitimacy (opposition, or a negative value), or neutrality (neither support nor opposition, or a value of zero) and how that is changing over time: growing support (legitimation),

declining support (delegitimation), growing opposition (illegitimation), declining opposition (neutralization), or a static state. Consistency across indicators is what is evaluated: if all indicators are positive (or most are positive and some are neutral), that suggests legitimacy; if all are positive or neutral and some or all are increasing, that suggests legitimation. If some indicators are positive and some are negative, that suggests that something other than legitimacy, such as coercion or self-interest, is defining the relationship. A rapid assessment is useful when a first impression is needed, time is short, or adequate resources for a more sophisticated assessment are not available. Unless the analyst has a deep familiarity with the local culture, however, this approach risks a misreading of the nature of the relationships under study, especially in situations where local expectations differ from the analysts' biases.

- A *multilevel assessment* looks at indicators at the individual and group levels as well as at the system level. For example, it assesses the community's beliefs (individual level) and behaviors (group level) to see if they suggest support for the gang, as well as assessing the gang's treatment of the community (system level). At each level, information and data are collected for all five sets of causal indicators (predictable, justifiable, equitable, accessible, and respectful) and for at least one proxy for overall support. A multilevel assessment overcomes some of the limitations of the rapid assessment by introducing a validation test (comparing findings across levels). This also makes it possible to determine whether it is legitimacy that defines the relationship or it is something else, such as coercion or barter, that defines the relationship. If individuals say they believe something is worthy of their support, and they behave in ways that demonstrate such support, and if the entity in question has publicly observable features (e.g., their treatment of the community) that are consistent with the values and interests of the community under study, then the indicators are consistent across all three levels of analysis. Consistency across levels suggests any observed support is likely motivated by judgments about values, norms, or moral duty: it is legitimacy that defines the relationship. If, however, the indicators at one level are negative or decreasing (indicating opposition or falling support)—even if indicators at other levels are positive or rising—then that suggests that any observed support is derived from something other than legitimacy, such as self-interest, fear, or deception.
- A *bilateral assessment* is a multilevel assessment that evaluates legitimacy in both directions of the relationship (e.g., the gang's view of the legitimacy of membership in the community, as well as the community's views of the legitimacy of the gang's governance). In the terminology of this framework, the assessment evaluates the legitimacy of the conferee according to the referees, then repeats the analysis by treating the referees as the conferee and vice versa. For example, in addition to analyzing how members of the community view the gang's worthiness of support, the bilateral assessment also analyzes how members of the gang view the worthiness of the community. Is the community reliable, effective at maintaining order, and transparent about its demands and needs? Does the community have a set of values the gangsters find contemptible? Do community members treat the gangsters as well

as they treat others? There is likely to be significant overlap in indicators. When gangsters volunteer to participate in a community-sponsored event, that can be considered a proxy indicator that they believe the community is worthy of their support (legitimacy of the community according to the gangs), but it can also be considered a system-level indicator that they merit the community's support in turn (legitimacy of the gang according to the community). This approach gives a comprehensive view of the dynamics of legitimacy in the particular relationship under study.

- A *comprehensive assessment* is a series of bilateral assessments focusing on different stakeholders (e.g., gang-community and community-gang, gang-government and government-gang, gang-police and police-gang). Support and opposition can come from multiple sources. If the point of a legitimacy assessment is to determine the likelihood that the gang—or a government, business, organization, and so on—might enjoy support or face opposition in the future, then it makes sense to assess its relationships with other stakeholders who are positioned to be actual or potential supporters or opponents as well.

Assessing legitimacy using this general framework should prove useful for decision-makers who have a need to understand the sources, status, and likely changes in the levels of support or opposition that their own organization or institution—or that of a competitor or partner—can expect from different stakeholders.



# 1 | Introduction

*The question may be discussed thus: a prince who fears his own people more than foreigners ought to build fortresses, but he who has greater fear of foreigners than of his own people ought to do without them. . . . Therefore, the best fortress is to be found in the love of the people, for although you may have fortresses they will not save you if you are hated by the people. When once the people have taken arms against you, there will never be lacking foreigners to assist them.*

*Niccolò Machiavelli (1513)<sup>1</sup>*

Legitimacy is a fundamental concept in several fields of human knowledge. It plays an important role in policy and doctrine for diplomacy, development, warfare, and other endeavors and has long been an important topic in the political, sociological, anthropological, psychological, philosophical, business management, and organizational studies literature. Because people are motivated to voluntarily support that which they consider to be “legitimate,” legitimacy is said to explain the stability of organizations, institutions, regimes, and other social, economic, and political systems. If legitimacy is correlated with stability, then those who are interested in building and sustaining an institution, a set of relationships, a set of rules, or a distribution of power, wealth, prestige, or status must be interested in understanding, achieving, and maintaining its legitimacy. Likewise, those who are interested in changing those institutions, relationships, rules, and distributions must be interested in understanding and challenging their legitimacy. This is true of politics, warfare, business competition, scientific knowledge, and interpersonal relationships alike. The demand for better ways to measure, analyze, and assess legitimacy is high and long-standing.

Theories of “rational choice” have dominated the fields of political science, economics, and to some degree policy studies for several decades, so it is worth briefly considering what distinguishes that set of theories from theories of legitimacy. Karol Soltan has said that the entire literature on rational-choice theory can be summarized in four words: “People respond to incentives.”<sup>2</sup> I would argue, albeit less succinctly, that the entire

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1. Niccolò Machiavelli, *The Prince*, trans. Luigi Ricci and Eric Reginald Pearce Vincent (New York: Mentor/Penguin, 1935 [1513]), 108.

2. Karol Soltan, personal communication, April 8, 2008.

literature on legitimacy is a series of variations and elaborations on an equally simple observation: *People are motivated by what is right*. Incentives certainly matter, especially in the short term, but what people think is right matters as well.

In any human endeavor, people can be induced to behave in certain ways through the application or manipulation of external incentives. But external incentives are costly in both effort and resources. People are self-motivated to behave in ways that are consistent with their own views of what is right and wrong, what is good and bad, and what is virtuous and vicious. Therefore, systems of rules and relationships consistent with such views tend to be less costly and more stable in the long run.

Adding the logic of legitimacy to the logic of incentives helps make certain academic and policy puzzles more understandable. For example, the problem of collective action is a common puzzle in political science. It posits that certain activities—namely, those that would benefit some group of people but that are costly to initiate—would not take place unless selective incentives were available to someone who might initiate them. Clearly, however, collective action regularly takes place without such incentives: associations are founded, movements are started, and so on. When a few individuals actually initiate activities that benefit a larger group of people without also selectively benefiting themselves, their behavior presents no puzzle to those of us who assume that people are motivated by—and are sometimes willing to sacrifice for—what they think is right. It presents a real puzzle only if one assumes that people merely respond to incentives.

Likewise, when policymakers—not only for states but for nonstate actors, nonprofit organizations, businesses, and any other type of institution—assume that people only respond to incentives, they sometimes encounter a puzzle of perverse results. The day care center that wants parents to pick up their children on time implements a policy to fine those who are late but finds that the parents no longer consider showing up on time to be a moral imperative. Because the fine is now equivalent to a fee for service (the service being extended-hours daycare), lateness actually increases as a result.<sup>3</sup> Likewise, in a violent conflict over something the contenders consider to be sacred rather than material, offering material incentives in exchange for compromise is often taken as a deep insult and can trigger an increase, rather than a decrease, in violence.<sup>4</sup> People might be less willing to help a friend load furniture into a moving van if they are offered money than if they are offered nothing more than gratitude: in one scenario it is labor and the pay is perhaps not worth the effort; in the other it is a favor to a friend, something offered gladly and without ulterior motive.<sup>5</sup> “Teachers incentivized to produce higher test scores get higher test scores but not better-educated students. CEOs incentivized to improve the performance of the company’s shares improve the performance of the company’s shares but not the

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3. Uri Gneezy and Aldo Rustichini, “A Fine Is a Price,” *Journal of Legal Studies* 29, no. 1 (2000).

4. Jeremy Ginges et al., “Sacred Bounds on Rational Resolution of Violent Political Conflict,” *Proceedings of the National Academy of Sciences* 104, no. 18 (2007): 7357.

5. James Heyman and Dan Ariely, “Effort for Payment: A Tale of Two Markets,” *Psychological Science* 15, no. 11 (2004): 787.

performance of the company.”<sup>6</sup> As the psychologists who developed self-motivation theory put it (with respect to work environments, but equally applicable in other contexts):

Humans are inherently motivated to grow and achieve and will fully commit to and engage in even uninteresting tasks when their meaning and value is understood. . . . Carrot and stick approaches to motivation . . . lead to a heightened focus on the tangible rewards of work rather than on the nature and importance of the work itself. Such approaches can create short-term productivity increases by controlling people’s behavior, but the resulting motivation is of poor quality—it is unsustainable and . . . tends to undermine intrinsic interest in work. [Focusing on] and [nurturing an interest in] the intrinsic importance of work . . . has been shown to link to better performance, especially in the complex, creative, and heuristic tasks that increasingly characterize modern work.<sup>7</sup>

Or as Mark Twain’s Tom Sawyer once learned: “Work consists of whatever a body is *obliged* to do, and . . . Play consists of whatever a body is not obliged to do.”<sup>8</sup>

In short, people do respond to incentives, but they also are motivated by what is right or what they believe is right.

This report analyzes the concepts of legitimacy and illegitimacy, discusses some issues involved in measuring them in the real world, and introduces a new multidimensional, multilevel, bilateral framework for assessing the dynamics of legitimacy and illegitimacy.

Chapter 2 is a short intellectual history of legitimacy from ancient Greece, through ancient India and the European classics, to efforts during the past century to understand and measure it. (Readers uninterested in a review of the scholarship in political philosophy, the social sciences, psychology, organizational studies, military doctrine, and other disciplines and subdisciplines may skip this chapter.)

Chapter 3 provides the definitions of legitimacy, illegitimacy (a new conceptualization), and related terms used for this report and briefly considers how legitimacy relates to the concepts of loyalty, support, right, duty, imitation, expertise, and leadership. This discussion exposes not just what legitimacy and illegitimacy are but what they are said to *do*: legitimacy motivates compliance, illegitimacy motivates opposition; legitimacy reduces transaction costs, illegitimacy increases transaction costs; legitimacy sustains, illegitimacy impedes. Other phenomena or behaviors—agreement, habit, seduction, persuasion, compromise, force, coercion, barter, and deception—can achieve similar outcomes to what legitimacy does. They therefore can be mistaken for legitimacy or can be used as alternatives to legitimation. These “alternatives” to legitimacy complicate efforts to measure it:

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6. Barry Schwartz and Kenneth Sharpe, “The Wrong Cure: Better Incentives, for Doctors or Insurers, Won’t Lead to Better Health Care,” *Slate*, <http://www.slate.com/id/2224193>.

7. Dan N. Stone, Edward L. Deci, and Richard M. Ryan, “Beyond Talk: Creating Autonomous Motivation through Self-Determination Theory,” *Journal of General Management* 34 (2009): 75 (authors’ citations omitted).

8. Mark Twain, *The Adventures of Tom Sawyer* (New York: Harper & Brothers, 1920 [1875]), 19 (emphasis in original); see same quote in James Heyman and Dan Ariely, “Effort for Payment: A Tale of Two Markets.”

since legitimacy is an unobservable (or “latent”) phenomenon, one can rarely be fully confident that what one is measuring is legitimacy and not something else. That is the main problem faced by all methods to measure or assess legitimacy.

To help overcome this problem, Chapter 3 introduces key questions that need to be answered before legitimacy can be assessed: *Legitimacy of what? Legitimacy according to whom? And Legitimacy by what criteria?* From these questions comes a discussion of the measurement framework itself, which lays out the different legitimizing characteristics that a role, policy, distribution, or structure might have (predictable, justifiable, equitable, accessible, and respectful) and the different levels at which they might be measured (individual beliefs, group behaviors, and system features). This chapter also identifies a provisional set of indicators that may be evaluated to determine the degree to which nonstate, state, and community actors might be considered legitimate. (Readers uninterested in the technical details underpinning the assessment framework may skip Chapter 3.)

In Chapter 4, I offer a new method for assessing legitimacy, based on the framework introduced in Chapter 3. After summarizing the key concepts introduced in Chapters 2 and 3, instructions for carrying out an assessment of legitimacy are offered at four levels of complexity: a rapid assessment based strictly on the analyst’s interpretation of the legitimacy of whatever system, institution, and so on, is being assessed; a multilevel assessment analyzing indicators at the individual, group, and system levels; a multilevel, bilateral assessment analyzing those same indicators in two directions; and a comprehensive assessment repeating the analysis for the full range of relationships in the system. The key to determining the degree of legitimacy is to compare indicators across levels (are they positive or negative, increasing or decreasing, etc.?). Positive or increasing indicators in all levels suggest higher legitimacy; disagreement across levels suggest something other than legitimacy (e.g., coercion or barter); negative or decreasing indicators in all levels suggest lower legitimacy or illegitimacy. This method should prove useful for decisionmakers who have a need to understand the sources, status, and likely changes in the levels of support or opposition their own (or their competitor’s or partner’s) system or institution can expect from different stakeholders.

## 2 | An Intellectual History of Legitimacy

Thucydides, writing of an ancient war, published the first document that survived history with an extended discussion of legitimacy (the concept if not the term). In his *History of the Peloponnesian War*, the Greek historian imagines the dialogue between representatives of the island of Melos, who had wished to stay neutral in the war between Athens and Sparta, and representatives of Athens, who wanted to take over the strategically located island.

The Athenians offered the Melians a chance to surrender or die, pointing out that their force was so superior that resistance would be futile and deadly. The Melians offered a series of pragmatic and increasingly preposterous (in Thucydides's telling) arguments as to why the Athenians should let them remain neutral and not take over their island. Implicit to some of their initial arguments was the credible moral claim that attacking or enslaving the Melians would violate principles of honor and right action, principles held by Athenians and Melians alike: just because the Athenians would easily win the battle did not mean it was right that they should wage it. The Athenians retorted that "the strong do what they can and the weak suffer what they must"—a death sentence to the Melians. That retort was essentially the same argument that Thrasymachus later made to Socrates, in Plato's account, regarding what justice entails and implies.<sup>1</sup> But the Melians' pragmatic response to the Athenians is in some ways more satisfying than Socrates's airy response to Thrasymachus (and, later, Glaucon). They said that if Athens attacked Melos, the other neutral islands would learn about it and, fearing the same fate, would band together in self-defense. In short, they argued, power unchecked and illegitimate is unsustainable, as it tends to trigger opposition. The Athenians responded that they would take their chances. And indeed even after they besieged the island, annihilated the men, and enslaved the women and children, the other neutral islands did not band together as the Melians had hopefully predicted.

The Melians were implicitly, if ineloquently, trying to tell the Athenian invaders something about legitimacy and illegitimacy that history has long demonstrated, namely, that legitimacy contributes to long-term stability while illegitimacy contributes to short-term

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1. Thucydides, *The History of the Peloponnesian War*, trans. Richard Crawley, vol. 6, Great Books of the Western World (Chicago: Encyclopædia Britannica, 1952 [431 BCE]), book V; Plato, *The Republic of Plato*, trans. Francis MacDonalld Cornford (New York: Oxford University Press, 1945 [370 BCE]), book I.

instability. They were hoping that, if the Athenians did not buy a moral argument about the legitimacy of their proposed actions, they would buy a military argument about the consequences of illegitimate action. Illegitimacy triggers opposition. Opposition can be overcome, but overcoming it is costly. Unfortunately for the Melians, Athens had enough resources dedicated to overwhelming power that it was able to overcome their opposition. (It is doubtful that any surviving Melians would have taken comfort in learning that Athens did end up losing the war and its empire anyway.)

Since then, writers interested in the Melians' moral argument have studied the role of legitimacy in maintaining stability or, less commonly, the role of illegitimacy in undermining stability, while writers interested in the military argument have focused both on legitimacy as something to be earned and on illegitimacy as something to be avoided. In fourth-century BCE Greece, Aristotle, concerned with how to live a good life and create a just political system, was interested in the legitimacy of constitutions and of the distributions of the rewards of social life. In third-century BCE India, Ashoka, concerned with right conduct and the stability of his empire, acted on his belief in the legitimizing influence of transparent rules, public deliberation, and respect for differences. In sixteenth-century Italy, Niccolò Machiavelli, concerned with how politicians remain in power, was interested both in how illegitimacy is avoided and how legitimacy is earned, paying attention, for example, to the public behavior of leaders and to their effectiveness as leaders within the limits of what was acceptably cruel. In seventeenth-century England, John Locke, concerned with how governments should operate, was interested in the sources of legitimacy, concluding that the consent of the governed is the most important. In eighteenth-century France, Jean-Jacques Rousseau combined Machiavelli's concern for the sources of stability with Locke's concern for the sources of legitimacy and concluded that consent of the governed is the main source of both. In nineteenth-century Germany, Karl Marx and Friedrich Engels, concerned about the well-being of the working classes, were interested in the legitimizing myths that the ruling classes imposed upon society as a way to maintain disparities in wealth and power. And in early twentieth-century Germany, Max Weber described the processes through which social order is maintained, linking individual belief to group behavior in the first multilevel theory of the legitimation of social orders and thereby bringing the study of legitimacy out of the realm of political philosophy and into the realm of social science.<sup>2</sup>

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2. Aristotle, *Politics*, trans. Ernest Barker and R. F. Stalley, *The World's Classics* (New York: Oxford University Press, 1995 [330 BCE]); Ven. S. Dhammika, *The Edicts of King Asoka: An English Rendering* (Barre, Mass.: The Buddhist Publication Society and DharmaNet, 1993 [ca. 257 BCE]), <http://www.cs.colostate.edu/~malaiya/ashoka.html>; Amartya Sen, "Why Democratization Is Not the Same as Westernization: Democracy and Its Global Roots," *New Republic* 229, no. 14 (2003): 28; Niccolò Machiavelli, *The Prince*; John Locke, "An Essay Concerning the True Original, Extent, and End of Civil Government," in *Social Contract: Essays by Locke, Hume, and Rousseau*, ed. Ernest Barker, *The World's Classics*, No. 511 (New York: Oxford University Press, 1960 [1690]); Jean-Jacques Rousseau, "The Social Contract," in *Social Contract: Essays by Locke, Hume, and Rousseau*, ed. Ernest Barker, *The World's Classics*, No. 511 (New York: Oxford University Press, 1960 [1762]); Karl Marx and Friedrich Engels, *The German Ideology*, trans. W. Lough and C. P. Magill (London: Lawrence & Wishart, 1938 [1845]); Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (New York: Bedminster Press, 1968 [1914]).

Most of these and other authors never used the term *legitimacy* in their writings (Weber was the most important exception). But the underlying dynamics they discussed were the same. The term *legitimacy* was not commonly used in English to describe the set of phenomena it is currently associated with until the twentieth century. It derives from the Latin *lex* (law) and *legitimus* (lawful), and from Medieval Latin's *legitimare* (to make or declare to be lawful) and its past participle *legitimus*, which entered Middle English around 1494 as *legimat*. But the context in which this form was used in Middle English was initially restricted to questions regarding rights to inheritance (of goods or titles) by children born outside of legally, religiously, or socially sanctioned marriages; such a child in a royal family, for example, could not become king or queen, or one from a common family could not presume to have the same right as his or her half-siblings to inherit their parents' property. The term *illegitimate* entered English around 1536 to refer to those children born out of wedlock. In the seventeenth century, *legitimate* was becoming used more in line with the Latin original, to refer to something in accordance with laws or norms (and not just those regulating the rights of children born out of wedlock), and by the early nineteenth century, this usage broadened further to refer to accordance with fact ("genuine, real").<sup>3</sup> As the laws regulating the rights of illegitimate children were liberalized over time, the emphasis in the term's usage shifted increasingly toward the more general sense (of accordance with laws, facts, rules, norms, expectations, and so on) such that by the twentieth century this broader sense came to dominate usage.

When something is or someone acts in accordance with these standards, what is the result? In other words, what does legitimacy *do*? Morris Zelditch, Jr., reviewed 24 centuries' worth of literature on legitimacy and found a broad range of circumstances in which it has been found to play a role. He summarized what legitimacy entails and what it produces: "legitimacy is always a matter of voluntarily accepting that something is 'right,' and its consequence is always the stability of whatever structure emerges from the process."<sup>4</sup> To this formulation, most theories of legitimacy do little more than offer useful complications. Many of those complications have to do with the mechanisms through which legitimacy is said to bring about stability: Some have said legitimacy induces voluntary compliance, a mechanism for stabilizing relationships (or systems) of authority or dominance. Others have said legitimacy validates certain patterns of behavior and thereby provides a predictable regularity, and therefore stability, to social structures, political systems, and social orders in general. Others have said it encourages political participation or social actions that demonstrate or reinforce support. Still others have said it lowers the barrier to entry into markets or the cost of controlling territory or other resources. Some of these mechanisms are discussed presently.

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3. Online Etymology Dictionary, s.v. "legitimate" and "illegitimate," <http://www.etymonline.com>; The Concise Oxford English Dictionary of Etymology, s.v. "legitimate," <http://www.encyclopedia.com/doc/1027-legitimate.html>.

4. Morris Zelditch, Jr., "Theories of Legitimacy," in *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*, ed. John T. Jost and Brenda Major (New York: Cambridge University Press, 2001), 33–53.

Weber defined the term *domination* as “the probability that a command with a given specific content will be obeyed by a given group of persons”<sup>5</sup> and said that “the legitimacy of a system of domination may be treated sociologically only as the probability that to a relevant degree the appropriate attitudes will exist, and the corresponding practical conduct ensue.”<sup>6</sup> The “appropriate attitudes,” he argued, have to do with people’s beliefs about what makes the system legitimate. The grounds for those beliefs, he argued, may be

- *rational* (“resting on a belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands”),
- *traditional* (“resting on an established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them”), or
- *charismatic* (“resting on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him”).<sup>7</sup>

In other words, the presence of belief in legitimacy is an indicator of legitimacy.

The “corresponding practical conduct” that ensues from these beliefs is not merely compliance with a command, according to Weber, but just about any action consistent with what he called a “valid” social order. The presence of such behaviors is also an indicator of legitimacy. Weber argued that many individuals behave in ways that seem to derive from a personal belief in certain “maxims” (norms, values, principles, symbols, etc.) about what counts as a duty or as proper behavior. The fact that many such individuals behave that way creates a general expectation that behaving in contrary ways will result in social disapproval or legal sanction. “Proper” conduct therefore becomes routinized, defined as normal, and, in Weber’s term, *validated*. And so even if some individuals do not themselves believe in the maxims that they believe others believe in, those nonbelievers nevertheless orient their own actions toward an understanding that a social order based on belief in those maxims does nevertheless exist.

In other words, according to Weber, what makes a social order valid is the fact that people usually act as if they believe that *others* act as if *they* believe in the existence of a set of legitimate maxims for duty and proper conduct, and this validation of proper conduct is what makes the social order stable.<sup>8</sup>

Following Weber, Sanford M. Dornbusch and W. Richard Scott used the term *propriety* to refer to personal (individual-level) judgments about the legitimacy of the values, norms, symbols, practices, and so forth, of organizations, and *validity* to refer to organizational (group-level) judgments about what is legitimate. Actions undertaken to support those values, norms, practices, and so on, were called *endorsement* when undertaken by

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5. Max Weber, *Economy and Society*, 53.

6. *Ibid.*, 214.

7. *Ibid.*, 215.

8. *Ibid.*, 31.

individuals and *authorization* when undertaken by the group.<sup>9</sup> Zelditch and Henry A. Walker drew on this terminology to argue that validity is the main process that maintains stability, as Zelditch explained:

Validity has a straightforward social influence effect on propriety, and therefore has a canceling effect on impropriety. But in addition, it embeds the norms, values, beliefs, practices, and procedures of a group in a system of social controls, creating expectations of both authorization and endorsement if they are violated, which also counteract pressures to change.<sup>10</sup>

In short, what Weber and his followers have said legitimacy does is two things: at the (micro) level of individual interaction, legitimacy generates voluntary compliance with commands, and at the (macro) level of the system or social order as a whole, it generates and validates a more complex and diffuse set of behaviors that tend to sustain a social order. Legitimacy, in other words, induces voluntary compliance and generates social stability. Most subsequent writing on legitimacy has elaborated, complicated, or contested his findings.

In the middle of the twentieth century, the political sociologist Seymour Martin Lipset shifted the conversation from the legitimation of social orders to the legitimation of political systems. “Legitimacy involves the capacity of a political system to engender and maintain the belief that existing political institutions are the most appropriate or proper ones for the society.” Lipset focused specifically on the legitimacy of states and in particular on the legitimacy of democratic states and the complex ways in which stability, economic development, effectiveness, and legitimacy affect each other. Like Weber, he argued that legitimacy derives in part from beliefs about what counts as valuable, but he made an important extension by arguing that the legitimacy of a system derives at least in part from the effectiveness of the system: “The extent to which contemporary democratic systems are legitimate depends in large measure upon the ways in which the key issues which have historically divided the society have been resolved.”<sup>11</sup> And so Lipset was less concerned about the compliance action of legitimacy than about its effects on the stability of the overall system.<sup>12</sup>

In this he was not alone. In the middle of the century, in the context of a Cold War in which it was not yet clear whether democratic or Communist systems would prevail, most English-language authors who wrote about legitimacy (mainly, political sociologists and political scientists) were concerned about questions of political stability, and especially the

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9. Sanford M. Dornbusch and W. Richard Scott, *Evaluation and the Exercise of Authority*, 1st ed. (San Francisco: Jossey-Bass, 1975).

10. Morris Zelditch, Jr., “Theories of Legitimacy,” citing Morris Zelditch, Jr., and Henry A. Walker, “Legitimacy and the Stability of Authority,” in *Advances in Group Processes*, ed. Edward J. Lawler (Greenwich, Conn.: JAI Press, 1984), 1.

11. Seymour Martin Lipset, “Some Social Requisites of Democracy: Economic Development and Political Legitimacy,” *American Political Science Review* 53, no. 1 (1959): 69.

12. Seymour Martin Lipset, *Political Man: The Social Bases of Politics*, expanded ed. (Baltimore: Johns Hopkins University Press, 1981 [1961]).

stability of democracies. Amid that era's rapid growth in the availability of comparative country data, the political scientist David Easton encouraged the development of more systematic frameworks to organize the data so that the stability of political systems might be studied more scientifically. Defining *politics* as the "authoritative allocation" of a society's values (wealth, power, prestige, etc.), Easton analyzed legitimacy within a framework of support for such allocations. Such political support, he argued, can be offered either to specific political authorities within the system or to more diffuse structures, such as the political community or the political system as a whole.<sup>13</sup> In other words, like Weber, Easton found that legitimacy has both specific and diffuse forms (and therefore should be expected to have both specific and diffuse effects).

Those who followed Easton's lead—and there were many—focused as he did on the role of political support in sustaining political systems, but much of the empirical evidence for their research ended up coming from data about political participation and from survey data about trust in government. Russell J. Dalton, for example, studied how legitimacy affects participation in advanced industrial democracies. In addition to providing empirical support for the multidimensionality of Easton's framework (i.e., the specific and diffuse forms of legitimacy), Dalton's work was an important contribution to a string of studies that cumulatively suggested that legitimacy, in addition to inducing compliance and generating stability, also increases political participation.<sup>14</sup> In that line of research, participation was considered a reflection of consent or support for the system.

But this line of research became increasingly disheartening to democrats as the century progressed: the traditional measures of political participation were found to be in a long, steady decline among Western democracies, as were the scores on opinion surveys about trust in government, and these declines were interpreted as a decline in legitimacy. But these trends led others to question whether democratic legitimacy itself was in retreat or whether the long-understood link between legitimacy and stability was incorrect; whether legitimacy had been misconceptualized; or whether the long-used measures of participation and opinion had simply turned out to be poor indicators.<sup>15</sup>

To answer these questions, John A. Booth and Mitchell A. Seligson reviewed the literatures on declining trust in government and declining citizen participation and identified the central challenge those literatures posed:

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13. David Easton, *A Systems Analysis of Political Life* (New York: Wiley, 1965); David Easton, *A Framework for Political Analysis* (Englewood Cliffs, N.J.: Prentice-Hall, 1965).

14. Russell J. Dalton, *Democratic Challenges, Democratic Choices: The Erosion of Political Support in Advanced Industrial Democracies* (New York: Oxford University Press, 2004).

15. John A. Booth and Mitchell A. Seligson, *The Legitimacy Puzzle in Latin America: Political Support and Democracy in Eight Nations* (New York: Cambridge University Press, 2009); John A. Booth and Mitchell A. Seligson, "Legitimacy and Political Participation in Eight Latin American Countries" (paper presented at the Midwest Political Science Meeting, Chicago, April 2–4 2009); M. Stephen Weatherford, "Mapping the Ties That Bind: Legitimacy, Representation, and Alienation," *Western Political Quarterly* 44 (1991): 251.

These instances of declining legitimacy with no apparent impact on system stability nicely frame the central conundrum of research in this field. . . . What are and where are the missing effects of legitimacy's observed decline? If institutional legitimacy has indeed declined so much in recent decades, why have we not by now observed at least a few breakdowns of established democracies, or more frequent and widespread protests directed at them? And why do even the newer democracies, with significantly worse performance than developed democracies, appear to enjoy strong popular support?<sup>16</sup>

Their answer to this “puzzle” was that legitimacy researchers had for too long been measuring the wrong thing (namely, citizen participation, in the form of voting, writing to representatives, etc.) or at least were measuring it incorrectly. Previous researchers, they argued, had found that the relationship between citizen participation and legitimacy is linear, that is, lower legitimacy leads to lower within-system participation and higher protest behavior. But Booth and Seligson, looking at the range of participation behaviors in Latin America, took a more expansive view of what counts as involvement in politics, including such activities as volunteering in civil society organizations, getting involved in local government, and so on. What they found was that the relationship between participation and views of legitimacy is not linear but U-shaped: participation (both within the system and nonthreatening alternatives outside of the system) is highest among those who consider the political system to be most legitimate and also among those who consider it to be least legitimate and is lowest among those in the middle. By expanding the definition of participation to involvement in politics outside of the official channels (e.g., volunteering in civil society, participating in protests), they demonstrated that, in democracies, “citizens with low support norms can and do work for change within the system through elections and campaigns. They also seek alternative arenas for participation in civil society, community, or local government. These activities do not threaten political system stability.”<sup>17</sup>

A parallel effort to measure legitimacy started with David Beetham, a political philosopher, social scientist, and critic of Weber's conceptualization of legitimacy, particularly the way it had been used by subsequent researchers who equated legitimacy with belief in legitimacy (he therefore was implicitly criticizing the “trust in government” measures). Beetham shifted the focus from trust and participation to a conceptualization of legitimacy that he thought would make it both more realistic and more measurable. In one aspect of that conceptualization, he defined power as being “rightful or legitimate” when it “is acquired and exercised according to justifiable rules”—justifiable, he clarified, in terms of the beliefs of the society in question—and when it is acquired and exercised “with evidence of consent.” The evidence of consent that he argued should be sought was related to the idea that some forms of participation are encouraged by legitimacy: “what is important for [measuring] legitimacy is evidence of consent expressed through *actions* which are

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16. John A. Booth and Mitchell A. Seligson, *The Legitimacy Puzzle in Latin America*, 3.

17. John A. Booth and Mitchell A. Seligson, “Legitimacy and Political Participation in Eight Latin American Countries.”

understood as demonstrating consent within the conventions of the particular society.”<sup>18</sup> Taking up that theme, Bruce Gilley defined legitimacy in a way that also emphasized action: “a state is more legitimate the more that it is treated by its citizens as rightfully holding and exercising political power.” He respecified Beetham’s “acts of consent” as “positive actions that express a citizen’s recognition of the state’s right to hold political authority and an acceptance, at least in general, to be bound to obey the decisions that result.”<sup>19</sup> Legitimacy, in other words, is not simply a reflection of belief but is reflected in the accord between individual beliefs and system features and is indicated by the presence of acts of consent.

The Beetham and Gilley formulations pulled together the separate threads of what political sociologists and political scientists had been saying about what legitimacy does in or for political systems: it induces voluntary compliance and encourages participation (acts of consent), and by doing so, it generates stability.

Interest in studying the legitimacy of entities other than states, political systems, and social orders grew stronger in the last quarter of the twentieth century, particularly in the fields of organizational studies and business management. Summarizing that literature, Tatiana Kostova and Srilata Zaheer wrote: “Scholars have defined organizational legitimacy as the acceptance of the organization by its environment and have proposed it to be vital for organizational survival and success.”<sup>20</sup> Their article was not explicit, but by *acceptance* they seemed to mean *lack of opposition* in the form, for example, of demonstrations, boycotts, or campaigns to have operating licenses revoked, applications rejected, or duties imposed. Survival is a species of stability (so this is consistent with previous literature), but what of success? Again, the authors were not explicit, but in the case of for-profit businesses, the subject of their study, the organizational literature suggests that legitimacy keeps operating costs low and lowers the barriers to entry into markets and thereby helps increase profit; for nonprofit organizations, presumably legitimacy also lowers operating costs, although in their case cost would be measured, perhaps, more by the amount of effort or the number of staff-hours or volunteer-hours than by the amount of money required to fulfill their objectives.

By the 1980s and 1990s, the work on legitimacy that had been done by organizational sociologists was encouraging social psychologists to take a look at the concept.<sup>21</sup> The most important relevant work that had been done in that field before then had been by Henri Tajfel, who in the 1970s had developed social-identity theory by placing research subjects arbitrarily into different groups and observing that, even in the absence of any relevant

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18. David Beetham, *The Legitimation of Power* (Houndsmill, UK: Macmillan Education, 1991), 12 (emphasis in original).

19. Bruce Gilley, “The Meaning and Measure of State Legitimacy: Results for 72 Countries,” *European Journal of Political Research* 45, no. 3 (2006): 499–525.

20. Tatiana Kostova and Srilata Zaheer, “Organizational Legitimacy under Conditions of Complexity: The Case of the Multinational Enterprise,” *Academy of Management Review* 24, no. 1 (1999): 64.

21. John T. Jost and Brenda Major, “Emerging Perspectives on the Psychology of Legitimacy,” in *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*, ed. John T. Jost and Brenda Major (New York: Cambridge University Press, 2001), 3.

differences in characteristics between the groups, people would develop favoritism toward members of their own group, called the *in-group*, and biases against members of the other group, the *out-group*. A puzzle in social-identity theory arose, however, when it became clear that some people had a tendency toward *out-group* favoritism, the opposite of the normal pattern. It turned out that social-identity theory could account for this by incorporating facts about social status, stability, and views of legitimacy: members of low-status groups who considered the social system to be stable and legitimate tended to accept their position in society even though they would be better off under some other arrangement.<sup>22</sup> (Similarly, Juan José Linz has made the important observation that the legitimacy of something could be measured by the degree to which the people who do not benefit from that something nevertheless support it.<sup>23</sup>)

Subsequent work during the 1990s in social-identity theory, social-dominance theory, and system-justification theory suggested a variety of mechanisms for how this and related processes operated.<sup>24</sup> These new developments, along with renewed interest in the topic by organizational theorists, encouraged two psychologists, John T. Jost and Brenda Major, to organize a conference on the psychology of legitimacy in August 1998 at Stanford University to see if they could unify some of this work. With contributions from social and organizational psychologists, organizational and political sociologists, political scientists, and experts in conflict studies and business management, the conference helped pull together some loose threads in theories of legitimacy in at least a dozen subdisciplines.<sup>25</sup> Most of the chapters in the resulting edited volume, published in 2001, were collaborative efforts, some chapters were written by researchers long influential in their fields, and the overall effect of the project was a significant advance in the unavoidably interdisciplinary field of legitimacy studies.<sup>26</sup> (And yet some academics, apparently unaware of important advances in other disciplines, were still complaining—several years after that volume was published—that “Few books about legitimacy have been published in the last decade” and “This whole field of study needs much firmer links to psychology.”<sup>27</sup>) Some of these developments are incorporated in the framework introduced in the following chapters.

In practical matters, the concept of legitimacy got a significantly higher profile in Western military doctrine during the mid-2000s, when the U.S. occupation of Iraq was

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22. See, for example, Henri Tajfel, Colin Fraser, and Joseph Maria Franciscus Jaspars, eds. *The Social Dimension: European Developments in Social Psychology* (New York: Cambridge University Press Editions de la Maison des Sciences de L'Homme, 1984), and others cited in John T. Jost and Brenda Major, “Emerging Perspectives on the Psychology of Legitimacy.”

23. Juan J. Linz, “Crisis, Breakdown, and Re-Equilibration,” in *The Breakdown of Democratic Regimes*, ed. Juan J. Linz and Alfred C. Stepan (Baltimore: John Hopkins University Press, 1978).

24. See John T. Jost, Diana Burgess, and Christina O. Mosso, “Conflicts of Legitimation among Self, Group, and System: The Integrative Potential of System Justification Theory,” in *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*, ed. John T. Jost and Brenda Major (New York: Cambridge University Press, 2001).

25. John T. Jost and Brenda Major, “Emerging Perspectives on the Psychology of Legitimacy.”

26. John T. Jost and Brenda Major, eds., *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations* (New York: Cambridge University Press, 2001).

27. Lynn T. White, *Legitimacy: Ambiguities of Political Success or Failure in East and Southeast Asia*, vol. 1, Series on Contemporary China (Hackensack, N.J.: World Scientific, 2005), 3 and 26.

challenged by a growing insurgency and it had become clear that the American stabilization strategy was failing. Commanders in the field and researchers back at home started digging for a new approach, based on history, experience, and previous studies of insurgency and counterinsurgency. A flurry of published articles noted the key role of legitimacy in the classics of counterinsurgency (COIN) doctrine, and some argued in favor of a new U.S. COIN strategy with legitimacy at its core (while others argued against it).<sup>28</sup> The U.S. Army and Marine Corps took the raw material of the old Marine Corps field manual on “small wars”<sup>29</sup> and rewrote, greatly expanded, and jointly published it as a new field manual that characterized COIN as a contest not over territory but over legitimacy.<sup>30</sup> “Successful counterinsurgents support or develop local institutions with legitimacy and the ability to provide basic services, economic opportunity, public order, and security.”<sup>31</sup> Subsequent developments in military doctrine have kept legitimacy front and center as well,<sup>32</sup> and the lesson of most of them is that legitimacy brings stability.<sup>33</sup>

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28. See, for example, Colin H. Kahl, “Coin of the Realm: Is There a Future for Counterinsurgency?,” *Foreign Affairs* 86, no. 6 (2007): 169; Edward N. Luttwak, “Dead End: Counterinsurgency Warfare as Military Malpractice,” *Harper’s Magazine* 314, no. 1881 (2007): 33; John A. Lynn, “Patterns of Insurgency and Counterinsurgency,” *Military Review* 85, no. 4 (2005): 22; Rod Thornton, “Historical Origins of the British Army’s Counterinsurgency and Counterterrorist Techniques,” in *Combating Terrorism and Its Implications for the Security Sector*, ed. Amb. Dr. Theodor H. Winkler, Anja H. Ebnöther, and Mats B. Hansson (Stockholm: Swedish National Defense College, 2005), 26; John A. Nagl, *Learning to Eat Soup with a Knife: Counterinsurgency Lessons from Malaya and Vietnam* (Chicago: University Of Chicago Press, 2005); Robert R. Tomes, “Relearning Counterinsurgency Warfare,” *Parameters* 34, no. 1 (2004): 16; Henry H. Perritt, Jr., “Iraq and the Future of United States Foreign Policy: Failures of Legitimacy,” *Syracuse Journal of International Law and Commerce* 31, no. 2 (2004).

29. United States Marines Corps, *Small Wars Manual*, NAVMC, 2890 (1987 reprint) (Washington: Headquarters, United States Marine Corps, 1940).

30. See John A. Nagl, “The Evolution and Importance of Army/Marine Corps Field Manual 3-24, Counterinsurgency,” Foreword to the University of Chicago Press Edition, and Sarah Sewall, “A Radical Field Manual,” Introduction to the University of Chicago Press Edition, both in U.S. Army/Marine Corps, *The U.S. Army/Marine Corps Counterinsurgency Field Manual* (Chicago: University of Chicago Press, 2007).

31. United States Department of the Army, *Counterinsurgency*, Field Manual No. 3-24, Marine Corps Warfighting Publication No. 3-33.5 (Washington: Department of the Army and Marine Corps Combat Development Command, 2006), 5-2.

32. United States Department of Defense, *Irregular Warfare (IW)*, Department of Defense Directive, 3000.07 (Washington: 2008), <http://www.dtic.mil/whs/directives/corres/pdf/300007p.pdf>; United States Department of the Army, *Stability Operations*, Field Manual, No. 3-07 (Washington: Headquarters, Department of the Army, 2008), <http://www.fas.org/irp/doddir/army/fm3-07.pdf>.

33. When the U.S. military published updates to its COIN doctrine in early 2014, the new doctrine incorporated language derived from the author’s doctoral thesis, from which the present report is excerpted. See Robert D. Lamb, “Microdynamics of Illegitimacy and Complex Urban Violence in Medellín, Colombia” (Doctoral dissertation, University of Maryland School of Public Policy, 2010).

# 3 | Concepts and Terminology

## What Is Legitimacy?

If one were to distill the essence of legitimacy from the Chapter 2 literature review, what might emerge? Karol Soltan defines *legitimacy* most succinctly, as a “right to loyalty.”<sup>1</sup> I prefer a somewhat broader (but still succinct) definition: worthiness of support. To claim that something is legitimate is to give a moral or normative reason (“it is right”) to obey, support, accept, imitate, comply with, or refrain from opposing it within some bounded range of activity or experience. To say that one should offer such support, or that something is worthy of such support, is different from saying that one merely does offer such support. Support can be externally motivated as well—it can be coerced or purchased, for example—but loyalty and self-motivated support are what make a social relationship or a governance structure (for example) legitimate, stable, and sustainable. To say that somebody or something has a *right* to one’s loyalty or support implies that somebody else has a (self-recognized) *duty* or a moral, social, or legal obligation to provide that loyalty or support. *Legitimation*, sometimes called *legitimization*, is the process of granting or gaining legitimacy, sometimes involving a recategorization of something that was once not legitimate as something that is.<sup>2</sup> To *legitimize* (or to *legitimate*) is to grant or gain legitimacy.

### LEGITIMACY, LOYALTY, SUPPORT, RIGHT, AND DUTY

Both *loyalty* and *legitimacy* ultimately derive from the Latin word *lex*, meaning *law*, and both words still retain this meaning in some senses: *legitimacy* as accordance to law or to legal principles, and *loyalty* as fidelity to one’s legal obligations. Both words have evolved beyond their legal origins, however, to include accordance with other types of rules or values and other senses of duty. Loyalty, then, is a set of beliefs, feelings, and behaviors that indicate attachment, devotion, faithfulness, or fidelity and that help to sustain or deepen a relationship.

Physically speaking, to *support* something is to hold it in place, and by analogy its other meanings suggest maintenance or sustenance: to support something or someone is to help them stay where they are or get where they want to go. Financial support, for example,

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1. Karol Soltan, “Legitimacy and Power,” working paper (College Park, Md.: University of Maryland, April 2005).

2. Herbert C. Kelman, “Reflections on Social and Psychological Processes of Legitimation and Delegitimation,” in *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*, ed. John T. Jost and Brenda Major (New York: Cambridge University Press, 2001), 54.

involves providing the resources to someone who needs them to achieve a goal; moral support entails encouragement and expressions of agreement; scientific support involves demonstrating that a claim about some phenomenon is consistent with a set of already established and accepted standards; political support can involve volunteering for a campaign, publicly announcing that one wants a certain politician or party to win or remain in power, or circulating unflattering information about opponents; and so on. Loyalty and support can be purchased or bartered; feigned loyalty or support can be coerced. But when loyalty or support derives from a norm, a value, or a belief that the recipient (a person, a social order, a set of rules, etc.) deserves that loyalty or support, is worthy of it, or has a right to expect it, then it may be credibly claimed that the recipient is legitimate. Likewise, when one's opposition derives from a norm, a value, or a belief that the recipient is worthy of opposition or that one has a duty to oppose, then it may be credibly claimed that the recipient is illegitimate (see next section).

Beyond support and loyalty, which come into play in the literatures on the legitimation of power relations and social, economic, and political structures, people sometimes speak of legitimacy in terms of a worthiness of imitation or perpetuation. Consider the English language under French rule: after England was conquered in 1066 by the French Duke of Normandy, formerly Anglo-Saxon words became “vulgarity” (literally, words of the common people) while their French equivalents become “proper,” “polite,” or “educated.” Many words that are considered transgressive in English today—some of the so-called four-letter words—were originally nothing more than the language of common people. French-dominated high society was considered worthy of imitation; vulgar English farmers were not. Similarly, some academic papers are nearly unreadable, filled with jargon and long, grammatically complex sentences. In many cases, they are written that way not merely because the authors are bad writers but because they are imitating the writing style of other academics whose works are considered to be part of the canon of their field, “legitimate” (i.e., genuine) classics that had set a standard for scholarship that created a halo effect upon nonessential aspects of their works, including their bad writing style. Somehow, writing in plain English just doesn't seem “scholarly,” whereas imitating the tortured prose of the masters lends an air of credibility.

What counts as a “legitimate” (not manufactured) grievance? What makes someone count as a “legitimate” scientist, a “legitimate” physician, or, more generally, a “legitimate” expert on some given topic, beyond mere credentials? Why do some people simply seem more believable than others, or more admirable, more worthy of our trust, more worthy of our imitating them? The answer is that there is something about them that we believe is admirable, good, right, rightful, proper, or virtuous, and that somehow those individuals reflect, promote, embody, or symbolize the values that we hold most dear or the standards to which we most aspire: we have judged them worthy, somehow, of imitation, of perpetuation, and more generally of our support.

Legitimacy is not always “good” and illegitimacy is not always “bad.” As Chapter 2's discussion of social-identity theory showed, a system's legitimacy is sometimes measured

by the degree to which its low-status or most oppressed members support it. Assessing the legitimacy of a deeply entrenched caste system, one might find that members of its lowest caste have internalized its social values and consider the system to be “legitimate.” Is that a good thing? Likewise, a business might treat its customers well, operate according to law, and compete fairly in the market. But what if it applies for a license to open a new location in a community that believes only locally owned businesses are worthy of their patronage? According to that community, it is worthy of opposition—it is illegitimate—but does that make it a bad company? An ethnic elite might believe a minority is not worthy of respect, assistance, or inclusion and that racist laws are therefore legitimate. But, as in the previous examples, one can analyze the dynamics of legitimacy in that community without judging the community’s conclusions to be correct. For analytic purposes, legitimacy and illegitimacy can be treated as morally neutral concepts.

## ILLEGITIMACY AND OPPOSITION

*Illegitimacy* is not merely the absence of legitimacy (i.e., an unworthiness of support), as most uses of the term treat it. Rather, it is a worthiness of opposition. To say that something is illegitimate is to give a moral or normative reason to ignore, disobey, reject, or oppose it, actively or passively. Both an obligation of disobedience or a duty to oppose would be based on an assumption or an argument that what is to be disobeyed or opposed is illegitimate.

To illustrate the difference between legitimacy and illegitimacy, consider a hypothetical legitimacy scale, from zero to 10, in which this multidimensional phenomenon were boiled down to a single score for the purposes of comparing the legitimacy of one thing to that of another, or of tracking the legitimacy of something over time. (This is not an uncommon way to think about measuring legitimacy, and it has its merits in certain comparative pursuits.<sup>3</sup>) Most theorizing on legitimacy takes place in the range of one to 10 on this hypothetical legitimacy scale, with the higher scores representing *more legitimacy*, lower scores representing *less legitimacy*, rising scores representing *legitimation*, falling scores representing *delegitimation*, and a score of zero representing *neutrality*. (*Delegitimation* is the process of withdrawing or losing legitimacy; to *delegitimize*, or *delegitimize*, is to withdraw or lose legitimacy.)

However, a review of the literature on measuring legitimacy (summarized in the last section of this chapter) suggests that much more theorizing needs to take place, as it were, “inside the zero.” That is, theories of legitimacy need to be supplemented with independent theorizing about illegitimacy. To begin with, the hypothetical scale might be extended into negative territory, with the full range being –10 to +10. In that case, it becomes immediately apparent that there is a difference between zero and the negative numbers, with zero (neutrality) representing not only an *absence of legitimacy* but also an *absence of illegitimacy*, negative numbers representing *illegitimacy*, with scores closer to –10 representing *more illegitimate* and scores closer to –1 representing *less illegitimate*. A decline in score

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3. See, e.g., Bruce Gilley, “The Meaning and Measure of State Legitimacy”; John A. Booth and Mitchell A. Seligson, *The Legitimacy Puzzle in Latin America*.

below zero would not necessarily represent delegitimation but what might be called *illegitimation*. In delegitimation—representing a declining but still positive score, until it reaches *neutrality* at zero—people can withdraw support or withdraw *all* support from something without necessarily taking the next step of actually opposing it.

I propose, therefore, that the word *illegitimize* be used to describe the process of taking that next step, that is, going beyond merely withdrawing support and actually initiating opposition, a belief in the rightness of opposition, a duty to oppose, and so forth. In other words, *delegitimation*, the process in which a worthiness of support is lost, should be considered a separate process from *illegitimation*, the process through which a worthiness of opposition is conferred. (*Neutralization* could involve either process, as long as the goal or the end state is neutrality.) In short, we need to take a closer look at the difference between delegitimation and illegitimation and distinguish between the dynamics “at zero” and the dynamics “below zero.” It is not always clear in studies about the effects of delegitimation and what can be done to prevent it that the authors have considered whether going to zero is different from going below zero.<sup>4</sup>

Legitimacy is something that generates, among other things, voluntary compliance. Without legitimacy (or agreement or habit), compliance has to be forced, coerced, or bartered. Otherwise the result is noncompliance (see next section). But noncompliance is different from opposition. If you command me to bring you a cup of tea, it is one thing for me believe that you do not have the right to ask me for it and that I therefore do not have a duty to bring it to you (i.e., the request is not legitimate), and another thing for me to believe that it is wrong for you to have a cup of tea in the first place and that I therefore have a duty to oppose your getting it from anybody (i.e., the request is illegitimate).

## What Does Legitimacy Do?

Legitimacy is a worthiness of support (or, in some contexts, of loyalty or imitation), and illegitimacy is a worthiness of opposition. Legitimacy sustains and illegitimacy impedes. In the short term, legitimacy also induces compliance with demands and requests and encourages supportive participation and public action, while illegitimacy induces opposition. Legitimacy lowers the costs, and illegitimacy raises the costs, of sustaining an institution or a relationship. In short, legitimacy induces compliance, encourages participation, and lowers costs, and so achieves stability, while illegitimacy induces disobedience, encourages opposition, and raises costs, and so threatens stability. Are there other phenomena that can achieve the same?

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4. This is the case even in otherwise excellent work. See, e.g., Suzanne E. Fry, “When States Kill Their Own: The Legitimizing Rhetoric and Institutional Remedies of Authority Crises” (Doctoral dissertation, New York University, 2005); Joanne Martin, Maureen Scully, and Barbara Levitt, “Injustice and the Legitimation of Revolution: Damning the Past, Excusing the Present, and Neglecting the Future,” *Journal of Personality and Social Psychology* 59, no. 2 (1990): 281; Barrington Moore, Jr., *Injustice: The Social Bases of Obedience and Revolt* (White Plains, N.Y.: M. E. Sharpe, 1978); Ted Robert Gurr, *Why Men Rebel* (Princeton, N.J.: Princeton University Press, 1970).

# What Else Does What Legitimacy Can Do?

Questions of legitimacy come into play when one party makes a demand on another party who does not wish to comply. What tools are available to bring about compliance? Alternatively, when someone does comply with a command, a demand, an order, or a request, what explains that compliance? Questions of legitimacy also come into play when somebody who would not otherwise benefit from being in a system or relationship nevertheless supports it.<sup>5</sup> When one party provides support to another party, what explains that provision? When a set of relationships or rules remains stable over long periods, what explains that stability? Legitimacy is one potential explanation or tool, relevant when people think they have a duty to obey, to comply, or not to oppose, or when they think that something is worthy of their support, loyalty, participation, or imitation. But legitimacy is neither necessary nor sufficient to explain or encourage support and stability (or opposition and instability). Other things can do so as well. The remainder of this section reviews several key “alternatives” to legitimacy: agreement, habit, seduction, persuasion, compromise, force, coercion, barter, and deception.

## AGREEMENT AND HABIT

Legitimacy is a phenomenon that usually comes into play amid conflicts over interests, values, distributions, duties, desires, truth claims, and so on. To take a simple example, say I want you to bring me a cup of tea. Where there is no conflict—where there is *agreement*—legitimacy is not necessary. If it was your idea to bring me a cup of tea in the first place, it is completely unnecessary for me to request or command that you bring it to me.

Likewise *habit*: if for many years you have brought me a cup of tea every day at 4:00 p.m., it is, again, completely unnecessary for me to request that you bring it to me *this* afternoon. The pattern has been set, and, as humans are creatures of habit, it would take some event or change in situation to break the pattern. We develop daily, weekly, monthly, and other regular routines or develop certain patterns in the way we think or behave, and we tend to stick with those routines and patterns as long as the conditions under which they develop stay within certain bounds. Even when those bounds are crossed, it still might take some time for people to respond by breaking out of their usual patterns. Yet, powerful as the patterns set by habits are, they still are not based on anything more than precedent; behaviors reflecting deeper beliefs are more stable, as Weber observed:

An order which is adhered to from motives of pure expediency is generally much less stable than one upheld on a purely customary basis through the fact that the corresponding behavior has become habitual. The latter is much the most common type of objective attitude [*sic*]. But even this type of order is in turn much less stable than an order which enjoys the prestige of being considered binding, or, as it may be expressed, of “legitimacy.”<sup>6</sup>

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5. Juan J. Linz, “Crisis, Breakdown, and Re-Equilibration.”

6. Max Weber, *Economy and Society*, 31.

## SEDUCTION, PERSUASION, AND COMPROMISE

“There is only one way under high heaven to get anybody to do anything,” Dale Carnegie wrote in the most influential book on influence published in the twentieth century. “And that is by making the other person want to do it.”

Of course, you can make someone want to give you his watch by sticking a revolver in his ribs. You can make your employees give you cooperation—until your back is turned—by threatening to fire them. You can make a child do what you want it to do by a whip or a threat. But these crude methods have sharply undesirable repercussions.<sup>7</sup>

Many years ago, I read or heard—where and from whom I cannot now remember—that *seduction* is the art of “making other people think it was their idea.” We need not go into detail about what “it” entails, but suffice it to say that this definition is the distillation of centuries of wisdom about influencing other people. If somebody wants to do something, if somebody thinks doing it was his or her own idea, then that person is probably going to do it regardless of what you do or do not want them to do.

(It would be useful if there were a word in the English language that described essentially the same phenomenon as the word *seduction* but without its sexual or immoral connotations, which makes some people uncomfortable enough that the word’s mere mention can be a distraction from an otherwise serious conversation. Other words come close—co-optation, persuasion, temptation, influence, attraction, and so on—but simply do not adequately capture the dynamic involved in “making other people think it was their idea.” So I will use the term *seduction* and trust that the reader is adult enough to handle it.)

Often, to seduce means to tempt or to persuade someone to have sex or to do something considered immoral, sometimes using deception to achieve that end. But there is no necessary reason that the act in question must involve sex or must transgress social norms: people can be seduced into doing something morally neutral or morally good, as long as it is something that they had not initially been inclined to do but changed their mind. There are many different methods of seduction, such as deception and flattery, the deployment of charisma, conformity to what the other values or admires, or a longer-term project of relationship building. The essence of seduction, however, is finding a way to get others to independently change their mind or believe that it was their own idea to do the act in question or that it is something that they had wanted to do anyway. Once that is achieved—however it be achieved—the explanation for the act is little different from that of agreement: the other party wants to do it and indeed came up with the idea to do it, without realizing that the idea had in fact partly originated with the seducer or seductress.

Seduction is therefore different from both *deception* and *persuasion*. Persuasion is more explicit, normally involving an explicit statement by one party of what action is desired,

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7. Dale Carnegie, *How to Win Friends and Influence People*, revised ed. (New York: Pocket Books, 1982 [1936]), 18.

followed by argued reasons why the other party should undertake that action, often involving reference to self-interest or values or good outcomes and so on. Seduction, as noted, might involve outright deceptions—from lies to elaborate manipulations of circumstances or happenstances—but it need not do so. To the degree deception is involved, to seduce is to deceive more by omission (the failure to state one’s intentions outright) than by commission, and it might involve a great deal of truth telling, honest flattery, grooming, or merely listening and expressing interest. (See below for more on deception.)

It is instructive to note the difference in methods of seduction between two of literature’s greatest seducers: the fictional Don Juan and the historical figure Giacomo Girolamo Casanova de Seingalt. In most fictional accounts, Don Juan is so driven to be with women that he usually ends up using false flatteries and deceptions that later catch up to him: he seduces, but he does not win loyalty in the process.<sup>8</sup> Casanova, by contrast, was known as a man who knew how to listen, to ask questions, to express interest, and to be intensely attentive: he was successful, and he won the loyalty of the women he seduced.<sup>9</sup> One man was focused on short-term success and quantity, the other on long-term success and quality (in addition to quantity). The difference in the approaches is the difference between appreciation and flattery, as Carnegie describes that difference: “One is sincere and the other insincere. One comes from the heart out; the other from the teeth out. One is unselfish; the other selfish. One is universally admired; the other universally condemned.” Carnegie’s advice for getting people to want to do what you want them to do is either to offer them sincere appreciation, under the logic that more flies are caught with honey than with vinegar,<sup>10</sup> or to arouse an “eager want” by suggesting, implying, or showing them something that attracts them to the idea of doing what you want them to do.<sup>11</sup>

If two people agree on something, there is no need for legitimacy. Where ends or means are not in conflict, where a demand is complied with because the complier wants to do it, legitimacy is not the phenomenon that explains the compliance: agreement is. If, however, two people do not agree on something—say one person wants another person to do a favor—there are a number of other strategies, or a number of other explanations, that do not directly involve legitimacy. One is *compromise*, in which each side in the disagreement works to find some mutually acceptable solution that leaves either both parties better off or both parties worse off in ways that are mutually considered equitable or acceptable.<sup>12</sup> Three others are considered next.

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8. See, for example, José Zorrilla, *Don Juan Tenorio*, Project Gutenberg (2004 [1844]), <http://www.gutenberg.org/ebooks/5201>.

9. J. Rives Childs, *Casanova: A New Perspective*, 1st U.S. ed. (New York: Paragon House, 1988); William Bolitho, *Twelve against the Gods: The Story of Adventure* (New York: Simon and Schuster, 1929).

10. In fact, whether honey or vinegar catches more flies turns out to depend on the vinegar. In a home experiment, I found that common household fruit flies were more attracted to balsamic-style vinegar than to either red-wine vinegar or clover honey (none, however, actually got caught in any of the liquids), thereby demonstrating that, in legitimacy studies, no proposition is as simple, or as settled, as it seems. See also Randall Munroe, “Flies,” xkcd, <http://xkcd.com/357>.

11. Dale Carnegie, *How to Win Friends and Influence People*, 29.

12. Roger Fisher and William Ury, *Getting to Yes: Negotiating Agreement without Giving In* (Boston: Houghton Mifflin, 1981).

## FORCE, COERCION, AND BARTER

The difference between force and coercion is, as Thomas Schelling has eloquently described it, the “difference between taking what you want and making someone give it to you, between fending off assault and making someone afraid to assault you, between holding what people are trying to take and making them afraid to take it, between losing what someone can forcibly take and giving it up to avoid risk or damage.”<sup>13</sup> Force and coercion are both forms of instrumental violence—violence undertaken to achieve a purpose—but one is physical and one is psychological: *force* uses power or pain to induce (involuntary) behavior, while *coercion* uses fear or suffering to induce (technically voluntary) behavior. Force achieves involuntary compliance simply by making it happen. Coercion achieves semivoluntary compliance by credibly expressing an intent to use or keep using violence as punishment for noncompliance, while also credibly assuring the victim that that outcome will be avoided by complying.

But while force is always a form of violence, coercion need not be. One can coerce by threatening not only violence as punishment for noncompliance but also the loss of something of value as punishment for noncompliance. Some forms of coercion, such as extortion, threaten nontrivial losses and can be a form of psychological violence. However, blackmail, for example, would not be considered an example of violence at all, because what is threatened would cause only a trivial form of suffering: embarrassment. But it is a form of coercion, because it still threatens the loss of something valued, such as reputation, or peace of mind, or perhaps the continuation of some valued deception (a love affair, a guilty pleasure, etc.).

Like force and coercion, *barter* can achieve compliance as well, but it does so not by simply taking something that is valued (force), nor by threatening something that is valued (coercion), but by *giving* something that is valued: barter achieves compliance through exchange. If I want your cup of tea, I could simply take it from you using my superior strength (force); or I could threaten to break your coffee table or threaten to tell your spouse about your affair if you don’t bring me a cup (coercion); or I could offer you \$2.49, promise to bring you a cup tomorrow, or offer you a packet of tea cookies if you do bring me a cup (barter).

## DECEPTION

Deception cuts across all of these categories. Lying to people, manipulating facts and situations to make one thing seem like it is another thing, statements of intentional omission, and so on are all ways of pretending to use the strategies of compliance discussed in the previous three sections. You can lie to make somebody think there is more agreement than there really is. You can make yourself seem more attractive to somebody than you actually are (e.g., some people pretend that they want to get married just so that they can get somebody to date them for a short while). You can use lies and false facts during the course of

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13. Thomas C. Schelling, *Arms and Influence* (New Haven: Yale University Press, 1966), 2.

persuasion. You can lie about your initial bargaining position as a way of getting more than your fair share in a compromise. You can pretend that you have more power at your disposal than you do. And you can barter on credit and never pay up, or give somebody something that is not what you said it was, such as counterfeit money or a bottle of wine that is not as rare as you had claimed.

## Legitimacy of What? Identifying the Conferee

Keeping all of these “alternatives” to legitimacy in mind, we can now begin to consider the three most basic questions that need to be asked when assessing legitimacy: legitimacy of what, legitimacy according to whom, and legitimacy by what criteria?

For much of the twentieth century, most research on political legitimacy or the legitimacy of power has taken the state, a government, or a political system as the appropriate unit of analysis. But things other than states can and do govern, and things other than governments and states can be legitimized. The *role* that an individual or group plays within any social, political, economic, or cultural system can be considered legitimate or illegitimate. So can a *policy* (a plan of action or a statement about what one will do under what conditions, how one will do it, or to what ends it will be done), a *distribution* (of wealth, power, prestige, status, etc., across a defined set of individuals or groups), or a social *structure* (the persistent patterns and components of social relations at specific times and places<sup>14</sup>). Legitimacy applies to a wide array of phenomena. “Over the course of the history of the subject, theories have in fact emerged not only of the legitimacy of power and rewards, but also of status, of inequalities in general, of procedures and procedural justice, of deviance and social control, of social protest, of social change, and in fact of almost any aspect of the structure of social groups,” including “acts, persons, roles, and rules, hence the structure of relations and groups, and the groups themselves,” up to and including the social order as a whole.<sup>15</sup>

The first step of a legitimacy assessment, therefore, is to specify very clearly what is being analyzed. Potential subjects for a legitimacy assessment can include a government, a position of authority, an organization, membership, a border, a corporation, a division of labor, a state, a statelet, a distribution of economic and political goods, an association, a regime, a mafia, a system, a command, a means of production, or an institution for marriage, education, law, justice, property, and the regulation of violence, among many others. Specifying a broad category for study is not enough, however: one needs to specify exactly which organization, which command, and so on, is to be studied.

To reduce confusion (and, alas, add jargon), I have sometimes used the terms *conferees* and *referees* when discussing judgments made about legitimacy. A conferee is the person or group upon whom a judgment about legitimacy is conferred. A referee is one who makes a

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14. Encyclopædia Britannica Online, s.v. “social structure,” <http://www.britannica.com>.

15. Morris Zelditch, Jr., “Theories of Legitimacy,” 39 (his citations omitted).

judgment about whether to confer legitimacy upon the conferee. The conferee is identified when one answers the question, *legitimacy of what?*

## Legitimacy According to Whom? Identifying the Referees

A *referee* is a person or group of people judging the degree to which the conferee is or is not legitimate. Identifying the referee answers the question, *legitimacy according to whom?* Referees include both *outsiders* and *insiders*, and insider referees include both *high-status* and *low-status* insiders.

Outsiders are people who neither are members of nor are affected by the role, policy, distribution, or structure whose legitimacy is being assessed (i.e., the conferee). Authors of academic papers written about the legitimacy of foreign states are outsider referees, as are military analysts studying legitimacy in a foreign counterinsurgency.

Insiders are people who are part of the structure or relationship in question or are affected by the actions or policies of the conferee. In a study of a government's legitimacy in the countryside, the insider referees are the rural villagers who live under the government's rule. In a study of a corporation's legitimacy, the insider referees are the various stakeholders, including customers, employees, and shareholders.

To evaluate any claim that something is or is not legitimate, it is essential to understand who is making the claim. In every society, some groups are favored and protected while others are neglected or mistreated. Such inequities are exaggerated in oppressive societies, but they are present in democratic societies as well. Insiders, therefore, can be members of *high-status* or *low-status* groups.

Low-status groups or individuals are those people who would be "better off" under some distribution of wealth, power, prestige, or status other than the one that actually exists. As noted in the introduction of this chapter, some low-status individuals support the existing system despite their position within it, implicitly "blaming" themselves or other members of their in-group for their position in society; others, however, "blame" the system and either do not support it or actively oppose it. "For many disadvantaged groups, it is difficult to hold simultaneous beliefs about the goodness and legitimacy of the self, the in-group, and the social system," wrote John T. Jost, Diana Burgess, and Christina O. Mosso. In a grand synthesis of the varied strands of system-justification theory and related research, they elaborated Jürgen Habermas's concept of a "legitimation crisis,"<sup>16</sup> arguing that there are

myriad ways in which people suffer from and attempt to cope with and resolve contradictory needs to (a) feel valid, justified, and legitimate as individual actors (ego

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16. Jürgen Habermas, *Legitimation Crisis* (Boston: Beacon Press, 1975).

justification), (b) develop group memberships that they and others believe to be worthwhile and legitimate (group justification), and (c) preserve a sense that the prevailing system of social arrangements is fair, legitimate, and justifiable (system justification). . . . [For] members of high status groups, motives for ego justification, group justification, and system justification are consistent and complementary, whereas for members of low status groups, these motives are often in conflict with one another . . . resulting in ambivalence [about their status in society], decreased ideological coherence, disengagement from the system, partial or total dis-identification with the in-group, [or] individual mobility and group exit.<sup>17</sup>

In these terms, high-status groups or individuals can be defined as those insiders for whom self-, group-, and system-justification motives are not in conflict because they are advantaged (relative to low-status members) under the system that exists.

## Legitimacy by What Criteria? Identifying the Dimensions

This section addresses the substantive component of legitimacy, the multiple dimensions through which referees judge something to be legitimate or not. The vast literatures on legitimacy, authority, society, politics, culture, and identity are filled with discussions, lists, and typologies of the substantive “criteria,” “standards,” “sources,” or “factors” that contribute to beliefs about legitimacy. This section discusses some of the most common themes before introducing the five categories of indicators that need to be identified for a legitimacy assessment.

Accordance with law is the oldest sense of the Latin word *legitimus*, dating at least as far back to Cicero in the first century BCE, and legal legitimacy continues to enjoy widespread attention today, particularly in writings in the philosophy of law but also in political theory generally. Relevant topics include the rule of law, the laws versus morals debate, sovereignty, and political authority. Law can both be legitimate and contribute to legitimacy.<sup>18</sup>

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17. John T. Jost, Diana Burgess, and Christina O. Mosso, “Conflicts of Legitimation among Self, Group, and System,” 21.

18. Max Weber, *Economy and Society*, 220; José Guilherme Merquior, *Rousseau and Weber: Two Studies in the Theory of Legitimacy* (Boston: Routledge & Kegan Paul, 1980), 2; Friedrich A. von Hayek, *Law, Legislation, and Liberty: A New Statement of the Liberal Principles of Justice and Political Economy* (London: Routledge and Kegan Paul, 1982); Neil J. Kritz, “The Rule of Law in the Postconflict Phase: Building a Stable Peace,” in *Turbulent Peace: The Challenges of Managing International Conflict*, ed. Chester A. Crocker, Fen Osler Hampson, and Pamela R. Aall (Washington, D.C.: United States Institute of Peace Press, 2001), 801; Ian Shapiro, *The Rule of Law* (New York: New York University Press, 1994); Anne-Marie Slaughter, *A New World Order* (Princeton, N.J.: Princeton University Press, 2004); Abram Chayes and Antonia Handler Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Cambridge, Mass.: Harvard University Press, 1997); Stephen D. Krasner, “Sharing Sovereignty: New Institutions for Collapsed and Failing States,” *International Security* 29, no. 2 (2004): 85; Noah Feldman, *What We Owe Iraq: War and the Ethics of Nation Building* (Princeton, N.J.: Princeton University Press, 2004), 148; Lon L. Fuller, *The Morality of Law*, revised ed. (New Haven: Yale University Press, 1977); Jean Hampton, *Political Philosophy* (Boulder, Colo.: Westview Press, 1997).

Legitimacy as conformity with tradition—the belief that a rule or ruler should be obeyed and an institution supported because they have always been obeyed and supported—predates the term *legitimacy* and probably predates history itself, although the term did not begin to denote accordance with custom until the Middle Ages. Traditional societies have long considered such things as the counsel of shamans or wise men, rules of succession, the divine right of kings, patriarchy, and the authority of the church to be legitimate features of their cultures. Many aspects of modern societies, too, retain this belief: if people have been using a private road for many years and the property’s owner one day decides to prevent access, the public may sue for continued access and can reasonably expect a modern court to cite custom as a reason to decide in their favor.<sup>19</sup>

Leadership is sometimes considered a source of legitimacy as well. A leader of heroic, extraordinary, or purportedly divine character can confer legitimacy upon an organization, a political or social movement, or a religious worldview simply through the force and attraction of his or her personality, a quality Weber called charisma. Entirely apart from the inherent justice of their causes, for example, Mohandas Gandhi and Martin Luther King, Jr., built up, and judiciously spent, great reserves of moral capital on behalf of their ultimately successful social movements. Likewise, Mohammad and Jesus Christ attracted followers who later founded what would become major world religions. And cults of personality have given tyrants such as Kim Il Sung and Saddam Hussein sufficient charismatic legitimacy to remain in power for longer periods, and perhaps with lower levels of coercion, than the injustice of their actions as leaders might otherwise suggest. Nelson Mandela’s stature was a significant contributor to the success of South Africa’s democratic transition after apartheid. A hero in one endeavor can win a broad following in another simply by force of his or her heroism, as has been the case of military heroes who have run for elected political office, likewise for individuals who come to be seen as symbolizing or embodying some important value.<sup>20</sup>

Legitimacy as effective control over territory, or more broadly as effective governance, is a common theme in political theory and is closely related to, and for some authors identical with, the concept of sovereignty. The governments of Zimbabwe and Uzbekistan, for example, are sovereign over their territories, and much of the international community acts as if they consider those countries legitimate, despite evidence of weak or nonexistent consent from the governed. Within some countries (not necessarily those mentioned here), it is often the case that people are willing to accept coercive forms of rule when they believe the alternative is widespread disorder. In places where anarchy reigns, people tend to seek out protective associations and to support whatever group is most capable of preventing theft, murder, rape, and armed attack in their community. When a new government demonstrates that it lacks the ability to govern, and crime begins to rise or the economy begins to fall, some citizens might begin to pine for the good old days of aristocracy or

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19. Max Weber, *Economy and Society*, 226; José Guilherme Merquior, *Rousseau and Weber*, 2.

20. Max Weber, *Economy and Society*, 1111; Alejo G. Sison, *The Moral Capital of Leaders: Why Virtue Matters* (Northampton, Mass.: Edward Elgar, 2003); John Kane, *The Politics of Moral Capital* (New York: Cambridge University Press, 2001).

dictatorship, opening the door to a strongman candidate, while others might begin to protest or otherwise press for change. When political legitimacy is lacking, a rising economy that offers material security can confer a degree of legitimacy upon a regime. Most generally, when leaders achieve what they set out to achieve, they tend to attract support, whereas those who repeatedly fail tend to attract opposition.<sup>21</sup>

Consent is the most commonly cited source of legitimacy, whether in writings about electoral democracy, participatory democracy, or other forms of “public reasoning.” It captures the idea that power is legitimate to the degree that those affected by it have somehow consented to the way it is exercised. It need not derive from a system of representative democracy, and especially not merely from elections. What people care about is having a voice, having some say over how their lives are regulated. I prefer the term *access* rather than *consent* to reflect this broader idea, since much of the literature (in English and Spanish) on consent has a strong bias in favor of Western democratic norms.<sup>22</sup>

Many people measure the legitimacy of the social order and their leaders against the norms, values, and principles they hold most dear; the closer the match, the greater the legitimacy. Because some norms are passed through generations, this origin is closely related to, but not identical with, traditional legitimacy, discussed previously. High levels of social capital and civic engagement within a community may signal that that community considers itself norm legitimate. Some authors, however, argue that perceptions of norm legitimacy exist only because the powerful impose “hegemonic” or “bourgeois” values or a “false consciousness” upon the broader population to sustain their own advantages. Whatever the source of the norms, however, it is still the norms that are the source of legitimacy in this conception. Principles such as justice, fairness, merit, or respect for human rights can come into play, as can religious beliefs and political ideologies. Citizens of democracies often vote for political officials who share their values rather than their exact policy preferences, and many consider the subsequent policy outcomes, even those going against their economic or political interests, to be entirely legitimate. In a transitional government, a political official lacking either charisma or the sanction of tradition may wield influence by conforming to—or, better, standing as a symbol of—societal and cultural norms. Ahmad Chalabi had much more influence among U.S. officials than he ever

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21. Seymour Martin Lipset, *Political Man*; Seymour Martin Lipset, “Some Social Requisites of Democracy”; Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968); Daniel Kaufmann, “Governance Redux: The Empirical Challenge,” in *Global Competitiveness Report 2003–2004* (Geneva: World Economic Forum, 2004); Robert I. Rotberg and Deborah L. West, *The Good Governance Problem: Doing Something about It*; Noah Feldman, *What We Owe Iraq*, 74; Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 12.

22. Thomas Hobbes, *Leviathan: Parts One and Two* (New York: Liberal Arts Press, 1958 [1651]); John Locke, “An Essay Concerning the True Original, Extent, and End of Civil Government”; David Hume, “Of the Original Contract,” in *Social Contract: Essays by Locke, Hume, and Rousseau*, ed. Ernest Barker, The World’s Classics, No. 511 (New York: Oxford University Press, 1960 [1748]); Jean-Jacques Rousseau, “The Social Contract”; John Rawls, *A Theory of Justice*, revised ed. (Cambridge, Mass.: Belknap Press of Harvard University Press, 1999); Robert Nozick, *Anarchy, State, and Utopia*; Robert Alan Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989); Amartya Sen, “Why Democratization Is Not the Same as Westernization”; Allen E. Buchanan, *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law*, Oxford Political Theory (New York: Oxford University Press, 2004).

did among the Iraqi population, partly because he was seen as an outsider whose values were at odds with their own.<sup>23</sup>

As discussed earlier, judgment of a worthiness of support sometimes comes simply from in-group identification or intergroup dynamics that offer respect and allow for pride.<sup>24</sup>

Lists of criteria for legitimacy appear all over the literatures on legitimacy across several academic and policy disciplines, including political science, sociology, psychology, philosophy, organizational studies, and military doctrine. For analytic purposes such lists can be useful, as they can help identify the intellectual and cultural resources that can be brought to bear upon real-world problems. But some accounts of the sources of legitimacy are not “thick” (or culturally detailed) enough to be used as a field guide to any particular population’s reasoning about legitimacy, while others are not “thin” (generalized) enough to be used as an overall guide to human reasoning about legitimacy across different fields.<sup>25</sup>

The framework presented here is a thin or generalized account of legitimacy that captures and incorporates the broad range of sentiments, motives, and reasoning underlying judgments and behaviors about what counts as right or wrong, as worthy or unworthy to support, as a duty to comply or to oppose, and so on, as identified in the existing literatures. It is a useful starting point from which the particular, complex, and messy details of the dynamics of legitimacy in the real world can later be uncovered. It identifies five sets of criteria that can be considered indicators for legitimacy: *predictable*, *justifiable*, *equitable*, *accessible*, and *respectful*.

- *Predictable*. This is the most basic criterion that motivates people to voluntarily support something. People want to know what the rules are, and want to know that they can be enforced nonarbitrarily, even if they don’t agree with the rules and even if they don’t benefit from the rules. Both transparency and credibility contribute significantly to predictability. They do not actually confer legitimacy; they are more

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23. Barrington Moore, Jr., *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1966); Harry Eckstein, *Division and Cohesion in Democracy: A Study of Norway* (Princeton, N.J.: Princeton University Press, 1966); Gabriel A. Almond and Sidney Verba, *The Civic Culture Revisited: An Analytic Study* (Boston: Little, Brown, 1980); David Beetham, *The Legitimation of Power*; Muthiah Alagappa, ed., *Political Legitimacy in Southeast Asia: The Quest for Moral Authority*, Contemporary Issues in Asia and the Pacific (Stanford, Calif.: Stanford University Press, 1995); Robert D. Putnam, “Bowling Alone: America’s Declining Social Capital,” *Journal of Democracy* 6, no. 1 (1995): 65; Ronald Inglehart, *Modernization and Postmodernization: Cultural, Economic, and Political Change in 43 Societies* (Princeton, N.J.: Princeton University Press, 1997); Theda Skocpol and Morris Fiorina, eds., *Civic Engagement in American Democracy* (Washington, D.C.: Brookings Institution Press, 1999); Bruce Gilley, “The Meaning and Measure of State Legitimacy”; Scott Atran, Robert Axelrod, and Richard Davis, “Sacred Barriers to Conflict Resolution,” *Science* 317, no. 5841 (2007): 1039; Jeremy Ginges et al., “Sacred Bounds on Rational Resolution of Violent Political Conflict.”

24. John T. Jost and Brenda Major, *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*; David John Frank and John W. Meyer, “The Profusion of Individual Roles and Identities in the Postwar Period,” *Sociological Theory* 20, no. 1 (2002): 86; Judith A. Howard, “Social Psychology of Identities,” *Annual Review of Sociology* 26 (2000): 367; Jan E. Stets and Peter J. Burke, “Identity Theory and Social Identity Theory,” *Social Psychology Quarterly* 63, no. 3 (2000): 224.

25. For an extended discussion of “thick” and “thin” morality, see Michael Walzer, *Thick and Thin: Moral Argument at Home and Abroad*; Bruce Gilley, “Thick or Thin? An Empirical Intervention,” *Critical Review of International Social and Political Philosophy* 10, no. 1 (2007): 87–98.

like contributory or background conditions, necessary but not sufficient, that make it possible for people to live their daily lives and plan out personal projects within the given constraints. To put it another way: predictability will not generate legitimacy (and voluntary support), but its significant absence will very likely generate illegitimacy (and active opposition).

- *Justifiable*. This criterion tends to be the central component of most accounts of legitimacy, as it captures the values people hold most dear—their judgments about what is right (in accord with valuable norms or rules), good (in accord with valuable outcomes), proper (in accord with valuable processes), and admirable (representative of their values), and therefore worthy of their support or loyalty. Justifiability is a matter of connecting something about the conferee to something that the referee considers right, good, proper, admirable, or otherwise valuable.<sup>26</sup>
- *Equitable*. The equitable criterion reflects ideas about fairness: people want to be assured that inequalities are justified and that, if they have less of something than someone else has, it is for a good reason. It is important to recognize that equity is different from equality: equity implies that there is some standard against which the justice of a distribution is measured. People who are not well-off in a society often nevertheless consider that society's arrangements to be legitimate, believing that those who are better-off have gotten that way by merit or by right and that those who are worse-off lack the same merits or rights. This is implicit in Linz's conception of legitimacy, that those who would be better-off under another arrangement nevertheless support the current arrangement. When those who are worse-off believe that they are worse-off only because of the unfairness of the better-off, then that is an indication that the society's arrangements are not legitimate. Things can be unequally distributed without there being any adverse influence on the level of legitimacy, as long as that inequality is not unjustified according to the standards of the community. Also, equalities that are unjustified can be considered inequitable: if two people have the same level of influence over certain policy questions, that is an equality; but if one of them has far greater knowledge about the substance of the issue in question than the other and yet has merely equal influence, then that, arguably, is an inequity.<sup>27</sup>

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26. Many theories of legitimacy make the assumption that legitimacy derives from a set of essentially static conditions, and that if those conditions are present, legitimacy emerges. That is not usually the case. Legitimation processes are essential to getting all constituents of a social structure to accept decisions and support outcomes. Different social actors have different ways, processes, and methods of legitimizing decisions. The substantial content of an arrangement may be otherwise acceptable, but if it was not derived by fair or locally legitimate processes, it could still be rejected by some parties as illegitimate. Legitimation process can be considered an attribute of the *justifiable* criterion discussed here. Herbert C. Kelman, "Reflections on Social and Psychological Processes of Legitimation and Delegitimation"; Tom R. Tyler, "A Psychological Perspective on the Legitimacy of Institutions and Authorities," in *The Psychology of Legitimacy: Emerging Perspectives on Ideology, Justice, and Intergroup Relations*, ed. John T. Jost and Brenda Major (New York: Cambridge University Press, 2001), 416.

27. In every community, there are people who have, for example, more connections in their social network than others have, and all else equal they will therefore tend to have more influence within the community. Whether that inequality is accepted by those with less influence will depend both on the sources of that inequality (e.g., the fact that some people are more gregarious than others, or that wealthy or physically attractive

- *Accessible*. The accessible criterion captures much of the literature on consent as the basis for legitimacy but goes beyond what many authors consider to be a strictly or traditionally democratic basis; regardless of the specific system of consent or public reason, what people want is some assurance that they have a voice, some say in how the things that affect them operate; what people want is some sort of access to the system.
- *Respectful*. Finally, this criterion captures the literatures on human dignity and pride: consistently disrespectful treatment, even if everything else is justified, equitable, and accessible, tends to create tension with people's desire and ability to be loyal or offer support, or tends to be so demoralizing as to make the question of support nearly irrelevant.

These five criteria together represent a rather thin conception of legitimacy: everybody can agree in principle that, for example, the rules regulating political and social relations should be predictable, justifiable, equitable, accessible, and respectful. Actually assessing legitimacy, however, is a matter of finding indicators to represent what these adjectives mean in a real-world context according to real-world values and standards.

## Three Levels of Analysis and Measurement

When measuring the degree to which something is legitimate or illegitimate, whose criteria should be used to make the measurement? The answer depends on whether one believes legitimacy resides in the beliefs of individuals, in the behaviors of groups, or in the attributes of the system under study (i.e., the conferee).

There has long been a divide, in the literature on measuring legitimacy, between authors who assume that legitimacy resides in the objective features of the structure whose legitimacy is being measured (a "macro" perspective) and those who assume that legitimacy resides in the subjective beliefs of the people subject to its power (a "micro" perspective).<sup>28</sup>

- The macro or system-level perspective "takes for granted the epistemic assumption that an outside observer, relying on fairly gross aggregate evidence, can measure the legitimacy of a political system and rank it in comparison with other systems."<sup>29</sup> The

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people will tend to attract more people, for example) and on views about whether those sources are valid as a basis for inequality (e.g., some people might judge others' higher levels of influence to be valid if it is due mainly to their social skills and not to their wealth or beauty; for others, it simply might not matter). Likewise, every community has people with more money than others; whether that inequality is accepted by those who are poorer will depend both on the sources of that inequality (e.g., inheritance, hard work, connections, theft) and on views about whether those sources are valid as a basis for inequality (e.g., in communities without moral prohibitions against stealing from outsiders, disparities might be justified by an acceptance that some people are simply better thieves than others; in communities where hard work both is valued and reliably leads to greater wealth, disparities might be justified by an acceptance that some people simply work harder than others).

28. M. Stephen Weatherford, "Measuring Political Legitimacy," *American Political Science Review* 86, no. 1 (1992): 149; Bruce Gilley, "The Meaning and Measure of State Legitimacy."

29. M. Stephen Weatherford, "Measuring Political Legitimacy."

macro researcher (an outsider referee) begins by specifying a set of supposedly universal criteria for legitimacy, then proceeds by measuring the degree to which the conferee under study meets those criteria.

- The micro or individual-level perspective relies on insider referees' reported opinions about the legitimacy of the conferee under study or on observable behaviors that suggest a belief in legitimacy. The insider referees' criteria for legitimacy are generally accepted without question.

The assumptions underlying both approaches are problematic. The traditional micro approach assumes that legitimacy is equivalent to a *belief in legitimacy*. The traditional macro approach either assumes the population under study (insiders) shares the researcher's own normative views about what counts as legitimate or rejects insiders' opinions on the matter as being irrelevant. Neither view is correct. The experiences of counterinsurgents, for example, demonstrate definitively that different populations have different opinions about the kind of life that is worth taking up arms to defend. Ignoring those opinions when fighting an insurgency can be deadly. The suggestion that legitimacy is a matter of public opinion reduces legitimacy to approval ratings. Reported opinions are often unreliable indicators of beliefs, and beliefs themselves often reflect adaptive preferences rather than the preferences an individual would have under better social, economic, political, or personal circumstances.<sup>30</sup>

More recent efforts to measure legitimacy have attempted to avoid these problems by linking the macro and micro perspectives. Typical of this genre is Beetham: "A given power relationship is not legitimate because people believe in its legitimacy, but because it can be *justified in terms of their beliefs*" (emphasis in original):

When we seek to assess the legitimacy of a regime, a political system, or some other power relation, one thing we are doing is assessing how far it can be justified in terms of people's beliefs, how far it conforms to their values or standards, how far it satisfies the normative expectations they have of it. We are making an assessment of the degree of congruence, or lack of it, between a given system of power and the beliefs, values, and expectations that provide its justification.<sup>31</sup>

To measure this "congruence," this approach first determines the insiders' normative criteria for legitimacy, then measures the degree to which the conferee meets those criteria. It treats legitimacy neither as solely "a direct property of political institutions" nor as solely "a property of individual psychologies"<sup>32</sup> but also as a measurable feature of the interaction between the two.

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30. Jon Elster, *Sour Grapes: Studies in the Subversion of Rationality* (New York: Cambridge University Press Editions de la Maison des sciences de l'homme, 1983), 109; Amartya Sen, "Rights and Capabilities," in *Resources, Values, and Development*, ed. Amartya Sen (Cambridge, Mass: Harvard University Press, 1984), 307; Martha Nussbaum, "Adaptive Preferences and Women's Options," *Economics and Philosophy* 17 (2001): 67.

31. David Beetham, *The Legitimation of Power*, 11.

32. Robert Grafstein, "The Legitimacy of Political Institutions," *Polity* 14, no. 1 (1981): 51.

A similar approach bridges micro and macro by observing and measuring the insiders' public behaviors with respect to the system. In this approach, sometimes called a *meso* perspective, group behaviors are assumed to be both a reflection of individual subjective beliefs (micro) and a response to objective facts about the system in question (macro). An excellent variant of this approach is Gilley's comparative study of the legitimacy of states, in which the author uses both attitudinal (micro) and behavioral (meso) indicators to develop an index of state legitimacy based on his own (macro) criteria for legitimacy, which he derives from the literature.<sup>33</sup>

Most authors who attempt to measure legitimacy acknowledge that they cannot be certain that it is legitimacy and not something else that they are measuring. If legitimacy is assumed to reside primarily in individual beliefs, the difficulty lies in recall bias and other biases inherent in measuring opinions. If it is assumed to reside primarily in group behaviors, the difficulty is determining whether certain behaviors derive from belief rather than coercion. And if legitimacy is assumed to reside in the objective characteristics of whatever is being studied, the difficulty lies in defining what makes the author's understanding of the criteria of legitimacy more "objective" than insiders' beliefs. Yet most authors attempting to measure legitimacy draw the data or observations that underlie their studies from only one or, at best, two of these levels of analysis (micro, meso, or macro). But human life is lived at multiple levels simultaneously, and legitimacy, being a human phenomenon, is by its nature a multilevel phenomenon.

A proper analysis of legitimacy, therefore, should identify indicators across not only multiple dimensions of analysis but also multiple levels of analysis. The assessment framework introduced in Chapter 4 is intended to be used to look for evidence of legitimacy at all three levels of analysis: *public attributes*, or the publicly measurable features of the conferee (a macro measure); *group behaviors*, or publicly expressed judgments of those attributes (meso); and *individual beliefs*, or private judgments about them (micro). If individuals say they believe some system to be legitimate, and if groups act as if they believe that system to be legitimate, and if that system has characteristics that suggest it operates legitimately, then it is very difficult (albeit not impossible) to argue that legitimacy is not at work in the structure. But if one of those levels does not agree with the others, that suggests that something other than legitimacy is at play (coercion, for example).

This approach is *macro* in that it provides a "thin" or universalistic account of human reasoning about legitimacy and measures the objective attributes and behaviors of the different entities and agents upon whom legitimacy is being conferred (or withheld) to see how well they match insider referees' judgments about them; *meso* in that it recognizes that actual reasoning about legitimacy takes place in particular contexts and is expressed in interactions with other people and groups, and measures those judgments as expressed in actions; and *micro* in that it measures individual insiders' private perceptions and expressions of legitimacy.

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33. Bruce Gilley, "The Meaning and Measure of State Legitimacy."

## Measuring an Unobservable Phenomenon

Among the greatest challenges to measuring a latent (unobservable) phenomenon such as legitimacy is measurement validity, the question of whether one can be certain that one is, in fact, measuring legitimacy and not something else. Legitimacy cannot be measured directly, so variables need to be chosen to measure it indirectly. A variety of strategies is available for measuring latent variables,<sup>34</sup> but only two will be considered here: Bollen and Lennox distinguish between “indicators that influence, and those influenced by, latent variables,” calling the former *causal indicators* and the latter *effect indicators*.<sup>35</sup>

Causal indicators—also called *constitutive* or *composite indicators*<sup>36</sup>—collectively determine the latent variable; that is, they collectively constitute a measure of legitimacy:

$$L_1 = \gamma_1 X_1 + \gamma_2 X_2 + \dots + \gamma_Q X_Q + \zeta_1, \quad (1)$$

where  $L_1$  is the latent variable, legitimacy;  $X$  is an indicator in a composite that includes  $q$  indicators;  $\gamma$  is the coefficient of  $X$ , or the effect that  $X$  has on legitimacy; and  $\zeta_1$  is the disturbance term.<sup>37</sup> By definition, a legitimate conferee is one that meets the referee’s *criteria* for support, and this approach is useful when indicators are available that can measure those criteria.

Effect indicators—also called *proxy* or *substitutive indicators*—are measures of phenomena that come about as a consequence of the action of the latent variable; that is, the effect indicator is a proxy for the latent variable:

$$Y = \lambda L_1 + \varepsilon, \quad (2)$$

where  $L_1$  is again the latent variable, legitimacy;  $Y$  is the proxy indicator;  $\lambda$  is the coefficient of  $L$ , or the effect that  $L$  has on  $Y$ ; and  $\varepsilon$  is the measurement error associated with the indicator.<sup>38</sup> In this case, an effect indicator would measure something that is a result of a structure’s having or lacking legitimacy, such as the size of the internal secret police (large size indicates low legitimacy) or rates of voluntary payment of taxes (high rates indicate high legitimacy).<sup>39</sup>

34. Kenneth A. Bollen, “Latent Variables in Psychology and the Social Sciences,” *Annual Review of Psychology* 53 (2002): 605–634.

35. Kenneth A. Bollen and Richard Lennox, “Conventional Wisdom on Measurement: A Structural Equation Perspective,” *Psychological Bulletin* 110, no. 2 (1991): 305.

36. Bruce Gilley, “The Meaning and Measure of State Legitimacy.”

37. This and the effect-indicator equation are simplified versions of equations (2) and (1), respectively, in Kenneth A. Bollen and Richard Lennox, “Conventional Wisdom on Measurement”; following them, no subscripts are used to index individuals, but unlike them, neither are any used to index the indicators. See *ibid.*, 305. n. 303.

38. *Ibid.*

39. *Ibid.*; Bruce Gilley, “The Meaning and Measure of State Legitimacy.”

# 4 | Assessing Legitimacy and Illegitimacy

Chapters 2 and 3 reviewed the literature, key concepts, and main technical challenges related to legitimacy and its measurement. While helpful, it is probably not necessary to understand the nuances of legitimacy theory to undertake a legitimacy assessment. This chapter, therefore, summarizes the most important points that are needed to begin, then introduces four approaches to assessing legitimacy, from a rapid to a comprehensive assessment.

## Summary of Key Concepts

### **LEGITIMACY IS WORTHINESS OF SUPPORT**

In the broadest definition, legitimacy is a worthiness of support, a sense that something is “right” or “good” or that one has a moral obligation to support it. In some contexts, legitimacy is a worthiness of loyalty or imitation. Illegitimacy, by contrast, is not merely a sense that something is not worthy of support. Rather, illegitimacy is a worthiness of opposition. Neutrality is a worthiness of neither support nor opposition. (See “What Is Legitimacy?” in Chapter 3.)

In the short term, because people tend to voluntarily do what they believe is the right thing to do or they have a duty to do, legitimacy induces compliance with demands and requests or encourages supportive participation in collective endeavors. Illegitimacy induces opposition to things that people believe it is morally necessary to oppose. Legitimacy lowers the costs, and illegitimacy raises the costs, of sustaining an institution or a relationship. In short, legitimacy induces compliance, encourages participation, and lowers costs, and so achieves stability, while illegitimacy induces disobedience, encourages opposition, and raises costs, and so threatens stability (see “What Does Legitimacy Do?” and “What Else Does What Legitimacy Can Do?” in Chapter 3).

### **LEGITIMACY IS BROADLY APPLICABLE**

The framework presented in this report uses the term *conferee* to describe whatever is being assessed for its legitimacy (a role, policy, distribution, or social structure) and *referee* to describe the group of people whose perspective about the conferee’s legitimacy is being studied (i.e., their judgments are understood to confer legitimacy). (See “Legitimacy of

What? Identifying Conferees” and “Legitimacy According to Whom? Identifying Referees” in Chapter 3.)

Potential subjects for a legitimacy assessment can include a government, a position of authority, an organization, membership, a border, a corporation, a division of labor, a state, a statelet, a distribution of economic and political goods, an association, a regime, a mafia, a system, a command, a means of production, or an institution for marriage, education, law, justice, property, and the regulation of violence—anything that somebody can judge to be worthy or unworthy of their support or opposition.

## LEGITIMACY IS MULTIDIMENSIONAL

The literature on what makes something legitimate is voluminous. But for the framework to be used here, there are five descriptors of the types of indicators needed to measure legitimacy: *predictable* (a necessary but not sufficient condition that includes transparency and credibility), *justifiable* (judgments about important values: what is right, good, proper, admirable, etc.), *equitable* (ideas about fairness, that is, inequalities are justified), *accessible* (having a say in processes for making decisions that affect one’s life, a weak version of consent), and *respectful* (treatment consistent with human dignity and pride).

Something is more likely to be considered worthy of support the more it is *predictable*, *justifiable*, *equitable*, *accessible*, and *respectful* toward and according to those judging it (see “Legitimacy by What Criteria” in Chapter 3). These five dimensions (or criteria) will not always be in agreement. A government might be predictable but not accessible. A business might treat its employees respectfully but inequitably. A command might be justified but disrespectfully delivered. But the more these dimensions are in agreement, the more likely legitimacy is present.

Likewise, the more unpredictable, unjustifiable, inequitable, inaccessible, and disrespectful something is—and the more these dimensions are in agreement—the more likely it is to attract opposition. Its transaction or operating costs will rise as it seeks to overcome or neutralize the opposition, and its stability or ability to sustain its operations will be at risk.

## LEGITIMACY IS MULTILEVEL

Each dimension of legitimacy (predictable, justifiable, etc.) can be measured at three levels of analysis.

- *Individual beliefs* are private judgments about the conferee, usually measured through surveys, focus groups, or interviews of the referee population. How much confidence or trust do they express in their government, a political party, an industry, or a charity? If responses are truthful, this is the most direct measure of such judgments, but individuals might have reason to be untruthful about their beliefs, if, for example, they are fearful of repercussions and do not have faith in the confidentiality of the analyst’s data-collection methods.

- *Group behaviors* are public actions by referees that express a judgment of the conferee. Do citizens voluntarily participate in elections, pay taxes, and generally obey laws? If so, that indicates a possibility they consider the state or government legitimate. How high is a company's worker turnover? How much private security does it need to hire? High turnover or a significant need for security might suggest negative judgments are being made about the company. Group behaviors can also be motivated by something other than moral values; people might participate in public demonstrations because they are coerced or paid, for example.
- *Public attributes* are the observable features of the conferee (whatever is being assessed: a system, government, organization, regime, etc.). Does the business operate in a way that is consistent with the values of its customers, workers, investors, and other stakeholders? Do government officials treat citizens with respect, according to the citizens' definition of respectful treatment? Do leaders share similar ideological or religious beliefs as constituents? If yes, referees are likely to consider the business, government, or leaders worthy of their support.

For simplicity, these levels may be referred to as *individual*, *group*, and *system*.

## LEGITIMACY IS BILATERAL

Worthiness of support is a two-way street. It is common to talk about the legitimacy of a state according to its citizens: citizens judge whether state institutions are worthy of their support, and if so, they comply with legitimate state demands (obey laws, pay taxes, etc.). It is less common, but nevertheless important, to talk about the legitimacy of the citizenry according to state officials: leaders judge whether certain residents are worthy of national inclusion, and if so, they treat them as equal citizens with full national rights. Rulers can legitimately make demands on the ruled to obey laws, but the ruled can legitimately make demands on the rulers to actually govern them—to make and implement policies, to build and manage institutions and networks, and to deliver political goods that protect and improve their lives. For a political system to be stable, the people need to consider their rulers worthy of support, but the rulers also need to consider the people worthy of citizenship—an observation often overlooked in counterinsurgency and state-building efforts that attempt to legitimize a government to the people.<sup>1</sup>

Similarly, if corporations in regulated industries believe regulators have the right to issue rules, and regulators believe those companies have the right to make a profit, the system will likely run smoothly. But if regulators think certain companies should not be selling what they are selling, or if regulated companies do not think the government has a right to regulate their industry, a highly politicized dispute might result and escalate in ways that distort the economy or corrupt the political system.

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1. I have argued separately that such efforts might be more effective if they begin with an effort to get government officials to recognize the legitimacy of their fellow citizens. See, e.g., Robert D. Lamb with Brooke Shawn, *Political Governance and Strategy in Afghanistan* (Washington, D.C.: CSIS, April 2012).

In short, if legitimacy does not run both ways, frictions will increase the costs—in time, resources, risks, and lost opportunities—of getting things done.

## LEGITIMACY IS UNOBSERVABLE

There are ways to measure phenomena that cannot be directly observed. One can theorize about the causes of the phenomenon and how they interrelate, then measure indicators representing those causal factors (see the text box in Chapter 3). For the purposes of this framework, the five dimensions of legitimacy discussed above can be used as a guide to finding causal indicators. One can also consider the effect that the unobservable phenomenon has on the world, then measure an indicator for that effect. Since legitimacy is a worthiness of support, an indicator that measures support can be used as an effect (or proxy) indicator of legitimacy. This framework uses both proxy and causal indicators.

## Assessment Framework

With the foregoing information it is possible to construct an assessment framework. To illustrate its use, examples will be drawn from the first case to which this assessment framework was applied: the legitimacy of gang governance in the slums of Medellín, Colombia, during its most violent period. But the same analysis can be used to study the dynamics of support or opposition of a company, a regime, a sector, or just about any system or relationship.

The first step of a legitimacy assessment is to answer three questions:

- *Legitimacy of what?* This identifies the conferee, or the unit of analysis, whose legitimacy is being assessed. In the example, the conferee is a youth gang that controlled territory in a particular community in East Central Medellín during the 1990s; specifically, what is being assessed is the way that gang governed the community whose territory it controlled.
- *Legitimacy according to whom?* This identifies the referee, the people whose judgments about legitimacy are to be taken into consideration. In the example, the referees are the people who lived in the community the gang controlled, and the key questions are, to what degree did they consider the gang's treatment of them to be worthy of their support (or opposition), and how did that change over time? It will be important to identify diversity within the referee population—at minimum, to distinguish “low-status” members of the community (i.e., those who least benefit from the status quo or who would be better off under some different set of social arrangements) from those who benefit from the system. (In the rapid assessment, discussed below, the referee will technically be the analyst undertaking the assessment, but the population identified by this question will still be a key reference point. For that reason, the framework distinguishes between “insider” referees—the community—from “outsider” referees such as the analyst.)

- *Legitimacy by what criteria?* This is the first step in identifying the indicators through which judgments about legitimacy will be assessed. It requires a bit of study about the referee population. What are the norms and expectations of the people who live in the community under study? In what aspects of their lives do they most value predictability? What moral values have the greatest influence over how actions and outcomes are judged and justified? By what criteria do they evaluate merit, desert, and equality? How much access do they believe they should have over decisions that affect their lives (e.g., selection of leaders, resolution of conflicts), and what kinds of decisions do they or do they not want some degree of influence over? What are the cultural norms for respectful treatment? Importantly, are there subcultures within the referee population for which the answers to these questions would be different (e.g., low-status members)? The more detail with which these questions can be answered, the better the indicators will be.

Once this information is collected, indicators need to be identified. Indicators to measure legitimacy can be identified only through a deep understanding of the system and relationships under study. Three measurement strategies can be used:

- *Qualitative.* Using documents, interviews, and data, a qualitative legitimacy assessment provides a rich contextual understanding of the relationships or system, structured according to the indicators identified above (predictable aspects of the relationship, judgments about values and fairness, etc.).
- *Mixed.* The method is the same, but a mix of qualitative and quantitative data are analyzed to determine whether an indicator is positive (indicating legitimacy), negative (indicating illegitimacy, or worthiness of opposition), or neutral (worthiness of neither support nor opposition), and whether each indicator seems to be rising, falling, or static.
- *Quantitative.* In this strategy, the analyst creates a mathematical model, based on a deep understanding of the system under analysis, of how the indicators interrelate, then produces a scale, simulation, or some other numerical representation of the dynamics of legitimacy. In most cases, the indicators will have a mix of linear and nonlinear relations.

The specific indicators to be collected will depend on how much time and resources are available for the analysis. There are four levels of sophistication of a legitimacy assessment: a rapid assessment, a multilevel assessment, a bilateral (multilevel) assessment, and a comprehensive assessment. All are multidimensional, that is, they require information to be collected for all five sets of causal indicators (predictable, justifiable, equitable, accessible, and respectful) and for a set of proxy indicators (for overall support or opposition).

- A *rapid assessment* evaluates indicators only at the system level (e.g., the gang's worthiness to govern).
- A *multilevel assessment* looks at indicators at the individual and group levels as well as at the system level. For example, it assesses community beliefs (individual level)

and behaviors (group level) that suggest support for the gang, as well as the gang's treatment of the community (system level). It accounts for the views and treatment of low-status insiders (e.g., street children and prostitutes living in the community) as well as those of higher-status members.

- A *bilateral assessment* is a multilevel assessment that evaluates legitimacy in both directions of the relationship (e.g., the gang's views of the legitimacy of membership in the community, as well as the community's views of the legitimacy of the gang's governance). In the terminology of this framework, it evaluates the legitimacy of the conferee according to the referees, then repeats the analysis by treating the referees as the conferee and vice versa.
- A *comprehensive assessment* is a series of bilateral (multilevel) assessments focusing on different stakeholders (e.g., gang-community and community-gang, gang-government and government-gang, gang-police and police-gang).

The following four subsections outline how one would undertake each type of legitimacy assessment using a mixed-methods research strategy.

## **RAPID ASSESSMENT**

For a rapid assessment, the analyst identifies only system-level indicators (e.g., information and data about the gangs and their behavior), not individual- or group-level indicators. This assessment determines whether each indicator suggests legitimacy (support, or a positive value), illegitimacy (opposition, or a negative value), or neutrality (neither support nor opposition, or a value of zero) and how that is changing over time: growing support (legitimation), declining support (delegitimation), growing opposition (illegitimation), declining opposition (neutralization), or a static state. Consistency across indicators is what is evaluated: if all indicators are positive (or most are positive and some are neutral), that suggests legitimacy; if all are positive or neutral and some or all are increasing, that suggests legitimation. If some indicators are positive and some are negative, that suggests that something other than legitimacy, such as coercion or self-interest, is defining the relationship.

The analyst undertaking the assessment is the referee who makes judgments about worthiness of support or opposition based on the indicators selected. For example, the analyst determines the degree to which the gang's behavior toward the community is predictable and consistent with the analyst's understanding of the community's values and expectations (or, in a much less sophisticated version, with the analyst's own values and biases). If, after studying the gang's behavior, the analyst determines that the gang is transparent about how it expects the community to behave, is consistent and effective in enforcing those rules, makes rules that are consistent with the values and expectations of the community, treats low-status community members in a way not too differently from how it treats the rest of the community, and in general seems to protect and promote the interests of the community, then the analyst can argue that the gang is more likely to have the community's support than not. If that has changed over time—if, for example, it at one point began to act in a way that made the daily living environment unpredictable and

intolerably violent—then one can argue that its legitimacy was decreasing (it is delegitimizing itself) over that period. If the gang’s values later changed significantly or it became less effective at enforcing its rules, then the analyst can argue that it had become illegitimized and was likely to face outright opposition.

A rapid assessment is useful when a first impression is needed, time is short, or adequate resources for a more sophisticated assessment are not available. It is important to keep in mind, however, that the analyst’s perspective of what seems to be legitimate or illegitimate behavior likely differs from the perspective of the affected community. Unless the analyst has a deep familiarity with the local culture, a rapid assessment risks misreading the nature of the relationships under study. For example, some Western analysts bristle at the very idea that a gang would even be capable of governing a slum legitimately, believing that only a state is capable of fully legitimate governance. Local perspectives might differ, however, especially if the community has been neglected by state officials or abused by state security forces and if the gang emerged as a community self-defense group in response to the prevailing social disorder. While the community might not be able to vote for the gang leaders who lead their community, if the gang leaders patrol the community, listen to and redress grievances, resolve disputes peacefully, and treat their neighbors with respect, the community might well consider them to be quite worthy of their continued support. That was a common occurrence in the slums of Medellín. Equally common, unfortunately, was the delegitimation, illegitimation, and eventual overthrow of such gangs as the temptations of power corrupted their governance of their communities. A rapid assessment might not capture such dynamics unless undertaken by an analyst with deep knowledge of the community and self-awareness of personal biases.

## **MULTILEVEL ASSESSMENT**

A multilevel assessment overcomes some of the limitations of the rapid assessment. It does so by requiring the collection of data—qualitative or quantitative—at two additional levels of analysis. In addition to the system level (e.g., the gang’s treatment of the community), indicators are evaluated at the individual level (e.g., beliefs of community members) and group level (e.g., their publicly observable behaviors) as well. At each level, information and data are collected for all five sets of causal indicators (predictable, justifiable, equitable, accessible, and respectful) and any number of proxies for overall support.

At the individual level, for example, members of the community are confidentially surveyed or interviewed to find out whether they believe the gang leaders are clear about their rules for how community members should and should not behave and are effective or consistent in the way they enforce those rules (predictable). Do the gangsters enforce or embody the community’s values (justifiable)? Does the gang treat different members of the community differently (equitable, respectful)? A proxy indicator would ask people whether they support the way the gangsters treat them overall. And so on. At the group level, the analyst seeks evidence that the community behaves in a way that is supportive toward the gangsters. Do they attend public events hosted by the gang (a proxy indicator for support)? Do they publicly protest their treatment by the gang (respectful, equitable) or mock gang

members behind their backs (justifiable)? Do they voluntarily join the gang when recruited, or do high incentives need to be offered (another proxy indicator)? The system-level analysis is essentially the same as the rapid assessment, above.

A multilevel analysis makes it possible to determine whether it is legitimacy that defines the relationship or it is something else, such as coercion or barter, that defines the relationship. The logic is as follows: If individuals say they believe something is worthy of their support, and they behave in ways that demonstrate such support, and if the entity in question has publicly observable features (e.g., their treatment of the community) that are consistent with the values and interests of the insider referees, then the indicators are consistent across all three levels of analysis. Consistency across levels suggests that any observed support is likely motivated by judgments about values, norms, or moral duty: it is legitimacy that defines the relationship. If, however, the indicators at one level are negative or decreasing (indicating opposition or falling support)—even if indicators at other levels are positive or rising—then that suggests any observed support is derived from something other than legitimacy (self-interest, fear, etc.).

For example, if the gang does not have any difficulty finding new recruits (a positive group-level proxy indicator for overall community support) and people individually say they want to join the gang or approve of others joining (a positive individual-level proxy), but the gang has a known history of harming people who did not join when asked (a negative system-level proxy), then the levels are inconsistent: the individual and group indicators suggest judgments that the gang is worth supporting, but system indicator suggests that support is not voluntary. Recruitment, therefore, is an indicator not of legitimacy but of self-interest. Recruits are not motivated by a belief that they have a duty to join the gang, regardless of what they might say. They are simply responding to incentives imposed upon them by the gang. They declare support and join out of fear.

To take another example that shows how a multilevel assessment improves the analysis of a rapid assessment, consider the question of respect. Perhaps it seems that gang members smile at members of the community they pass on the street, look people in the eyes when talking to them, politely ask personal questions about people's families, and offer assistance to people who need help. That would be a system-level indicator for a worthiness of support: the gang seems, objectively, to treat the community with respect. And perhaps the community responds to this treatment in a way that suggests such respectful treatment is not unusual. A rapid assessment would score this as a positive indicator of legitimacy. What if, individually and in private, however, community members complain about this treatment? It is possible that, culturally, it is seen as distasteful for young people (the gang leaders) to act as authorities, that the particular way the gangsters were being respectful is supposed to be the way elders treat younger people, and that therefore what an outsider analyst might see as respectful, locals see as imperious, arrogant, and disrespectful. A multilevel assessment would score the respect indicator as inconsistent across levels and therefore not as an indicator of legitimacy (it could be neutral or negative, depending on the analyst's interpretation of how forceful the individual objections are).

## **BILATERAL ASSESSMENT**

A bilateral (still multilevel) assessment takes the analysis one step farther. The multilevel assessment is repeated, but the referees and conferee change roles. For example, in addition to analyzing how members of the community view the gang's worthiness of support, the bilateral assessment now analyzes how members of the gang view the worthiness of the community. Is the community reliable, effective at maintaining order, and transparent about its demands and needs (indicators for predictable)? Does the community have a set of values the gangsters find contemptible (a negative indicator for justifiable)? Do community members treat the gangsters as well as they treat others (equitable)? Do they make important decisions without involving the gangsters (a negative indicator for accessible)? Do they treat the gangsters with respect? And do the gangsters themselves show evidence of support for the community, such as by volunteering to help at community-sponsored events (an overall proxy indicator)?

Again, these indicators should be evaluated at all three levels. Do individual gangsters say they feel an obligation to protect and assist their neighbors, or say that they feel respected? Does the gang as a group actually provide protection, services, assistance, and so on to the community? And does the community itself seem to merit such support, according to the values of the gangsters (e.g., the gangsters value entrepreneurship but the community is generally lazy)?

There is likely to be significant overlap in indicators. When gangsters volunteer to participate in a community-sponsored event, that can be considered a proxy indicator that they believe the community is worthy of their support, but it can also be considered a system-level indicator that they merit the community's support in turn.

## **COMPREHENSIVE ASSESSMENT**

A comprehensive assessment is little more than a repeat of a bilateral (multilevel) assessment with additional pairs of relationships. For example, after the relationship between the gang and the community is assessed, it might make sense to assess the relationship between the gang and the city government or between the gang and a rival gang that controls nearby territory. Support and opposition can come from multiple sources. If the point of a legitimacy assessment is to determine the likelihood that the gang might enjoy support or face opposition in the future, then it makes sense to assess the gang's relationships with other stakeholders who are positioned to be actual or potential supporters or opponents.

## **Conclusion**

Assessing legitimacy by using this general framework—even short of a comprehensive assessment—should prove useful for decisionmakers who have a need to understand the sources, status, and likely changes in the levels of support or opposition that their own organization or institution—or that of a competitor or partner—can expect from different stakeholders. It can help identify relationships that seem to be based on legitimacy but turn

out upon inspection to be based on fear, deception, coercion, or other incentives. It can also help to identify areas of weakness. Illegitimacy—a motivation to voluntarily oppose something—will increase the costs of sustaining one’s position in a relationship or system. Reducing the sources of opposition can reduce costs and improve stability and sustainability. Identifying the sources of such opposition is an important first step, and the framework presented here is designed to assist in that objective.

# About the Author

**Robert D. Lamb** is a senior fellow and director of the Program on Crisis, Conflict, and Cooperation at the Center for Strategic and International Studies (CSIS) and a research scholar at the Center for International and Security Studies at the University of Maryland. A former Defense Department strategist, Dr. Lamb studies development, governance, and conflict with an emphasis on complex crises, informal processes, and hybrid political and economic systems. His research has included the effectiveness of civilian assistance, private-sector development, and stabilization programs in complex environments; gang governance, violence, and legitimacy in the stateless slums of Medellín, Colombia; and subnational governance, stability, and strategy in Afghanistan and Pakistan. He has presented his work to policymakers and experts throughout the United States and in Afghanistan, Colombia, France, Germany, Greece, Honduras, India, Korea, Pakistan, Romania, Russia, Sweden, and the United Kingdom. Dr. Lamb earned a PhD in policy studies from the University of Maryland School of Public Policy in a program combining security, economics, and ethics. He received a BA from Gettysburg College, evaluated microdevelopment projects in Nicaragua, covered business and finance as a journalist and research assistant, and won a 2001 National Press Club award before changing careers after 9/11. He tweets as @robertdalelamb.



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