

Course Name- B.A.L.L.B. IVth Sem.

Subject- Political Science

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Topic- Legitimacy and the Contemporary Crisis of Legitimacy

Legitimacy: Meaning, Sources and Types!

Legitimacy:

The concept of legitimacy also has acquired a significant place in modern political theory. Although the germs of this concept can be seen in the writings of Plato who enunciated the idea of justice in his Republic, yet its systematic exposition has been carried only by modern political thinkers.

Power, influence and authority can be effective only if they are legitimate. The role of coercion in political relations has diminished with the growth of culture and civilisation. Coercive power is now regarded primitive and brutal.

The modern political processes make use of non-coercive methods of control such as influence, persuasion, leadership, public opinion, etc. Legitimacy is a pre-requisite of power.

Meaning of Legitimacy:

The word 'legitimacy' has been derived from the Latin word 'legitimas'. During the middle ages it was called 'legitimitas' which in English language was interpreted as 'lawful'. Cicero used the word 'legitimum' to denote the power constituted by law. Later on the word 'legitimacy' was used for traditional procedures, constitutional principles and adoption to traditions. At still later a stage the element of 'consent' was added to its meaning. Consent was considered the essence of legitimate rule.

In the modern age it was Max Weber to first enunciate the concept of 'legitimacy' as a universal concept. According to him, legitimacy is based in 'belief' and gets obedience from the people. Power is effective only if it is legitimate. Undoubtedly, power has the right to use coercion but that is not its chief element. Power should be based on legitimacy otherwise it would invite trouble and may prove ineffective.

Robert A. Dahl writes, "Leaders in a political system try to ensure that whenever governmental means are used to deal with conflict, the decisions arrived at are widely accepted not solely from fear of violence, punishment, or coercion but also from a belief that it is morally right and proper to do so. According to one usage of the term, a government is said to be 'legitimate' if the people to whom its orders are directed believe that the structure, procedures, acts, decisions, policies, officials, or leaders or government possess the quality of Tightness, propriety or moral goodness—the right, in short, to make binding rules."

Thus defined, Dahl makes it clear that legitimacy is the quality of Tightness, propriety or moral goodness. All the governments try to prove their acts as legitimate and, therefore, binding on the people. The army leader who stages a coup and captures power also tries to prove the justifiability or moral Tightness of his action. The 'de facto' government becomes 'de jure' on acquiring legitimacy. In democracy the importance of legitimacy is no less because democracy is based on consent.

G.K. Robert holds, "Legitimacy is that principle which indicates the acceptance on the part of the public of the occupancy of political office by a person or the exercise of power by a person or group either generally or in some specific instance on the grounds that occupancy exercise of powers is in accordance with some generally accepted principles and procedures of component of authority." In fact every political system strives for legitimacy. An enormous variety of political systems have gained legitimacy in various times and places.

We may thus conclude that legitimacy means the capacity to produce and maintain a belief that the existing political system is most suitable to the society. The masses must obey it unreluctantly and accept its sanctity and consider it worthy of respect and reverence.

Sources of Legitimacy:

According to Max Weber, there are three sources of legitimacy:

(i) Tradition:

Legitimacy may rest on an established belief in the sanction of immemorial traditions and on the need to obey leaders who exercise the authority according to the traditions.

ii) Exceptional Personal Qualities:

Legitimacy may secondly be based on “devotion to the specific and exceptional sanctity, or exemplary character of an individual person.”

(iii) Legality:

Legitimacy may rest on the belief that power is wielded in a way that is legal. What is done legally is regarded as legitimate.

Grace A. Jones has described the following sources of legitimacy in the context of British system:

(i) Continuity with the political and social institutions.

(ii) Tradition of non-violence.

(iii) Religious beliefs.

(iv) Belief in values.

(v) Electoral process, liberty and unanimity.

(vi) Coordinated and integrated society and continuity of its traditions.

(vii) Adaptive political culture.

According to Friedrich, the sources of legitimacy are:

(i) Religious,

(ii) Philosophical and juristic,

(iii) Traditional,

(iv) Procedural, and

(v) Empirical.

From the above analysis it is evident that legitimacy is not a mere abstract or moral feeling. It is something related with the entire political system. It is a belief which leads the people to accept that it is morally right and proper for the officials or leaders of government to make binding rules. Legitimacy enables a ruler to govern with a minimum of political resources. It is the soul of democracy.

Types of Legitimacy:

David Easton describes three types of legitimacy as under:

(a) Ideological legitimacy:

When the source of legitimacy is the ideology prevailing in the society, it is termed as ideological legitimacy. A political system is in fact an articulated set of ideals, ends and purposes which help the members to interpret the past explain the present and provide a vision for the future. The ideology portrays the aims and states the objectives of the political system. These aims and objectives have the potential as they constitute a set of ethically infused ideals to capture the imagination of the people. They inspire men to action as they are related to their success.

(b) Structural legitimacy:

The principles which lead the members in a particular system to accept as legitimate, contribute to the validation of structures and norms of the regime. Every system has set goals according to which authority is exercised and political power is wielded. This basis of validation is termed as structural legitimacy.

(c) Personal legitimacy:

If the behaviour and personality of those at the helm of affairs is of dominating importance and if the members consider these authorities as trust-worthy this is known as personal legitimacy. David Easton is of the view that a large class of leaders, regardless of any inner conviction of being called, or outer recognition as such by followers, manage to build up a belief in their legitimacy.

A political system can face a crisis if its legitimate position is in peril. The crisis of this nature brings change in the existing social system as well. A crisis of legitimacy is thus a crisis of change. In the words of Lipset “.....In general even when the political system is reasonably effective if at any time the status of major conservative groups is threatened or if access to politics is divided to emerging groups at crucial periods the system of legitimacy will remain in question. On the other hand a breakdown of effectiveness repeatedly or for a long period will endanger even a legitimate system’s stability.”

Legitimation Crises:

Definition and Nature:

Max Weber simply analysed the concept of legitimacy. But the neo-Marxists departed from Weberian theory of legitimacy and focused their attention to the legitimation crisis. The champion of this new trend Jürgen Habermas (born 1929). His Legitimation Crisis was published in 1973. Habermas and several other neo-Marxists have thoroughly studied the nature and functioning of capitalism and have concluded that “within liberal democracies there

are crisis tendencies which challenge the stability of such regimes by undermining legitimacy. The core of this argument was the tension between a private enterprise or capitalist economy, on the one hand, and a democratic political system, on the other hand, in effect, the system of capitalist democracy may be inherently unstable". (Italics added)

More than one and half centuries ago Marx thought and propagated crisis in capitalism and that according to Marx was due to the contradiction in capitalism. But the neo-Marxists (such as Habermas) thought of a new crisis and this is legitimization crisis Habermas has said that in capitalist societies there are number of crisis tendencies and these have enough potentialities to destabilise the capitalist societies. Habermas further maintains that the capitalist societies cannot survive simply on the basis of consent and legitimacy.

Causes of Legitimation Crisis:

There are several causes or aspects of legitimization crisis.

Habermas and several other neo-Marxists, after studying all the aspects of capitalist societies, have concluded that a number of factors are responsible for the legitimization crisis:

1. In order to build up a strong "structure" of legitimacy the authority of the capitalist society sanctioned a number of political, social and other rights. This considerably helped the expansion of democratic process of the political system along with it the legitimacy.

The rights and liberties of the people expanded. But this acted as a boomerang to the capitalist society. People demanded more and more rights and privileges. But it was beyond the capacity of the capitalist society to satisfy these. A discord between the state authority and the people emerged. This threatened the very foundation of legitimacy.

2. Government was incapable of meeting numerous demands of the private economic sector. In the eighties of the last century the conflict between the state authority and the supporters of the market economy became pronounced. The underlying reason was that the members of the free market economy vehemently opposed the state move to curb the profit of the free market, and the government took this step being pressurised by the people.

The latter exerted pressure on the government that the market economy was making huge profits by exploiting the common people and this must be stopped. Any dilly-dallying attitude was enough to hurt the legitimacy and in practice did that. The authority of the capitalist society was faced with a dilemma. The legitimacy was, in fact, in crisis.

3. In order to explain and support the “crisis theory some researchers have said that in the seventies of the last century the governments of many capitalist countries were “overloaded” by the increasing demands of the people. They mounted pressures upon the government for meeting more and more demands.

This was the consequence of the expansion of rights and liberties. But the tragedy was that it was beyond the capacity of government to shoulder the abnormal burden. This is called overload theory. The state authority was under excessive pressure of the overloaded demands. Any move to bypass the demand was sufficient cause to the people for reconsidering their obedience to the authority.

The state was again in a dilemma. It could not antagonize the people for fear of the withdrawal of obligation. On the other hand, physically or financially, it was not in a position to meet the increasing demands.

4. The legitimization crisis was also very profound and deep-rooted in the Third World states. There were wide gaps between the ability of the government and the expectations of the people and the gaps began to widen day after day which created critical position for the legitimacy.

Classification of Crises:

We have discussed so far the nature and definition of legitimization crisis. Habermas has, however, drawn our attention to some of the crises. He has delineated four types of crises: economic crisis, rationality crisis, legitimization crisis, and motivation crisis. David Held has briefly stated the crises in the following language, “His (Habermas, argument is that capitalist societies today are enlarged from at least one of the four possible crisis tendencies. It is a consequence of the fundamental contradiction of capitalist society (social production versus private appropriation) that, other factors being equal”, there is always a crisis. Behind every crisis there is, according to Habermas, a factor called “requisite quantity”. He says that economic crisis arises out of the fact that “requisite quantity” of consumable values is not produced.

It means that there is a gap between what the consumers want and what the structure of the economy can supply. There may be a rationality crisis. It arises out of the situation that the authority has failed to take requisite quantity of rational decisions.

This creates a disenchantment in the minds of the people about the ability of the government to take proper decisions. For the survival of the regime the government must take action motivating actions and when there is an absence of requisite quantity of the motivation, actions do not come forth and crises emerge. All these create crises for legitimacy.