State Legitimacy

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States are legitimate when citizens accept their right to rule over them. But legitimacy is also a political process of bringing order to social relations, and political actors are often central to it. Legitimacy matters because without it there is likely to be conflict and disorder. All states need a degree of legitimacy to govern effectively. Understanding when citizens are likely to confer or withdraw legitimacy requires investigating social norms. The depth and durability of a state's legitimacy has direct effects on the feasibility of development processes, and on the effectiveness of external efforts to support them.

This brief offers a concise introduction to the core elements of the concept of state legitimacy. It is designed for those who are new to the idea, and it addresses four questions: How is the concept of legitimacy best understood? Why is it important? How do states accrue legitimacy? And what policy implications follow from this?

What is state legitimacy?

Legitimacy is one of the most contested terms in political science. Understanding its meaning, let alone measuring it in real life situations, is the subject of lively debate in policy and academic spheres.

In its simplest form, state legitimacy means people accept the state's fundamental right to rule over them.[1] But legitimacy is about more than compliance with, or deference to, power.

When states have legitimacy, they can usually ride out periods of bad performance, or even go against what people want or need at a particular moment, without being overturned. This is because legitimacy derives from an underlying belief that the rules organising power are proper and right, even if sometimes those rules don't benefit individuals materially.[2]

To give an example, legitimacy is sometimes described as akin to stopping at a red traffic light in the middle of the night with no one around. Even though there's no prospect of being caught for not stopping, and no immediate threat of sanction for non-compliance, most people would stop anyway because they believe the rule itself to be right and proper for society – in other words, legitimate.

Though the meaning and implications of state legitimacy remain contested, recent analyses have tended to converge on the following core elements:

- **State legitimacy means citizens believe the state has the right to rule:** Citizens are at the heart of legitimacy thinking. There is no way to judge legitimacy independently of citizens' beliefs. While not all citizens are equal in their capacity to confer legitimacy, either a majority of the population, or the more powerful groups within it (the military, or business, for example), must be satisfied that the basic functions of government are being performed in order for a state to be considered legitimate.[3]

- **Legitimacy beliefs have their origins in social values:** In other words, power is not legitimated in a vacuum, free-standing from the principles, ideas and values that govern a society. Any given power arrangement must appeal to some underlying social norm in order for it to be accepted as legitimate.[4] For example, laws are not automatically legitimate because they exist, but because they represent or reproduce values and seek to protect some notion of the common interest.

- **Legitimacy determines how people behave towards the state:** Legitimacy influences citizens' actions. People are more likely to rebel against perceived unfairness or deterioration of living standards where the state is considered illegitimate.[5] Likewise, sustained co-operation or non-resistance are sometimes taken as markers of legitimacy.

- **Legitimation is a continuous process:** All systems of power will seek legitimation in order to be accepted. Political leaders and state institutions typically have resources at their disposal – such as influence over the media and processes of political participation – to create and maintain the belief that the system they represent is the most appropriate one for society.[6] Citizens' evaluations of the state are partly formulated through processes of communication with political actors and authorities.

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Why is legitimacy important?

Legitimacy crises often precipitate periods of intense political contestation or violent conflict. The paradox of legitimacy is that it is usually only when it is absent that its true significance becomes clear. Whatever its normative foundation, legitimacy brings order and stability to social relations. It creates predictability in the way people behave. When legitimacy breaks down, so too does stability and order. This was graphically illustrated by the wave of popular protests that characterised the so-called Arab Spring.

Likewise, all states need a degree of legitimacy to govern effectively. The only alternative to legitimacy is to rule through the threat (or exercise) of punishment or reward. But this kind of enforced compliance requires an extensive physical presence and security apparatus, and this is costly for a state. Legitimacy makes citizens more likely to defer to decisions and rules out of a sense of obligation. In this way, it makes ruling more *efficient*. In the longer term, the accrual of legitimacy improves the capacity of states to preside over economic and social development.[7]

How do states accrue legitimacy?

Legitimacy can sustain systems of rule that from the outside can appear detrimental to citizens' health and wellbeing. A key challenge is to understand what social norms, rules or ideas underpin citizens' perceptions of the state's right to rule in a specific society, at a specific time, free from preconceived notions about what those norms and values *should* be. There is no universal script for legitimate systems of government. In some cases, legitimacy may derive from the absence of any conceivable alternative, or a perception that people would be worse off under a different system. A strong state capable of aggressively putting down opposition may be legitimate on the basis that without its protection, chaos would reign.

Understanding the key sources of legitimacy available to a state, and whether and how external aid interventions might bolster them, is a rapidly growing area of concern for development partners. To this end, there have been several recent attempts to systematise sources of legitimacy. The most common distinction is between input versus output sources (see box).

Input and output legitimacy

Input (process) legitimacy: How the state *acquires* power and conducts policymaking. The perceived fairness of the process via which authorities and institutions make decisions and exercise authority is considered a key aspect of people's willingness to comply with it.

Output (performance) legitimacy: How the state *exercises* power. This may have a more immediate and tangible impact on people's welfare than how the state acquired it. The fulfilment of everyday wellbeing, including providing security and justice, is widely considered a key way in which the state can earn the right to rule.

Sources: Tyler, 2006; Rothstein, 2009; OECD, 2010; Teskey et al., 2012

In reality, sources of legitimacy overlap, change over time, and might not fit into neat categories. For example, in any given scenario, a state's legitimacy might derive from some combination of effectiveness, the organisation of political power, or how society has historically resolved divisive conflict. In other cases, protecting a nationalist ideology might be a potent underlying source of legitimation.

In the state-building literature, a distinction is sometimes made between legitimacy that derives from what the state *does*, versus what it *is*, or its deeper meaning to people. Institutionalist scholars argue legitimacy flows automatically from functioning institutions (democracy, security apparatus, legal-rational bureaucracy), while sociologists view legitimacy as much more entwined with the deeper meaning of the state, including the kinds of ideas and values it represents.[8]

Available evidence shows that the causal link between what the state does on the one hand, and the degree to which people view it as legitimate on the other, is in no way straightforward.

For example, received wisdom holds that providing vital public services – like health, education, water and sanitation – is likely to improve state legitimacy, especially in fragile or conflict-affected environments where services are likely to be poor or non-existent. Yet research demonstrates that this probably depends on what people may have expected from the state in the first instance, or their perceptions of distributive justice or procedural fairness in the allocation of public services. In other words, when it comes to how citizens evaluate the state's performance, socially constructed norms are probably more significant than any objectively verifiable indicators of outputs.[9]

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What policy and operational messages follow from a focus on legitimacy?

One of the key challenges for academics and policymakers concerned with legitimacy is how can we tell apart cases of legitimate rule from those of illegitimate rule?

Legitimacy thinking calls for an empirical approach to understanding what citizens expect from the state and how they evaluate it, as opposed to a normative one, based on preconceived universal values. To support this, policymakers need more studies of the principles underlying citizens' own legitimacy judgments in different country contexts.

Better continuous monitoring of a state's legitimacy barometer – in other words, the sources and durability of its reservoir of support – could enable greater awareness and forecasting of crises of legitimacy that at any point can undermine or overturn the development process.

Analysing legitimacy means thinking about who is included and excluded from access to state resources, which groups have the power to confer or withdraw legitimacy from the state, and what

their investment in the current system is. It calls for recognition that, in any context, there are likely to be particularly important issues or material rewards that have historically been critical for sustaining the state's legitimacy. Recognising these could inform a deeper understanding of the threshold of acceptability of state action – in other words, when, and under what circumstances, people are likely to withdraw their consent to state rule.

Though it represents a tricky methodological puzzle, understanding the influence of aid on legitimacy is also vital.

Where aid unintentionally undermines domestically legitimate institutions by contradicting local norms and values, or where it builds parallel systems of governance that might accrue legitimacy instead of state structures, it could damage domestic processes of state-building. Incorporating legitimacy thinking into political or social analysis could help development partners understand and avoid unintended detrimental effects of their interventions on state legitimacy.

Conclusion

The concept of legitimacy is fuzzy and highly contested, yet its significance for peace, stability and development is clear. Legitimacy thinking calls for greater attention to the normative foundations of the relationship between states and citizens.

Legitimation – a socially constructed, continuous process driven by politics, persuasion and power relations – enables or undermines prospects for development. The origins and durability of a state's legitimacy affect the feasibility and effectiveness of external aid interventions.

Further reading

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