LEGITIMACY AS A NAIVE CONCEPT: A MORAL REASONING APPROACH

By

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1.

ABSTRACT

Do individuals construct moral justifications about why they need to obey authorities? This thesis seeks to explore whether laypeople (or non-philosophers) hold naïve theories about the concept of legitimacy, by combining a theoretical understanding of legitimacy – from a political philosophy and empirical studies standpoint – with a series of insights from the fields of cognitive science and moral psychology. I conduct an exploratory, grounded-theory research based on 20 semi-structured in-depth interviews, where I stimulate the production of moral and political statements and identify and analyze the emerging expressions of legitimacy. The qualitative data analysis revealed a preliminary structure for the identified expressions of legitimacy, including a set of core attributes and their possible continuous or categorical dimensions. Overall, while exploratory, the research suggests that individuals do construct moral accounts of legitimacy in the form of naïve theories, which could prove relevant both for the fields of political theory and empirical political research.

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Introduction

Do authorities hold the moral right to exercise their power upon us?

Political thinkers have been wrestling with this question for millennia, which gave rise to one of the most prominent debates in the field, and to a full body of related theories and concepts. Less attention has been paid however to how - and whether – lay-people think about this on a day-to-day basis. When faced with this question, do we get a gut feeling about the answer, or do we need to take our time to reflect? Do we operate with abstract ideas such as justice or fairness, or do we tend to base our answers on the fondness we have for the states, regimes, and institutions we live under?

This thesis attempts to provide an answer to these questions by exploring the moral psychology of legitimacy. More specifically, it combines concepts and insights from the fields of political theory, political behavior, and cognitive science in order to understand how people think about the relationships of entitlement and obligation between themselves and the authorities they are subjects of.

Why should we study legitimacy?

Power is a central feature of politics, and legitimacy is - along with authority - one of its main sources. Perhaps for this reason legitimacy has been repeatedly discussed, conceptualized, and advocated for throughout history by political thinkers and social scientists alike.

Despite (or maybe due to) being a foundational feature of politics, legitimacy is also an essentially contested concept (Gallie 1994), as well as a latent one by nature, i.e. it cannot be measured directly (Gilley 2009). The nexus of the vast majority of conceptions of legitimacy,

however, lies in the fact that it describes the normative value of a political object, such as a state, a regime, an institution, an international organization etc. (for a comprehensive list of the various definitions of legitimacy, see Mazepus 2016). This normative value can be determined by looking at a set of objective criteria as a baseline for legitimacy, such as the evidence of consent (e.g. Rawls 1997, Estlund 2008). Conversely, a researcher may tackle legitimacy from a descriptive rather than a prescriptive angle by evaluating whether a political object enjoys legitimacy in the time and place it resides, according to context-dependent criteria (e.g. Weber 1946, Easton 1965, Beetham 1991).

Naturally, issues of measurement and operationalization arise when taking up the descriptive approach: what should one look at in a political object in order to determine its subjective legitimacy? Most of the definitions would suggest that legitimacy is founded on a belief sustained by the relevant subjects, e.g. citizens in the case of modern states. At the same time, most empirical research of legitimacy takes into account either proxy measures such as self-reported confidence in state institutions (Gilley 2009), or macro-level indicators derived from its expected effects, such as the nature of institutional practices (e.g. Levi, Sacks and Tyler 2009).

Both of these approaches seem to avoid tackling what separates legitimacy from concepts such as support (at an individual level), which can also be gained from coercion or other types of incentives, or stability, for which legitimacy can be one of many factors (at a macro level). More specifically, they do not truly measure views about the normative value of political objects, and instead seem to assume that most people either do not bother to think about such questions in a truly consistent way, or that they will always vary together with other types of attitudes. The implication of both assumptions would be that descriptive legitimacy is either a concept of little use, since it cannot be separated from support, or that political researchers should shift towards system-level analyses of legitimacy.

It seems that this conceptual confusion is in part the result of a lack of clarity about how (and whether) people evaluate the normative value of political objects. While there have been some theoretical and empirical efforts to understand the processes behind thinking about legitimacy - most notably Jost and Major's (2001) volume "The Psychology of Legitimacy", which uses frameworks such as system justification theory or social dominance theory, among others - most of them seem to be focused on what determines the content of beliefs of legitimacy i.e. what types of inequalities and power relations are deemed to be legitimate under certain conditions, rather than their form, i.e. what type of reasoning process legitimacy alludes to.

Naive theories about legitimacy

In order to fill this gap, I propose an approach based on a concept borrowed from the field of cognitive science, namely naïve theories. More specifically, I argue that it might be worth going beyond using legitimacy as an explanatory variable for stability and individual obedience, and beyond using entirely detached normative arguments for establishing the moral appropriateness of political objects. Instead, as some have suggested before (Beetham 1991, Gilley 2009, Horton 2012, Mazepus 2016, Abulof 2016) it might be worth looking into the actual contents of non-experts' (often called "folk people", or "laypeople") moral beliefs about legitimacy.

In order to do this, the first chapter offers a brief review of the various typologies of theories of legitimacy in political philosophy. The second chapter tackles the transition towards an empirical approach to legitimacy, and pinpoints some of the main arguments in favour of bridging the gap between these two approaches. In line with this claim, I use the third chapter to illustrate, through the integration of a set of concepts, theories, and findings from the fields of moral psychology and cognitive science, that while disrupting the separation between the

normative and empirical approaches to legitimacy is justified, it might be complicated by some of the nuances of human moral reasoning.

I then argue that one of the missing pieces in this puzzle is an understanding of individuals' reflective, conscious, higher-order ideas about legitimacy. I propose analyzing this through the framework of naïve theories, in a similar vein to Mazepus' (2016) "folk political philosophy" and Abulof's (2016) "public political thought" concepts. In order to explore the form and content of these naïve theories, I opt for grounded theory the most suitable methodological approach would be an inductive/abductive one. More specifically, I conduct a series of 20 interviews wherein I attempt to identify expressions of legitimacy within broader political conversations. As a result, I pinpoint a series of core attributes that could provide a basic framework for a naïve conception of legitimacy.

Chapter 1: A conceptual examination of legitimacy

Historians of political thought are yet to decide how far exactly the concept of legitimacy dates back to: some chronologies begin with Thucydides' "History of the Peloponnesian War" (Zelditch 2001, 35), while other authors offer Plato's dialogue "Crito" as the first relevant landmark (e.g. Klosko 2011). Overall, legitimacy was and continues to be a central issue in political thought, up to the point that Robert Nozick calls the question of whether states should exist at all or not "the fundamental question of political philosophy" (Nozick 1974, 4).

Does the fact that legitimacy signifies so much for political philosophers, while remaining seemingly unexamined in day-to-day life require any reflection? As John Horton points out in the very introduction to his book on political obligation (an intimately related concept):

> "The term 'political obligation' is not one with much currency in contemporary life outside of books and discussions of political philosophy […]. The cluster of questions and issues with which it is concerned lies at the heart of political life and has done so, with greater or lesser urgency and self-consciousness, for as long as people have reflected upon their relationship to the political community of which they are members." (Horton 1992, 1)

This chapter is therefore aimed at providing an overview of the concept of legitimacy, as it is used in both normative and empirical political theories. This will serve as a basis for a more in-depth theoretical inquiry of the matter of legitimacy.

1.1 Legitimacy, obligation, and authority

At the most general level of concept formation, legitimacy is a label that can be ascribed to a political arrangement – a state, institution, law, decision etc. – that fulfils a set of conditions

which are related to some sort of perceived or actual moral appropriateness. The discussion over these specific conditions lies at the heart of the various attempts to conceptualize legitimacy.

Besides the causes of legitimacy (or its intension), the term gains resonance due to its associated effects. What treatment should a legitimate state receive from other actors? What rights does a legitimate regime hold compared to an illegitimate one? Finally, how should the citizens of a legitimate political community relate to the powerholders?

One of the concepts contained within these questions is that of political obligation, which is by extension intimately related to the problem of legitimacy. More specifically, political obligation is the individual-level correlate of legitimacy (i.e. the obligation of citizens is connected to the legitimacy of the political communities they are part of), and can be defined as a moral duty to comply with authorities regardless of the associated rewards or punishments. Put simply, obligation entails that we need to "obey the law because it is the law" (Klosko 2011, 712), or "to accord to some number of persons a right that we otherwise reserve to ourselves, the right to conduct our own lives and affairs as each of us deems appropriate" (Flathman 2012, 678).

An additional concept associated with legitimacy is that of authority, which is generally defined as "the right to perform some action, including the right to make laws and all lesser rights involved in ruling" (Miller 1987, 28). In a more precise manner, authority can be understood in contrast to power based on coercion or persuasion (Arendt 1954). These create separate reasons for obedience, such as the avoidance of punishment or seeking the reward that has been communicated through the persuasive act. Instead, authority offers pre-emptive reasons for compliance, which are meant to replace the other reasons that an individual might be guided by in her actions (Raz 1988).

Therefore, legitimacy lies at the nexus between these two concepts: a legitimate political community holds authority. This authority is based on a set of standards that take the form of perceived or actual moral attributes and generates, in turn, political obligation on the side of its subjects. The various nuances of this relationship will be elaborated in the next section of this chapter. Until then, an additional distinction must be made, namely between normative (or prescriptive) legitimacy, and empirical (or descriptive) legitimacy.

A normative conception of legitimacy is one related to what 'ought' to be. It employs moral justifiability, or "independently validated principles of rightful authority" (Beetham 2011, 1417) as criteria for whether a political object is legitimate or not. Jost and Major (2001) call these conceptions "objective" ones, since they place the moral yardstick not on cultural, system-level or individual factors, but on universally valid criteria. For example, John Rawls' account of legitimacy based on the natural duty of justice places the criteria upon the conclusions reached by neutral, rational, and reasonable individuals under the "veil of ignorance" (Rawls 1999).

Max Weber's typology of legitimate rule marked the shift towards the empirical approach, wherein legitimacy is viewed in opposition to "pure power" and is situated in the beliefs held by the relevant members of the society in question (Weber 1946). In this case, legitimacy becomes subjective, with its criteria being induced from the features of authoritative states. For instance, while divine authority will rarely be considered a valid basis for the legitimacy of any contemporary state, this should not prevent us from stating that, historically, political configurations such as Ancient Egypt had their authority rest upon this principle (Hampton 1998).

While the current literature seems to have branched off into two approaches to legitimacy – a normative and an empirical one – some authors question this distinction. On the

political theory side, Beetham and Horton argue, for example, that there is no convincing way of providing an account of legitimacy that completely ignores the views of non-hypothetical citizens (Beetham 1991, Horton 2012). Conversely, the question that the empirical approach to legitimacy has to face is the extent to which an inherently moral label can be objectively ascribed to actual political objects. In this vein of argument, Netelenbos calls the descriptive study of legitimacy "crypto-normative", "in the sense that value judgements underlying empirical research are not thematised but unproblematically assumed." (Netelenbos 2016, 6).

An additional way in which normative and empirical approaches often inadvertently get mixed-up is that of the democratic bias that research (especially public opinion research) suffers from (Mazepus 2016, 20). More exactly, scholars often confound indicators for legitimacy with democracy indicators without much critical consideration. This can have strong implications for conceptual clarity, since it prevents researchers from understanding how non-democratic regimes might cultivate their legitimacy, but also dismisses the possibility that democratic regimes might face legitimacy crises (which is inconsistent with what intuition might tell us).

This thesis follows the critical approach towards the distinction between empirical and normative legitimacy. However, before going further with proposing the cognitive approach as a bridge between these two traditions, I will present the main directions that the literature has taken in tackling the issue of actual and perceived legitimacy.

1.2 Legitimacy in political thought

Political communities are defined by the power relations that exist between their individual members and groups. Conversely, the concept of legitimacy stems from our attempts to question these arrangements. Historians of political thought therefore seem to ascribe the formation of theories of legitimacy to rejecting the inevitability of authority:

> "The need to articulate principles justifying non-obedience to particular commands forced theorists to work out reasons why subjects should obey and their limits, in order to demonstrate that those limits have been crossed." (Klosko 2011, 714)

It would appear, therefore, that the various conceptions of legitimacy present in the literature should be closely related to historical shifts that required thinkers to come up with an account of illegitimacy that would justify action, such as the socio-economical changes occurring in seventeenth century England (Klosko 2011). At the same time, however, there are theories (or proto-theories) of legitimacy that seem to be oriented towards creating post-hoc explanations for authorities' already existing entitlement to exercise their power (among which the most iconic is probably Hobbes' Leviathan).

Besides the question of why theories of legitimacy occur, however, another important aspect to explore is what exactly they do have in common. According to Hanna Pitkin, there are four main elements that are contained to varying degrees in each of these accounts. First, they spell out the obligations that the relevant subjects hold, as well as their scope and limits. In addition, a theory needs to state the locus of legitimacy, i.e. who is entitled to said obligations. For the account to truly count as a theory of legitimacy, the nature of the relationship between the subject and the powerholder should be a moral, rather than instrumental one, therefore the theorist has to distinguish between legitimate authority and coercion. Finally, the last component is the justification: why should subjects obey the authority, and why is the authority entitled to exercise its power? (Pitkin 1965, 991).

If this is what unites the various theories of legitimacy, then what differentiates them? Given the long history of the concept, as well as the large breadth of the arguments that have been employed over time, creating a typology or classification of the existing theories of legitimacy can be quite challenging. There are, however, several common themes that can be traced across various theories and historical periods. The question that we must therefore

answer is related to the nature of the relationships that define the legitimacy – authority – obligation nexus.

According to Simmons' classification, one of the most straightforward ways of approaching the problem of duty to obey is to understand it as a moral extension of some un-chosen role or status that we happen to hold. These accounts, called "associative theories" (Simmons 2001, 65), appear to rest on the premise that there is some inherent value to belonging to a political community, and that certain moral obligations of the individual result from this.

What is this based on? The associativist argument is largely in line with the communitarian tradition in political philosophy, which brings a series of criticisms towards the individualistic-atomist approach that is characteristic to liberal political thought. To put it simply, we should not become fixated with the steps that incur obligations upon autonomous individuals and should instead turn our attention towards the community. This is in turn based on an increased confidence in our intuitions. For example, people believe that they have obligations towards their families despite not having chosen to be born into them (van der Vossen 2011, 477). Plato makes such a case in the dialogue "Crito", where Socrates argues about his duty to obey the decision of the Athenian state and refuse his friends' offer to allow him escape what he perceives to be unjust imprisonment and execution.

> "Are you so wise that it has slipped your mind that the homeland is deserving of more honor and reverence and worship than your mother and father and all of your other ancestors?" (Crito 51b)

A contemporary version of the associative theory of political obligation belongs to Ronald Dworkin (1986). According to the author, the source of political obligation lies in the characteristics of true communities, which are so by virtue of passing an "interpretive test". More specifically, they should be defined by "a general and diffuse sense of members' special rights and responsibilities from or toward one another" (Dworkin 1986, 199), which signals

towards the properties of the political community rather than the individual psychological attachment that its members might hold toward one another.

Theories such as Dworkin's rest on the value they confer to the community; the immediate alternative is to place the centre-point of the argument on the individual. The class of theories that keeps in line with this approach most directly is that of voluntarist accounts. More specifically, most voluntarist theories rest on the normative claim that individuals do not naturally belong in certain roles within certain hierarchies (Levitov 2016). Instead, some kind of voluntary act of consent is required in order to incur moral obligations upon the subjects of a polity.

Whereas associative theories of legitimacy are founded on the assumption that the obligation to obey is intuitively associated with simple membership, voluntarist theories seem to appeal to a different intuitive question people may ask: 'why would I obey an arrangement I never agreed to?'. One of the legal metaphors generated by this concern is that of the contract: an individual would generally not be expected to follow the provisions of a contract that she has never signed, therefore a citizen should not be morally required to obey a law she never consented to. There are, however, no empirical examples of political arrangements to which people actually get to express their consent, so voluntarist theorists took the next step in formulating various placeholders for this. For example, the 'state of nature' component of the early modern theories of legitimacy ascribe historical consent to the first generation of the political community, followed by tacit consent through residence.

A more recent formulation is that of hypothetical consent, which is founded upon inferences about what would have been agreed to by individuals had they the chance to express their agreement or disagreement (Simmons 2008), and provided these individuals are both rational and reasonable:

> "Our exercise of political power is proper only when we sincerely believe that the reasons we would offer for our political actions-were we to state them as government officials are sufficient, and we also reasonably think that other citizens might also reasonably accept those reasons." (Rawls 1997, 771)

Alternatively, one might consider the enjoyment of the various benefits of states – such as social services or security – to constitute a form of consent. According to Hart's version of such 'fair-play' theories, if someone submits their liberties to a political arrangement, they are entitled to the other beneficiaries' equal and similar submission to the arrangement (Hart 1955).

While the various steps in the argumentative structure of voluntarist theories seem individually plausible, one common critique is that the narrative of the account is far from intuitive. As David Hume famously observes about tacit consent accounts in particular:

> "We may as well assert that a man, by remaining in a vessel, freely consents to the domination of the master; through he was carried on board while asleep, and must leap into the ocean and perish, the moment he leaves her." (Hume in Horton 1992, 34)

One of the main results of this scepticism towards consent – and consequently the possibility of genuine authorization – has been the development of philosophical anarchism (Simmons 2001). From the side of the theorists who found the defence of legitimacy worthwhile, however, the necessary shift seems to have been the re-focus toward the duties that individuals have towards one another, rather than the authorities. To restate Hume's metaphorical framing, even though individuals should not feel obligated to the imaginary masters of the vessel, there are more universal moral duties that render them responsible for their fellow passengers who find themselves in a similar situation. In turn, these "basic moral duties" can only be ensured through the mechanisms at the disposal of political authorities. These accounts are classified as "natural duty accounts" (Simmons 2001), a sub-category of deontological accounts of legitimacy (Horton 1992).

Perhaps one of the most influential arguments in the natural duty belongs to Rawls, wherein the justification for legitimate political authority derives from his broader theory of justice:

> "From the standpoint of the theory of justice, the most important natural duty is that to support and to further just institutions. This duty has two parts: first, we are to comply with and to do our share in just institutions when they exist and apply to us; and second, we are to assist in the establishment of just arrangements when they do not exist, at least when this can be done with little cost to ourselves." (Rawls 1999, 293-4)

A similar political theory – which presents a less morally universalist angle – is the reciprocal account of legitimacy. In this case, our obligations towards other citizens and, by extension towards rightful authorities, is not the abstract natural duty to uphold justice, but the perhaps more intuitive requirement to "give back" towards the individuals, communities, and social institutions that contributed to our wellbeing. According to Simmons' (2001) classification, these arguments tend to be based either on a moral opposition to "free-riding", or on the feeling of gratitude that should ideally derive from receiving benefits from others (for example, Socrate's aforementioned argumentation in Crito contains such a component).

Of course, the reciprocity account of legitimacy is specifically objectionable from the point of view of consent theorists: how can we clearly determine whether someone has truly agreed to receiving certain benefits, and to what extent can we genuinely infer that the societal structures into which individuals are born and develop can be classified as beneficial (Simmons 2001)? For this reason, the natural duty accounts, while less ingrained in intuitive statements, might appear to be theoretically more credible.

While the question of whether individuals' actual agreement to authorities continues to hold relevance in the political philosophers' debates, it must be noted that the beginning of the 20th century marked the emergence of a different way of looking at legitimacy from this specific viewpoint. More specifically, Max Weber's conception of legitimacy brought to the

forefront ‘empirical’ or ‘descriptive’ legitimacy, wherein the determinant factor is individuals’ beliefs, regardless of the objective validity of their criteria. Weber offers an account of legitimacy that recognizes the need to give meaning to social action under orders of dominance:

> “Like the political institutions historically preceding it, the state is a relation of men dominating men, a relation supported by means of legitimate (i.e. considered to be legitimate) violence. If the state is to exist, the dominated must obey the authority claimed by the powers that be. When and why do men obey? Upon what inner justifications and upon what external means does this domination rest?” (Weber 1946, 4)

Weber goes on to explain these types of inner justification by appealing to his now famous typology of traditional, charismatic, and rational-legal legitimate authority (Weber 1946). Taking a more in-depth approach in reading Weber, Martin Spencer (1970) argues that this classification should be supplemented by Weber’s typology of legitimate normative orders (affectually-legitimated, traditionally-legitimate, rational legal, and absolute value norms) and approaches to social action (affectual and wert-rational) in creating a more comprehensive mapping of the concept (Spencer 1970, 132), which manages to better capture the normative aspect of the relevant beliefs.

Chapter 2 – Social sciences and descriptive legitimacy

While Max Weber's work was not the first to lay out an argument about the contextual nature of legitimacy, his conceptualisation and classification of the various types of legitimate authority gave rise to a direction of research that was more empirically and evidence-focused than previous attempts. This approach can be classified as "descriptive legitimacy" and is distinct from the normative positions described in the previous section in that it does not attempt to create a set of objective criteria for legitimacy which can be evaluated by an outside observer. Instead, the locus of legitimacy is – generally speaking - on the beliefs of the relevant agents, which are in most cases the members of the political community.

Furthermore, descriptive legitimacy can also be framed as "instrumental legitimacy". In this case, the desirability of legitimacy is not in the moral appropriateness that it confers to the holder, but on its strong relationship with stability. This is specifically important whenever a state, regime, or institution faces serious challenges, perhaps most notoriously captured in Machiavelli's "The Prince":

> "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 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." (Machiavelli 1995, 108)

In a more recent approach, following Easton's (1965) conceptualisation of specific and diffuse support, political scientists such as Pippa Norris attempted to create similar explanations for stability in times of crisis:

> "Without a deep reservoir of public support to bolster regimes through economic crisis or external shocks, semi-democracies may revert to their authoritarian legacy." (Norris 1999, 2)

While this brings the traditionally normative concept of legitimacy to the realm of the empirical, one of the main challenges is that it requires a re-conceptualisation that can survive the absence of the objective, outside observer. This chapter will provide an overview of these approaches.

2.1 Literature overview

A first distinction that can be drawn between the theoretical approaches to instrumental legitimacy is that between consensus and conflict theories. What differentiates the two types of theory are the assumptions about the intentions of the powerholders, and how these related to specific social orders.

Zelditch (2001) identifies a series of consensus theories, such as Parsons 1958/1960 or Lipset 1959, which are all based around the concept of voluntary consent as alternate sources of stability to power and coercion and are the most important generator of legitimacy. More specifically, these theories posit that legitimacy and stability are inherently connected, and that this link is supported by voluntary acceptance of the order which has a non-instrumental basis, which is in turn founded on norms, values, and beliefs shared by the rulers and ruled alike (Zelditch 2001, 41). Consensus achieves, in this situation, a type of self-preservation as incongruences between the power holders and the social agents cause delegitimation, which in turns leads to losses in system stability followed, in most cases, by the necessary readjustment to reach the equilibrium.

In opposition to this, conflict theories presuppose that, rather than a naturally occurring congruence and cycle of readjustments, power holders oftentimes employ different strategies in order to wield perceptions of legitimacy in their favour. Thus, a conflict theory of legitimacy may be defined as one where “the fundamental basis of both action and order is instrumental (i.e. governed by rational self-interest)”, and where the rulers are usually in conflict with the

ruled and must make use of power and coercion on the one hand, and ideology, myth, and ritual in order on the other hand in order to ensure that the justification of their dominance (Zelditch 2001, 43). According to the author, one such theory (and the first one, in fact) is Machiavelli's description of the qualities that a prince should have in order to complement the use of force for instrumental purposes, as it depicts a subjective conception of legitimacy that can be constructed through the power holder's rhetorical efforts. Marxian theories of the reproduction of ideological structure (Marx 2010, Gramsci 1971) could also fit the label, with their emphasis on how system-affirming beliefs sustain themselves despite their unjust nature.

Beyond this recognition of the instrumental role that legitimacy plays in society, one of the major theoretical debates has in the field of perceived/subjective legitimacy has been that of conceptualization and measurement, especially with the advent of the positivist approaches to the topic.

While not solely focused on the concept of legitimacy, David Easton's systems analysis theory attempted to disaggregate support into specific and diffuse support. Following a "common usage" vein, Easton defines support as "an attitude by which a person orients himself to an object either favourably or unfavourably, positively or negatively", which "may be expressed in parallel action" (Easton 1965, 436). Furthermore, he distinguishes between specific support, which is related to "what the political authorities do and how they do it" (437), and the more fundamental attitudes that allow individuals retain their respect, obedience, or obligation towards positions, offices, or societal structures, which he calls "diffuse support" (437). According to Easton, legitimacy is one of the sources of this second type of support.

Seeking to explain the seemingly paradoxical co-existence of civic discontent with representative structures and support for democratic values, Pippa Norris (1999) follows Easton in his conceptualisation of support and draws a diffuse-specific support continuum. She places

at the most diffuse side of the spectrum the feelings that citizens might have towards the political community, "usually understood to mean a basic attachment to the nation beyond the present institutions of government and a general willingness to co-operate together politically" (Norris 1999, 10), and regime principles, or "the values of the political system" (17). In order to measure this, the author proposes the use of general measures for support of democracy, showing that these are the values that typically lay at the foundation of the polities in question through the use of the World Values Survey.

While the work of Pippa Norris seems to follow the systems analysis framework in the most detailed manner, Easton has inspired a larger number of researchers to explore a variety of possible components of diffuse support which, due to limited range of available data, used survey results on political participation and trust in government as the main empirical evidence for this type of support, which was often equated with legitimacy (Lamb 2014, 10). Furthermore, this was paired up with an interest for the relationship between subjective legitimacy and regime stability – which was especially relevant in the context of the Cold War (9).

One example of such an approach is Muller's (1970) exploration of legitimacy beliefs towards the United States Congress and Supreme Court. For the purpose of measurement, the author advocates for allowing respondents to use their own frame of reference in regard to the functions that the two institutions should fulfil, and then assess whether that is the case or not. Gibson, Caldeira and Spence (2003) take a different approach in assessing the Supreme Court's legitimacy, by measuring "institutional loyalty", which they describe as a "generalized trust that the institution will perform acceptably in the future" (Gibson, Caldeira and Spence 2003, 359), and which they operationalize as disagreement with doing away with the Court were it to make many unpopular decisions (366).

However, the attempt to identify single, most suitable measures has been met with criticism from several researchers. For example, Stephen Weatherford points instead toward "middle-level theorizing, with the goal of not choosing between perspectives but of combining them more constructively" (Weatherford 1991, 252), and proposes a set of survey indices that include both personal traits such as political interest, citizen duty, and subjective political competence with judgments of system performance, including the fairness of the political process, the conduct of officials, and the evaluation of representational procedures such as accountability mechanisms and the attentiveness of officials (264-265).

One of the more multi-dimensional approaches to quantifying legitimacy belongs to Gilley (2006), who generated a dataset with legitimacy scores for 72 states. In order to determine the score, the author uses a framework combining both attitudes and actions related to the three dimensions of legitimacy described by David Beetham, namely views of legality, views of justification, and acts of consent. This allows the author to combine data such as attitude surveys about legality and corruption or surveys on political support and trust with indicator such as the existence of demonstrations or social movements, political violence, mass emigration, crime levels, election turnouts, or military recruitment, among others (Gilley 2006, 502-503).

More recently, this approach has been incorporated more critically in works as Levi, Sacks and Tyler's (2009) conceptualization that combines value-based and behavioural legitimacy. Their model takes a multi-level approach, and inputs factors such as government performance, leadership motivations, and administrative competence into a trustworthiness variable, which is combined with perceptions of procedural justice in order to generate a "sense of obligation and willingness to obey", which in turn translates into compliance (Levi, Sacks and Tyler 2009, 357). When it comes to combining multiple measures and indices, Mark Sedgwick (2010) also favours an approach that takes into account the various dimensions,

levels of analysis, and possible operationalizations of the concept: "[t]his produces a form of what engineers call 'multiple redundancy': even if one component fails, the whole system should still work" and concludes that "even if some imperfections remain, an imperfect examination of legitimacy is certainly preferable to the alternative, which is to ignore one of the most important pillars on which any regime stands" (Sedgwick 2010, 252). In his research, the author explores the various dimensions of the legitimacy of the Egyptian regime, and describes a model encompassing several typologies, such as output (economic and non-economic) legitimacy, descriptive (traditional, religious, ideological, and charismatic) legitimacy or international, regional, and out-of-region legitimacy (257).

Another strand of research on legitimacy that is worth mentioning is that of police legitimacy. For example, Tyler (2002) seeks to assess individual's "obligation to obey the law; trust and confidence in the police; and favorable feeling about the police" (Tyler 2002, 78). Huo (2003) opts for a more flexible operationalization, wherein he asks respondents to indicate their willing acceptance of a directive they recall receiving from authorities (Huo 2003, 341). Tankebe (2012) also explores the various dimensions of perceptions of police legitimacy by breaking it down into public opinions on procedural fairness, distributive fairness, lawfulness, and effectiveness (Tankebe 2012. 103).

Furthermore, the empirical study of legitimacy has been expended from states and enforcement institutions to other entities which might require the same type of belief from the relevant subjects in order to function in a stable and meaningful manner.

For example, Robert D. Lamb explores legitimacy in the case of gang violence in Medelin, Colombia. According to his framework, an operational conception of legitimacy should take into account five relevant dimensions: the "conferees" should be perceived as predictable (transparent and credible), justifiable (referring to judgements about "what is right,

good, proper, admirable"), equitable (fair), accessible (to the citizens who want to have a say in the relevant decisions), and respectful (behaving in accord to the principles of dignity and pride) (Lamb 2014, vii).

In a study exploring the legitimacy of international organisations, Anderson (2015) combines social affinity ("the perception that the actions of an international organization are desirable and appropriate within some socially constructed system of norms and values") and obedience ("making subjects willing to substitute the international organization's decisions for their own and state's evaluation of the situation"). This is operationalised in a list of survey items, including agreements with statements such as "the morals of this international organization are incompatible with my own" or "the purpose of this international organization is pointless", for social affinity, an "my country should abide by the recommendations of this international organisation even if it is inconvenient", for obedience. (Anderson 2015, 5).

Another special case in regard to empirical assessments is the legitimacy of the European Union and EU institutions. In their book on legitimacy and multilevel governance, DeBardeleben and Hurrelman (2007) discuss the overlapping feelings of allegiance between the nation-state and the supranational institutions, focusing on the need for new legitimation strategies in the context of the "shrinking capacities of national demoi to exercise full control over political developments affecting their members" (DeBerdeleben and Hurrelaman 2007, 17) However, the author's approach suffers from one of the usual suspects legitimacy measurement, namely the democratic bias: "democracy is virtually uncontested as a normative standard for assessing the legitimacy of political systems" (1), which seems to be in line with the general discontent over democratic deficit as a focus towards the shortcomings of the EU in terms of citizen identity and communication (for a similar approach, also see Bruter 2008).

While most of these research projects appear to be focused on either public opinion and perceptions of the various components of legitimacy, or to integrate macro-level features of the relevant political object as proxy variables, a vein of research focuses on the discursive aspect of legitimacy. For example, in an exploratory text analysis study, Hurrelmann et al. (2009) analyse media discourses on legitimacy, arguing that the media is "an important repository of frames, interpretations and knowledge about appropriate normative standards" (Hurrelmann et al. 2009, 487). More specifically, the authors create a coding scheme that describes a "grammar of legitimacy", comprised by a legitimation object, a legitimation pattern, and an affirmative or critical evaluation (489). This allowed comparing the statements against a structure of inputs to legitimacy such as popular sovereignty, accountability, charisma, expertise, and outputs such as human rights, the common good, or distributive justice among others.

Finally, the empirical study of legitimacy seems to have gained significance in the policy area in the last decades, especially in the context of managing regime transitions. Most notably, legitimacy has become an important element in the military doctrine after the increasing insurgency during the US occupation of Iraq (Lamb 2014, 13). For example, the Counterinsurgency Manual warns against generalising the "Western liberal" standards of legitimacy to other social contexts, and recommends the use of broader indicators of legitimacy, such as "the ability to provide security for the populace", "a high level of political participation in or support for political processes", or "a culturally acceptable level of corruption", among others (United States 2007). While this conceptualisation fails to capture some of the nuances that have been recently discussed in the literature on the topic, it does point policymakers towards considering the grassroots levels of regime support that might determine the success of new regimes. In a similar vein, the OECD also recommends donors working in fragile states to take into account legitimacy, which they break down into process and performance

legitimacy, shared beliefs of the citizens, and recognition from international actors (OECD 2010).

2.2 Bridging the gap

Overall, it appears that there are two main strands of research concerned with the study of legitimacy: first, there is an ongoing philosophical discussion about what makes a social order rightful and just; second, there is a school of researchers trying to identify that justness in the case of actual states and institutions, by looking at what makes people think a social order is just, how they express that, and what consequences this has for stability and overall support. However, both of these approaches have been met with their own criticism, which oftentimes seem to boil down to the overall usefulness of the concept of legitimacy.

More precisely, when it comes to political theory, the main challenge towards philosopher's inquiry into legitimacy has been the fact that the shift away from voluntarist theories also marked a decreased importance of citizen's values and beliefs. While scholars such as Max Weber gave these elements a central role in their theorizing, that knowledge has not been properly incorporated into normative inquires, which have instead taken refuge into more and more detached criteria for legitimacy, such as John Rawls' hypothetical consent (Horton 2012).

David Beetham brings this criticism to the forefront in his book "The Legitimation of Power" (1991). Responding to the critique that empirical conceptions of legitimacy are free of any objective measure, the author develops a framework of three characteristics that any legitimate system, regardless of time and space, should achieve. Namely, a system is legitimate if:

"i) it conforms to the established rules;

> ii) the rules can be justified by reference to beliefs shared by both dominant and subordinate, and
>
> iii) there is evidence of consent by the subordinate to the particular power relation." (Beetham 1991, 16)

While these criteria are expressed in a general enough form to be universally applicable to multiple contexts, Beetham points out that the framework must be filled with subjectively determined content, such as the nature of the rules, the beliefs, and the structure of the power relation (21). In the end, Beetham argues, accounts of legitimacy that altogether ignore the relevance of subject's criteria fail not because they lack practical explanatory value, but because they ignore one of the most relevant elements of political thought: "We only have the moral and political principles we do because the world is as it is, and not otherwise." (Beetham 1991, 244)

In a similar vein, Horton (2012) criticises two prominent strands of argument for normative legitimacy, the first of which he calls the "Kantian conception", referring to a hypothetical contract that could have or would have taken plane between citizens. Most of these arguments end up in favouring the idea that a legitimate society is a just society. However, Horton argues in favour of separating the concepts of legitimacy and justice. More precisely, using justice as the sole criteria for legitimacy renders the term almost valueless, since "virtually all states, both now and in the past, are and have always been unjust" (Horton 2012, 136), and therefore cannot properly answer the question of how individuals should relate to the states they are members of. Secondly, Horton criticises the libertarian approach championed by thinkers such as Simmons (2001), which tend to utilise a "background picture" of persons dislocated from the political community (Horton 2012, 140). According to the author, both approaches fail at accounting for existence of legitimacy despite the absence of injustice, on the one hand, and the impossibility of voluntary consent, on the other hand. What he proposes, instead, is an alternative view incorporating citizens beliefs:

> "This is not, though, a mere matter of aggregating opinions: it is not simply a matter of popularity or even of agreement with its political institutions or principles, and certainly not with particular laws or policies. Fundamentally, it is about the acknowledgement of state as having authority – recognizing the right of the state to exercise state power by making laws, pursuing policies and enforcing them on its citizens that are the routine business of the state – in terms that are taken to be salient within the context in which such authority is exercised and affirmed" (Horton 2012, 141)

Most recently, Amanda Greene (2015) introduces the concept of "quality consent" to the broader category of consent-based theories of legitimacy. More specifically, she maintains that the relevant type of concept should be actual rather than idealized, and it should be "based on an individual's positive governance assessment" in order to qualify as an empirical basis for a normative evaluation of legitimacy (Greene 2015, 82).

If the field of political though is to incorporate empirical efforts to explain and measure legitimacy, however, that strand of research is also not without its criticisms: Philippe Schmitter goes so far as to call legitimacy "one of the most frequently used and misused concepts in political science. It ranks up there with 'power' in terms of how much it is needed, how difficult it is to define and how impossible it is to measure. (Schmitter 2010, 1).

Among the critics of the concept and its operationalization, Anderson (2015) observes a series of faults with the current use of the concept, including its inflation with other constructs such as democratization, the unjustified focus on its by-products such as obedience, and the use of single-item proxies such as confidence or trust (Anderson 2015). Similarly, Von Haldenwang (2016) accuses empirical studies of legitimacy that "they focus on isolated aspects or – even worse – rely on unfounded assumptions regarding relationships between variables that are not always well operationalised." (Von Haldenwang 2016, 26).

Some criticisms seem to go even deeper in analytical terms: an article entitled "The Irrelevance of Legitimacy", Xavier Marquez (2016) argues that, while managing to separate instrumental and value-based support at least at a face value, the current understanding of the

concept fails to account for a variety of reasons why people agree to norms in the first place (Marquez 2016, 19).

For instance, the current measurements of legitimacy wouldn't be able to capture whether individuals recognize certain norms due to "espistemic reasons" (they "wouldn't know better", so they would trust authorities with decisions), coordination dilemmas (they are aware of viable alternatives, but cannot coordinate with other citizens for that purpose), status affiliation (they believe that taking up the values of a certain group would be instrumentally beneficial), or "far commitments" (they would not maintain the orders they sincerely believe in if it were for uncommon circumstances) (Marquez 2016, 29-30).

While there is, of course, no consensus on the "irrelevance" of legitimacy in terms of both measurement and explanation, it does seem that some of the nuances pointed out by the critics of the concept could render it unreliable when it comes to achieving a meaningful integration into political theory. Therefore, while empirical legitimacy might survive the tests of "multiple redundancy", as Sedgwick (2010) points out, and the entire mechanism might still work in terms of explaining macro-level phenomena such as political stability, a weak conceptualization that confuses for example genuine moral beliefs with habits and inertia could completely fail in its task of providing clues for the normative question. Finally, if political theorists are searching for what people believe to be morally right as criteria for legitimacy, then a first important step would be to clarify how exactly do people believe that certain facts or statements are morally right. As Weatherford observes:

> "We need a theoretical approach that does not neglect how citizens respond to outputs but that also attends to how citizens view and evaluate governmental procedures; an approach open not only to the self-interest criterion but also to the possibility that citizens judge government performance against broader norms like distributive fairness." (Weatherford 1991, 159).

One of the proposed solutions for this dilemma is the concept of "public political thought" (PPT), introduced by Uriel Abulof in 2016, which refers to "the public's principled moral reasoning of politics" (Abulof 2016, 372). The author explains PPT as a process undertaken by individuals as moral agents, who construct a "socio-moral order" called nomization through the use of "justificatory common beliefs (doxa) and a "language of legitimation", namely discourse and deliberation (373). Honorata Mazepus proposes a similar approach in her proposed concept of "folk political philosophy", defined as "the study of ordinary citizens reflections on how the political system is organized and how it is ought to work." (Mazepus 2016, 19).

I argue that the study of PPT or folk political philosophy can bring a valuable contribution for political philosopher's and empiricists efforts to understand legitimacy. For the first group, it can bring important knowledge about the content and structure of individual's judgements about the topic, which philosophers often seem to assume without empirical test. The relevance of this is twofold: the use of intuitions in philosophical argumentation (Sosa 2006, 231) could be either clarified or challenged by revealing through folk theories which accounts appear to be more 'natural' to individuals; and secondly, the extent to which these theories are culturally dependent or founded on universal moral principles could contribute to the debate between "objective" theories of legitimacy such as Rawls's and belief-integrating ones such as Beetham's or Horton's.

Similar questions related to different philosophical domains have arisen in the relatively recent field of experimental philosophy, which is "a new interdisciplinary field that uses methods normally associated with psychology to investigate questions normally associated with philosophy" (Knobe et al. 2012, 81). I argue that integrating this approach could be highly relevant for the study of political legitimacy. More specifically, the fields of psychology and cognitive science have produced a myriad of insights into the topic of moral reasoning, which

could very well be integrated in a non-ideal theory of legitimacy "human psychology is another relevant constraint on achieving moral ideals (alongside social and political conditions)." (Kasperbauer 2015, 219).

Therefore, even though moral judgements appear to be at the core of the study of legitimacy, they have not yet been integrated in the empirical study of PPT or folk political philosophy. Therefore, the main purpose of the next chapter will be to provide an overview of the psychological concepts, theories, and insights that could be used in this regard.

Chapter 3 – The Psychology of Legitimacy

The previous chapter provided a summary of the accounts of legitimacy specific to political theory, as well as an overview of the use of the concept as a variable in empirical research. Following Beetham (1991) and Horton's (2012) respective cases against the separation of the normative and empirical approaches to the topic, I argue that a more in-depth investigation of what Abulof (2016) calls "public political thought" (PPT) and Mazepus (2016) calls "folk political theory" would contribute substantially to understanding the role of empirical beliefs in the construction of a normative account of legitimacy. The question that naturally follows this conclusion is how would one go about studying individuals' theories about legitimacy?

In her research, Honorata Mazepus chooses to use vignettes presenting situations related to procedural justice and distributive justice in order to identify which of these two are seen as more important by citizens across different regimes (Mazepus 2016). On the other hand, Uriel Abulof proposes "the study of legitimation through lay language", therefore hints towards looking at the public discourse underlying the dynamic aspects of the issue – how authorities gain and lose legitimacy (Abulof 2016, 383).

Perhaps one of the most intuitive answers to the question of studying people's theories about legitimacy, however, would be to simply ask them – and this thesis will do this very thing, in the absence of a theory of the content of laypeople's beliefs about legitimacy. As straightforward as such a conclusion may seem, however, such an investigation should not be devoid of any background knowledge. Therefore, a first choice that must be made before designing a research project on this topic is between starting with an inductive/abductive or deductive angle.

More specifically, the latter case is illustrated in the study conducted by Mazepus. There, the researcher chooses to allow individuals to choose from a set of pre-determined normative positions, namely procedural and distributive justice. This however contains an implicit assumption that these are moral contents that individuals would normally utilize when making non-instrumental judgements about legitimacy.

While this assumption is supported by a strong theoretical justification, it does not allow for the possibility to explore other types of accounts which might be utilized by laypeople when it comes to legitimacy. For example, while his research does not focus on legitimacy but on ideology, George Lakoff's 1996 book "Moral Politics" explores the use of models of the family – namely the Strict Father and the Nurturant Parent – as a divide between liberalism and conservatism. Lakoff argues that the Strict Father model specifically could explain American conservative's tendency to remain loyal to the state while at the same time distrusting the government, much of that being the result of the use of the "sink or swim" metaphor (Lakoff 1996, 503). This approach is qualitatively distinct from the procedural/distributive justice divide, in that it is not even founded on the idea of justice, but on a metaphorical analogy between the state and the family as a basis for moral allegiance – much like Socrate's argument in Crito, mentioned in the previous chapter.

This is but one example for why the procedural/distributive justice model might not be exhaustive when it comes to the content of individuals' theories about legitimacy. Of course, the researcher's original ambition was not to provide such an exhaustive list, but to explore a specific divide between two moral reasons underlying obligation to legitimate authority. However, I argue that future research could benefit from exploring a wider range of such moral reasons, and how they are structured in individual's reasoning. This could allow for a more systematic comparison with the accounts developed by political philosophers and provide a useful basis for questions meant to capture variation in these beliefs.

For this reason, an inductive/abductive methodological approach might be the most suitable or, in simple terms, asking individuals about their theories on legitimacy and developing an initial set of categories based on that. More precisely would be organized in line with the grounded theory methodology, which will be elaborated in the next chapter.

Of course, while grounded theory is a theory-generation methodology, that does not imply the absence of a theoretical basis for the research design. As I have previously argued, insights from the fields of cognitive science and moral psychology could prove to be particularly useful for this purpose. Therefore, this chapter will introduce several relevant concepts and theories in order to produce a "toolkit" for understanding individual's theories about legitimacy.

3.1 Naïve theories about legitimacy

The extent to which most individuals are capable of making complex political judgements has been and still is a challenging puzzle in social research, specifically within the political sophistication literature (see, for example, Smith 1980, Choma and Hafer 2009). Defined as "the process of gaining and ultimately possessing expertise in one or more domains of political thinking" (Lieberman and Schreiber 2003, 685), political sophistication approaches usually seem to place an important role on information and information processing. When it comes to moral judgements, however, these might not be as central, given that emotions and intuitions might be more relevant (e.g. Haidt 2001, Nichols and Knobe 2008). Therefore, I argue that a more suitable concept – which also seems to speak to the public political thought and folk theory approaches – would be naïve theory.

Naïve theories, also called "lay beliefs, intuitive theories, common-sense understandings, and implicit theories" (Wegener and Petty 1995, 2) are much alike the proposed PPT and folk political philosophy concepts. At their core, they refer to ways in which laypeople

create cognitive structures similar to theories developed by scientists and experts, with the relevant distinction that they do not require systematic verification. Furthermore, they are different from cognitive structure such as scripts or taxonomies in that they require causal understandings (Gelman and Noles 2010).

> "Naïve theories are analogous to scientific theories in that they serve to make sense of the world by providing explanations for (a) why objects have the characteristics that they do, (b) why individuals behave as they do, and (c) why events turn out one way instead of another." (Byrnes and Torney-Purta 1995, 262)

While the study of naïve theories has been traditionally applied to natural science domains such as biology and physics, especially in the context of developmental studies (Nancekivell, Friedman and Gelman 2019), their study has also extended to domains that are more typical to the social sciences. For example, a consistent finding in the study of naïve theories has been that folk beliefs about the static or incremental nature of intelligence affect one's learning performance in a significant manner (Miele and Molden 2010, 537).

Moreover, the Byrnes and Torney-Purta (1995) experiment on the use of naïve theories in policy-related decision-making revealed that, regardless of age and amount of education, individuals were capable to break down the policy issues – global warming and homelessness – into structures formed by cases of the phenomena, strategies for tackling the problem, and consequences for each strategy. While knowledge made a difference in terms of misconceptions and generality of the proposed solution, they did not affect the use of higher order, reflective thinking.

Finally, naïve theories are also relevant when it comes to individuals' understanding of abstract concepts such as ownership. Nancekivell, Friedman and Gelman (2019) argue that naïve ownership contains the three main components of a naïve theory, namely ontological commitments (owners and property), unobservable constructs (owners' rights) and causal-

explanatory reasoning ("owning causes people to choose their property over others' belonging") (Nancekivell, Friedman and Gelman 2019, 2).

Can the naive theory framework be applied in a similar way to the concept of legitimacy? Naïve theories are knowledge structures that are particularly distinct from scripts and taxonomies (Gelman and Noles 2010).

The element that distinguishes naïve theories from scripts (e.g. how one should act during a birthday party) and taxonomies (e.g. classifications of biological and non-biological entities) is the use of causal reasoning. While this is a matter of nuance, the distinct characteristics of legitimacy described in the previous chapter should be a useful guide for this contrast. If legitimacy were to be analysed as a script, then what it would actually denote would be obedience and support, especially as a result of what Max Weber calls "the habitual orientation to conform" (Weber 1946, 3). Furthermore, if legitimacy were to be a taxonomy, the focus of the usage of the concept would shift towards category creation, namely between legitimate and illegitimate political objects. However, creating such a classification for its own sake does not appear to have particular use, at a face value at least. Finally, in terms of causality, one of the distinguishing elements of legitimacy is that it connects moral judgements with behaviours, i.e. the moral justness of an authority results in obligation on the part of the subject. Because of that, folk people's naïve theories could only truly refer to legitimacy if they created the causal connection between the fact that an authority is morally justified and their obligation for obedience, which is a causal, albeit normative structure.

While both arguments may be internally consistent, that does not mean that they are necessarily true. Therefore, rather than attempting to make a case that there are naïve theories of legitimacy, the points stated above are reasons to believe that individuals might hold naïve theories of legitimacy, and that these would be worth investigating.

This, however, brings back to focus the initial question guiding this chapter. If we assume that individuals hold 'folk political theories' about legitimacy in the form of naïve theories, as a class of knowledge structures, how would one go about finding their content? The first chapter provides several clues about this, by first highlighting the content of political philosophers' normative theories about legitimacy, while also delving into what social researchers have determined to be good approximations in the case of populations or individuals. However, I argue that simply putting this multitude of categories to test would be an incomplete effort without addressing the psychological aspects of legitimacy beliefs.

More precisely, an approach that departs from the objectivity of political theories, on the one hand and, on the other hand, rejects the "multiple redundancy" of empirical theories' approximations implies that what is at stake in this case is the intrinsic relevance of individuals' beliefs of legitimacy and obligation, rather than their explanatory value for behaviours such as obedience or support. Therefore, if we are to genuinely integrate these beliefs into a naïve theory framework, it would be essential to understand their nature, and the best way to achieve this might be to look at the various insights from the fields of moral psychology and cognitive science.

3.2 Legitimacy as a psychological construct

Approaching the topic of legitimacy from an interdisciplinary perspective that combines political science, sociology, and psychology is not a new proposition. One of the main proponents of this approach, Tom Tyler goes as far as to define legitimacy as "a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just", which results in people feeling "that they ought to defer to decisions and rules, following them voluntarily out of obligation rather than out of fear of punishment or anticipation or reward" (Tyler 2006, 375). In adopting this definition,

Tyler makes a distinction between internalized obligation based on the belief that the dictates of the authorities are morally good because of the very fact that they were dictated by the authorities, and internalized obligations derived from an individual's own morality (Tyler 1990, 25). According to the author, the second type of internalized obligation should not be regarded as legitimacy, as it allows for cases where it might require disobedience if personal moral principles are found to be in tension with the law. In short, "Legitimacy is a perceived obligation to societal authorities or to existing social arrangements. Moral values are personal standards to which people attempt to align their behavior." (Tyler 2006, 390).

The strand of research that Tyler refers to as "legitimacy in psychology" appears to be mainly concerned with the role of legitimacy and legitimizing beliefs in the dynamics of authority and obedience (Tyler 2006, 379).

For example, Jonathan Jackson (2015) discusses two psychological (or "motivational") dimensions of legitimacy in order to explain self-reported offending behaviour, by exploring the distinction between "the public recognition of the rightful authority of an institution" (consent/authorization) and the perception that "the institution is just, moral and appropriate" (moral endorsement) (Jackson 2015, 6). Another attempt to break down the psychological mechanisms behind judgements of legitimacy is Huo's (2003) framework relational justice evaluations and social identification, which is used to explain the relationship between legitimacy beliefs and subgroup identities.

Skitka, Bauman and Lytle (2009) include a psychological understanding of legitimacy when considering it against other moral drivers of individuals' behaviors. For example, their "Limits On Legitimacy" study attempts to understand the interactions between legitimacy and moral and religious convictions in a natural experiment concerning an U.S. Supreme Court decision on assisted suicide. The experiment introduces two relevant hypotheses – namely the

Authority Independence Hypothesis, and the Litmus Test Hypothesis – in order to understand whether individuals are more likely to follow the underlying moral precepts associated with a political order rather than obey the "rules, procedures, or authorities themselves, and whether they "use their sense of morality as a benchmark to assess authorities' legitimacy" (Skitka, Bauman, and Lytle 2009, 568). They conclude that legitimacy based on perceptions of procedural fairness does indeed prove relevant – however, only as long as they do not themselves have strong moral convictions about what is right or wrong (576). Another study conducted by Stitka and Bauman (2008) offers similar conclusions in the area of voting behaviour.

The approaches mentioned so far seem to mainly value legitimacy for its explanatory value – employing this concept can explain why people choose to obey authorities. While not receiving an explicitly central role, legitimacy as a psychological construct plays an important role when it comes to individuals' behaviours within 'social dilemmas'

In the rational choice theory and social choice literature, social dilemmas are defined as games that "involve a conflict between immediate self-interest and longer-term collective interests" (Van Lange et al. 2013, 125). In this context, therefore, factors that would orient individual behaviour away from short-term self-interest towards the "common good" gain a particular importance, which could be divided in two types of solutions. First, individuals might be motivated to cooperate in social dilemmas by changing the incentive structure so that it becomes the equilibrium choice and second, appealing to the moral sense of the players. If political obligation towards legitimate authorities belongs to the latter category of motivations, the question that follows is how to integrate it into a dilemma. For example, Huber (2019) suggests a new definition of legitimacy along this line of argumentation:

> "Legitimacy is a feature of an equilibrium in which (a) subjects' favorable beliefs about an authority enhance their intrinsic motivations to comply with its

> directives and (b) the authority's actions are consistent with those beliefs." (Huber 2019, 7)

An approach where legitimacy simply become an additional piece of the motivational mechanism can be, however, vulnerable towards the non-separability critique (Bowles 2008). More specifically, assuming that moral incentives and material incentives are additive has been repeatedly disproven by experiments in the field of behavioural economics, where it seems that framing choices in material terms can "crowd-out" the moral obligations that people might be driven by:

> "Well-designed laws and public policies can harness self-interest for the common good. However, incentives that appeal to self-interest may fail when they undermine the moral values that lead people to act altruistically or in the other public-spirited ways." (Bowles 2008, 1605)

The nuance highlighted by Bowles (2008) through the crowding-out hypothesis provides an additional clue towards understanding the importance of the fundamentally moral nature of the concept of legitimacy: if material and moral motives can exclude each other, then perhaps we should be more prudent in indiscriminately clustering legitimacy beliefs with other types of support.

Is then political obligation a subset of altruism? Fundamentally, altruism can be understood as behaviour that is intended to benefit another rather than the self. In a Public Good game, specifically, that would imply choosing to cooperate even when that leads to sub-optimal payoffs for individual players (Bowles 2016, 99). Scholars from various fields have attempted to explain this so-called paradox in two broad lines. First, some argue that pro-social behaviour appeals to more complex egoistic motivations, such as achieving positive mood states, avoiding the guilt of failing to help, or social approval. Conversely, altruism can be coded as 'genuine' due to the underpinning feelings of empathy associated with it (Fultz and Schafer 2018). Furthermore, evolutionary perspectives on altruism explain its role in cooperation in social

dilemmas through the mechanisms of kin selection, reciprocal altruism ("tit for tat"), indirect reciprocity or costly signalling of desirable traits (Van Lange et al. 2013, Haidt 2012).

Suggesting that citizens' feelings of political obligation are determined by a form of altruism that stems from our need for coordinated social action is reminiscent of the reciprocal or deontological accounts of legitimacy, and I argue that there is a decently credible basis for claiming that perhaps not only Rawls' hypothetical persons would agree on the importance of justice and fairness.

One aspect that should be considered in this regard is the less reflective, unaware, "automatic" nature of individuals' moral judgements. In his moral foundations theory, Jonathan Haidt (2012) introduces a series of domains that seem to occur across cultural and social settings, as well as across developmental stages, and suggests that acts of obedience can be explained by one of these five fundamental moral dimensions, namely the Authority/subversion foundation:

> "The original triggers of some of these modules include patterns of appearance and behavior that indicate higher versus lower rank. Like chimpanzees, people track and remember who is above whom. When people within a hierarchical order act in ways that negate or subvert that order, we feel instantly, even if we ourselves have not been directly harmed. If authority is in part about protecting order and fending off chaos, then everyone has a stake in supporting the existing order and in holding people accountable for fulfilling the obligations of their station." (Haidt 2012, 13)

While moral foundations can be structured into more robust principles and reflected upon, they are part of a class of moral judgements called moral intuitions. Moral intuitions are defined as "the sudden appearance in consciousness of a moral judgment, including an affective valence (good-bad, like-dislike), without any conscious awareness of having gone through steps of searching, weighing evidence, or inferring conclusions" (Haidt 2001, 814) and, beyond purposes of classification, they are indicative of the fact that individuals' judgements, while having a strong moral basis, are not always the product of conscious judgements. This raises an

important question for the topic of legitimacy: if we are to accept that individuals hold genuine moral beliefs about legitimacy, does it matter, in a normative sense, whether these are the product of aware processes of reflection, or whether they are a mere product of evolutionary and ecological factors?

The tension between these two sides of human reasoning processes has received much attention from the cognitive science literature. More specifically, dual-process theories of reasoning have historically stemmed from the need to reconcile observations about the coexistence of rational and irrational behaviours (Osman 2004). For instance, one influential dual-process theory is Khaneman's System I and System II model (2011). According to Khaneman, System I is designed to make quick judgements, which use various heuristics, such as emotions and associations. These judgements are often produced as suggestions for System II, which is more reflective and deductive, while also being more demanding in terms of cognitive resources (see ego-depletion) (Khaneman 2011).

Beyond the details underlying the separation of these two systems of reasoning, the main implication for the topic at hand is that, due to the necessity to make quick judgements and decisions, individuals often rely on automatic processes. This is also true for political thinking, as suggested by Lierberman, Schreiber and Ochsner (2003), who compare it with riding a bicycle:

> "Three characteristics of habitual behaviors suggest parallels between political thinking and bike riding: (1) Both can become routinized and automatic with behavioral repetition. (2) Once formed, these behaviors are difficult to explain […]. (3) We have imperfect introspective access to the mechanisms supporting habitual behaviors." (Lieberman, Schreiber and Ochsner 2003, 681)

These automatic processes can sometimes have a moral basis to them, as suggested by Haidt's moral foundations theory. However, the question that a normative conception of legitimacy that is concerned with integrating actual moral beliefs should answer to is whether

automatic moral judgements are genuinely moral, in this context. An argument against this comes from the various literatures on “legitimizing myths”.

One of the main approaches in this regard is system justification theory. As an “adaptive response to the perceived lack of alternatives” (Marquez 2016, 28), individuals may develop beliefs that the social arrangements in which they leave, even if not fair, are actually morally appropriate. For instance, under the system justification theory, one might believe that a specific structure of inequalities in society is just because "bad things happen to bad people" (Crandall and Beasley 2001, 85). This comes as a result of “the human desire to make sense of existing social arrangement” (Tyler 2006, 393), and has been shown to “decrease anxiety, uncertainty, guilt, frustration, and dissonance, and increase satisfaction in one’s life” (398).

At the same time, however, system justifying beliefs – also called Just World Beliefs – may have an insidious side, as they can cause people to dismiss attempts towards promoting egalitarianism, even when they would most benefit from a fairer arrangement (Kasperbauer 2015). This is in line with the social dominance theory, which suggests that “societies minimize group conflict by creating consensus on ideologies that promote the superiority of one group over others” (Pratto et al. 1994, 741).

Therefore, it would seem that beliefs of legitimacy, even if moral in substance, might not always be normatively desirable, especially when it comes to ideas that justify hierarchies. This set of insights therefore seems to speak to the conflict theories of legitimacy (Zelditch 2001), which would suggest that legitimacy can be a tool for domination rather than a moral achievement for a political object.

3.3 Implications for normative and empirical research

Finally, that leads us to two approaches to integrating psychological insights in the study of legitimacy (which need not exclude each other). First, legitimacy can be seen as a by-product of the mechanisms that allow us to cooperate in social dilemma situations, where morality either complements or takes the place of instrumental reasons. At the same time, legitimacy can be an instrument for maintaining morally unfair hierarchical structures by appealing to moral sentiments.

These claims have relevant implications for the study of legitimacy, from both a normative and empirical angle. When it comes to a political philosophical approach that integrates the empirical beliefs of the subjects (as Beetham 1991 or Horton 2012 suggest doing), it appears that, while having a moral substance, these judgements might be unconscious, un-reflective, and potentially damaging. However, while the psychological literature appears to be concerned with the automatic or intuitive basis of these moral judgements, there has not been any systematic approach exploring individuals' conscious, reflective judgements as a form of "higher order thinking" (Byrnes and Torney-Purta 1995). I propose that using the framework of naïve theories might be particularly useful for filling this gap.

Therefore, I argue that researchers should give "folk people" or "laypeople" a chance to express their more abstract views of legitimacy. I propose an exploratory, inductive approach to this as a more suitable alternative – at least at this stage – to testing existing theories of legitimacy proposed by political philosophers against individuals' naïve theories. This is because, on the one hand, presenting individuals with a pre-existing set of arguments might prime them towards a certain direction, and thus prevent the researcher from revealing the intuitive and, on the other hand, might exclude potential explanations that have not been advanced by political philosophers due to being inconsistent, unsophisticated or unjustified –

which does not imply that they are not worth studying. Therefore, the next chapter lays out the foundations for an initial exploratory effort, under the grounded theory method.

Chapter 4 – Method

While the premise of figuring how 'folk people' think about the question of legitimacy may seem straightforward (do they reflect about questions of authority and obligation? do these questions have a moral nature besides the more practical implications of obedience? what exactly are the answers they arrive to?), there is a significant lack of background research that goes on to assess these reasoning processes directly, and not through indicators such as the ones mentioned in the first chapter.

In this context, the research question of this thesis requires an initial exploration of folk individuals' reasoning about the topics of legitimacy, authority and political obligation. Given the absence of background research and the lack of a definitive theoretical framework to describe the content of folk peoples' beliefs about authority, as suggested in the previous chapter, the most appropriate first choice appears to be the grounded theory methodology.

First developed by Glaser and Strauss (1967), grounded theory combines inductive and abductive reasoning throughout the entire research process, which in turn involves parallel data collection and data analysis through comparison. Therefore, one of the main advantages of grounded theory – especially for the purpose of this thesis – is its flexibility and adaptability to emergent dimensions in the data. Rather than assuming a series of indicators that might be placed on the blurred line between moral views of legitimacy and support, grounded theory allows the researcher to adopt a dialogical approach and explore how individuals express their views of legitimacy when asked about it, or when discussing politics in general. More exactly, the research starts from the unambiguous premise that it might be worth discussing the topic with individuals and identifying their reasoning about legitimacy within these discussions.

A particularly important question that has been raised in the process of developing the research design was the intersubjective nature of legitimacy judgements. One of the main debates in qualitative research methodology is the nature of the observations resulting from dialogical forms of inquiry, such as interviews or focus groups: are they permanent facts that reflect the "true self" of the subject, as neo-positivists would suggest, or are they impermanent pieces of data produced by the very process of interviewing, as constructivists would assume? (Brinkmann 2014, 282) This can lead a researcher to either question the reliability of the results as a deceptive (at worst) or transient (at best) reflection of the individuals' true beliefs and reasoning processes. However, this research rests on the assumption that, while individuals' answers might be changing according to the context, they are usually extracted from a limited palette of available arguments or narratives, and that interrogating a multitude of subjects in a variety of contexts could help reveal this palette.

However, an even more significant challenge contained in designing the data collection methodology was "un-narrative" nature of the research question. More specifically, the purpose of this research is not (at this stage, at least) to capture the how, or when and where of the formation of folk theories of legitimacy, i.e. the formative processes behind such beliefs. Instead, it is based on the what question or, more precisely, what do individuals say and think about legitimacy, authority, and obligation? Because of this, the interviews cannot be designed to capture a visible process that is supposed to be recalled by the interviewee. Instead, they are meant to probe for beliefs, attitudes, and concepts that exist in an abstracted manner – as it is the case with naïve theories. Therefore, the interview structure could not be based on questions about the personal experience of the subjects. Subsequently, the other end of the spectrum would be to directly ask interviewees about their abstract opinions. From the perspective of interviewing practice and from pre-testing the instrument, that runs the risk of fostering a distant, disconnected, and tense interaction between the interviewer and the interviewee.

Thus, in order to avoid these two issues (failing to capture the abstract nature of naïve theories about legitimacy and creating too much distance between the interviewer and the interviewee), I developed an "interview map" (Annex 1).

More specifically, after pre-testing an initial, more straightforward interview guide, collecting peer feedback, and comparing the first responses with the existing theoretical dimensions of the concepts of legitimacy, authority, and political obligation, I created an instrument laying out the possible dimensions that could be tackled throughout the interview, with no specification of the order in which these should be approached. In order to avoid "leading" the interviewee into a particular direction, the discussion began with a general "hook" statement meant to set a comfortable tone for a general discussion about politics: "What was the last time you recall discussing politics with someone?"

After this baseline has been established, the first phase of the interview aimed to use the example provided by the interviewee as an entrance-point towards discussing one of the three entities featured in the interview map – the authorities, the relevant other, or the self. Another dimension that emerged during the pre-testing of the interview instrument was the content of the affirmation, i.e. what type of statement (relevant in terms of the research question) did the interviewee make, along a concrete – abstract axis. In that regard, I identified the following broad categories:

i. Meanings, i.e. definitions, intensions and extensions of the relevant concepts and terms;

ii. Naïve theories following Gelman's (2006) conceptualisation, i.e. structured arguments containing knowledge, beliefs, causal principles, and appeals to unobservable entities;

iii. Attitudes and feelings, i.e. positional judgements towards the implications of the relevant topics discussed and

iv. Experiences, i.e. references to personal or concrete occurrences that are relevant to the subject.

Overall, this stage was used to entertain the most immediate answer that would come to the mind of the subject and to establish rapport with the interviewer. After setting the tone of the conversation, the next phase focused on directing the discussion towards the other dimensions present on the map, in a manner meant to be as organic and comfortable to the interviewee as possible. In order to aid the interviewing process, I wrote down a series of possible aspects to be tackled for each of the three entities and relevant dimensions.

While the ideal procedure for grounded theory would have been to conduct the data collection and analysis concurrently, due to constraints for conducting field work in Romania, the research process consisted of two stages of interviewing. The first one took place in September 2019 and resulted in 10 interviews, and the second one in November 2019, also producing 10 interviews.

Regarding the sampling process, in accordance to the grounded theory framework, the first stage of the data collection process was guided by the need to gather the most relevant accessible data in accordance to the research question (Tie, Birks and Francis 2019) – which, in the case of this thesis, does not isolate a specific sub-group of individuals, and instead targets cognitive processes such as moral and intuitive reasoning that are expected to occur across population variables. I therefore begun the data collection with heterogenous purposive sampling, wherein I attempted to capture as much variation as possible within my subjects, in terms of age, level of education, and gender. In order to ensure that the opinions captured were not influenced by previous exposure to political theory, potential interviewees who have studied

political science, international relations or philosophy were excluded from the sample. Furthermore, at the end of each interview, each subjected was asked to indicate whether they recall learning about any of the topics discussed in school, university or elsewhere. Other than the role of high school-level civic education classes teaching subjects about the basic structure of the state and democracy, however, none indicated that they had.

The second stage of research was guided by the requirements of theoretical sampling, which "entails seeking specific data to develop the properties of categories or theory, not to achieve representative population distributions." (Charmaz and Henwood 2008). Therefore, the data collection during the second wave of interviews was guided by two principles: first, the need to capture a set of diverse general profiles for the interviewees along the same variables used in the first stage, and second, guiding the data collection through the interviewing process along the emergent dimensions described below. A summary of the interviewees' profiles is provided in Annex 2.

The initial coding procedure consisted of creating a set of open codes in parallel with the first round of data collection. As a result, set of categories have emerged, identifying several types of legitimacy-relevant statements. Given that the main focus of this thesis is not on the content of these accounts, however, but on their form, the analysis evolved into a process that sought to capture the attributes of a naïve theory of legitimacy, which has been aided by the framework put forward by Gary Goertz (2006). More specifically, I have sought to identify a set of attributes that would delineate the limits of a folk conception of legitimacy.

Therefore, after identifying a set of emergent categories, I proceeded to the axial coding stage prescribed for grounded theory (Tie et al. 2019), designed for the purpose of mapping the folk concept of legitimacy. After several stages of parallel coding and data collection, I have identified an initial "map" that might describe the main features of a naïve theory of legitimacy.

For this purpose, the understanding of naïve theories described in the previous chapter, along with the conceptualization of legitimacy as a distinct category discussed in the second chapter, served as criteria for selecting the components of individuals' accounts as parts of a folk conception of legitimacy. This way, the inductive qualitative data analysis was complemented with a constant comparison with theoretically informed understanding of the concept.

Overall, the iterative coding process could be summarized as follows:

i. Identifying thematically relevant statements. In this phase, the content of the interviews was coded for expressions that are relevant for the topic of legitimacy and its potential semantic field correlates (authority, power, obedience). The selection of these statements was informed by the various iterations of the concept, as described in Chapter 2.

ii. Open coding. The selected statements were coded inductively, which led to the identification of a series of emergent categories.

iii. Comparison with previous codes. As the coding of these statements continued in parallel with the collection of new data, the constant comparison method was employed to compare and update the previous codes according to the newfound dimensions.

iv. Identifying common attributes. The coding process gradually evolved from the identification of a possible categories, themes, and types of statements, towards pinpointing a set of attributes that seemed to be at the core of these naïve theories.

v. Identifying ranges of expressions. In parallel with identifying the core attributes of naïve theories of legitimacy, the content of these expressions encapsulating these attributes was placed on several axes, in order to inform the theoretical sampling process which, as mentioned above, sought to fill the potential gaps in these expressions.

The process, in the form allowed by the limited scope of this thesis, resulted in a concept structure underlining the main attributes that have been identified, and laying out the gaps still left to be filled, as described in the next chapter.

4.1 Validity and limitations of the study

One of the most important aspects to evaluate when it comes to such a study is its validity, and for this, the appropriate criteria for qualitative, grounded theory research should be applied. Therefore, since grounded theory is guided by an interpretive philosophy, a specific set of criteria – which may be distinct from those used by positivist researchers – should be employed. In her 2004 article, Susan Gasson discusses the issues of validity when it comes to grounded research and offers practical guidelines for dealing with these.

More specifically, when dealing with the rigor of method, grounded theory does not take the same approach that internal validity ensures for positivist research. More specifically, the main purpose of the method is not the identification of a statistically significant relationship; instead, it presupposes that "the findings are credible and consistent, to the people we study and to our readers" (Gasson 2004, 90). This entails efforts to ensure rigor and communicate it with others, which I have attempted to practice by providing a transparent and detailed account of the sampling, data collection, and coding procedures at both stages of the research.

Second, a possible concern regarding the present research – especially due to the limited number of interviews that I was able to collect – is the generalizability of findings. Gasson (2004) points out that grounded theory research is not suitable to be evaluated along the lines of external validity criteria, Instead, the criteria of transferability should be employed, referring to "how far can the findings/conclusions be transferred to other contexts and how do they help to derive useful theories" (90), and which should be achieved by "employing the constant comparison method to determine whether a substantive theory fits new data and how the context

in which the new data was collected is similar to (or different from) the contexts in which previous data were collected" (97). In the current case, I argue that the very nature of the research question, which is rather related to the cognitive processes behind evaluations of legitimacy than the content of these evaluations, contributes to the achievement of this goal. The concept mapping procedure is a useful starting point for future research in different cultural contexts, and is designed in such a way that it leaves space for the addition of new expressions and dimensions, while maintaining a set of basics attributes that can define naïve theories about legitimacy in a manner that is comparable to the theories developed by political philosophers.

In grounded theory practice, the sampling procedure should end at the point where theoretical saturation is reached. Theoretical saturation is defined as "the point at which diminishing returns are obtained from new data analysis, or refinement of coding categories. The point of diminishing returns comes when (and only when) theoretical constructs fit with existing data and the comparison of theoretical constructs with new data yields no significant new insights" (Gasson 2004). In regard to the present research, due to the logistical limitations that imposed the data collection to take place in waves rather than continuously, only the decision to end the data collection was determined by the requirements of the theoretical saturation principle. I argue that this has been reached, as no new fundamental concept attributes have emerged during the second stage, and no significant dimensions appeared to describe the expressions of said attributes. At the same time, it bears to be mentioned that there is a degree of nuance and subjectivity when it comes to the level of generality at which one can appreciate that new dimensions or expressions are significant enough to require a new wave of interviews or not. Therefore, this research is limited by the fact that logistical conditions also played a role in appreciating the "diminishing returns" mentioned by Gasson (2004).

Chapter 5 – Analysis and results

Throughout he interviews, individuals' expressed views on legitimacy seemed to be constructed around two main poles of the relationship: a concrete or abstract object representing the 'authority' (in a broad understanding of the concept), and an individual or group of individuals subjected to said authority.

5.1 Emergent categories

1. An object as authority

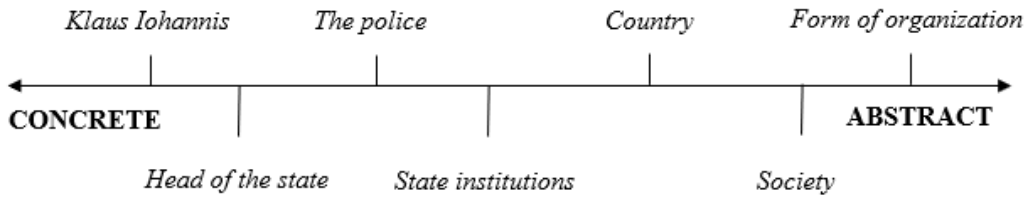

Figure 1

For the former, the interviewees varied in the level of 'embodiment', or concreteness they attributed to this object (Fig. 1). For some, for example, the actor under discussion was a very concrete one, such as "the President", "the head of state", "the Government", or even a particular person such as "Klaus Iohannis" (president of Romania) or "Viorica Dancila" (Romanian Prime-Minister at the time of the interviews). Other entities brought into discussion seemed to be less concrete, but still derived from personal experience and visible to the interviewee, such as "state institutions" or "the police".

For others, however, this object appears as more inconspicuous or abstract. In some cases, this referred to a certain social order that individuals should (or should not) function in: "order", "structure", "form of organization". For some, this order took a more specific form,

namely “democracy”, especially when opposed with the non-democratic regime of Romania before 1989. In slightly more concrete terms, some interviewees referred to “society” or “country” (which, contextually, took the connotations of “citizenry”).

Such a “disembodied” expression of perceived authority was the law, described as an intangible aspect of the social world by several interviewees:

> “I don’t think a lot about the law. It’s part of the structure of my world, and as many things from the structure of my world, I don’t think about it. I am only aware of it when it is a new law that affects me, or that I disagree with.” (FE)

Even more, some expressions of authority were related to individuals reflecting upon the ubiquitous presence of norms in their lives, as an invisible force regulating their behavior: “I am, you know, constantly limiting myself in order to follow some rules, even when I don’t know where they come from.” (MI)

Some have even come up with more complex explanations, such as the role of education and peer judgement:

> “You choose not to act against societal norms because you are afraid of other people’s judgement. Somehow because you internalize things, and you just don’t feel like doing that. You might also just feel ashamed of yourself. Like… I’m completely agnostic, I don’t believe in any God, and I dislike religion. And still I wouldn’t go in a church and show a lack of respect. Because you just don’t feel like doing that, you’ve been educated with the idea of sacredness. And whether you believe in that or not, you still internalize it and you don’t do it. Why? Because you just don’t feel like it. You feel like it’s somehow wrong.” (MV)

It is perhaps interesting to note that, perhaps on a more central point of this embodied-disembodied axis, another salient embodiment of the authority expressed was the archetypal one, which is not necessarily related to a certain individual but nonetheless visible, as expressed by one of the interviewees: “I have this pop culture understanding of politicians, like ‘I know who they are’. They wear suits, debate each other on TV, they’re on talk shows.” (PT)

Overall, an essential component of a folk concept of legitimacy is the existence of an object, entity or actor representing the authority to which to which individuals are subjected to. Across the twenty interviews, the interviewees seemed to have a diverse and nuanced understanding of the nature of this entity, ranging from embodied, easy to grasp entities to more abstract ones, such as social order or cultural norms.

2. An evaluation of the authority.

The acknowledgment of the existence of this object was often – but not always – paired up with an evaluation of its "rightness". While the existence of such an evaluation needn't be a necessary feature of naïve conceptions of legitimacy, both its presence and absence from a more complex account of legitimacy should be noteworthy, as it can speak to the larger nature of these accounts as based on consequence (i.e. a "good" authority results in legitimate claims to obedience) or intrinsic merit (i.e. authorities have a claim to obedience regardless of their rightness).

These evaluations seemed to be organized along two axes. On the one hand, some were based on competence, especially when it comes to the individuals occupying positions of power, while others reflected a more suspicious belief that authorities might not have the best intentions.

Furthermore, while several of these examples seemed to be very much based on instances from the interviewees' personal experience, others took a more generalizing approach.

> "On the personal side, for example, one interviewee recalled a general sense of unpleasantness after having had contact with state authorities: "If you ask a question, they will answer in a rushed and rude manner, and no one listens to you, no one shows any goodwill. […] They seem to be very bored." (DO). On the other hand, more generalizing statements expressed the faulty functioning of an entire political system, compared to an ideal: "State institutions should be

> powerful and competent, but there are many abuses in naming people in functions. We should use the principles of meritocracy, not favours and personal relationships." (SN)

This has led some of the interviewees to develop certain expectations that the authorities will not be able to fulfil the role for which they are owed obedience. A shared claim has been, for instance, the police's unwillingness to solve issues: "I'd rather go to my neighbour than go to the police. Those people only pretend they're listening to you." (CC)

Besides claims of incompetence, however, most evaluations seemed to be based on the idea that authorities, especially "embodied" ones, do not foster the best intentions: "They're just looking to win the next competition, so they're not making any decision for longer than five years" (AB). Even more so, another recurring type of evaluation seemed to be the cynical one, wherein subjects displayed a certainty that it is to be expected that authorities will not seek the good of the populace, and instead drew the line at the nature or intensity of their failings:

> "There are no perfect governments, but maybe I would choose a government that has corruption, but a less noticeable one. Because I know that there is corruption everywhere. But at least give something to the people, don't take that much, with no shame on your face! The problem is that in the government everyone wants to be rich before they do anything for the population." (MV)

While negative evaluations of the authorities were quite abundant, and despite some amount of apparent cynicism, the interviewees also expressed images of how a 'proper' authority look like. For instance, one interviewee indicated "someone that can make long-term plans rather than just think of their own period in power" (BM). Furthermore, another recurring theme seemed to be the judgement of the authorities' appropriateness on the basis of their capacity to follow-up on their electoral proposals: "[T]hey have been voted by a population with absolute majority, because this population agreed with their electoral proposals" (MS).

Finally, some interviewees expressed their approval for the necessity of the law, rules, norms, social orders, or other more abstract or "disembodied" types of authority. However,

unlike the previous types of evaluation, these accounts do not only focus on the rightness of an entity (be it on the basis of competence or intention). Instead, they present a more complex account that is defined by not only the nature of one actor (i.e. the authority), but by its relationship with the other pole (i.e. the subject), and will therefore be tackled in section 5 below.

3. A subject and their agency

On the other side of the relationship underlying the concept of legitimacy is the subject to the authority. While the nature of the authority seemed to vary on a continuum of "embodiment", none of the interviews revealed any abstraction of the subject in a similar manner to the abstraction of the authority. Instead, the interviewees described individuals as either "persons", "normal human beings", "citizens", or "Romanians".

I argue that these labels to do not reach the same level of abstraction as the previous category because, even though the level of generality of the group may vary (i.e. from oneself to the citizens), each of these labels referred, contextually, to actual, embodied persons. While it is not implausible that naïve theories of legitimacy may contain less tangible entities – e.g. "the people" as a collective entity – these have not been identified throughout my interviews, suggesting the existence of a gap in sampling that may be covered in future research.

Instead, a relevant dimension of variation that emerged during the analysis was the agency that the individual holds in their relationship with authority. On the (sparser) left side of the spectrum, subjects hold some certain amount of potency and choice when it comes to their obedience toward the authority.

> "As a citizen, you are obligated to know the laws. You don't like it? Associate yourself with a group and contest them! Nothing is perfect, but well... people can do that. And they should." (SN)

It should be noted, however, that the expressions of this positive agency also contain a recognition that individuals may only change the rules imposed by the authority or the powerholders, but they cannot escape their situation as subjects: “Order is necessary. Then if I don’t like it, I do everything I can to establish a new order” (EB).

Interestingly enough, one exception is the case of those who do not necessarily hold formal authority, but who can afford to escape its constraints thanks to economic power. For example, one interviewee claimed that they are “part of this group of normal human beings whose life unfortunately happens to be constantly regulated by something”, and "not part of the 1% who can do without” (MI). Therefore, it might seem like the lack of agency in front of an unescapable authority might be perceived as a result of disparities in material power rather than a morally justified relationship or, as another subject claimed, “[i]t’s not like you can change something when you only have the minimum salary” (CI).

However, many expressions of subjects’ (non)agency seemed to focus on individuals’ lack of choice when it comes to being part of a relationship of authority: “maybe I am a citizen because it’s not like I cannot be a citizen” (CC). Whenever such statements came up, I attempted to question the interviewees about the reasons why they believed this was the case, which led several of the interviewees to come up with more complex explanations (some of which have resulted in more complex accounts described in section 5 of this sub-chapter). For instance, one recurring theme was that of the lack of alternatives:

> “I got used to it, so I can’t say I can imagine any other way of living. Even when you want to get out of society, you still know there are things that you can and cannot do. Even if you decide to marginalize yourself, I suppose the only way is to live in the wilderness.” (AD)

It therefore appears that the other relevant part of the relationship underlying legitimacy – the subject – may present varying degrees of recognition of the individual’s agency within this relationship. I argue that this dimension can play a crucial role in the construction of folk

accounts of legitimacy. More specifically, it may reveal the perceived nature of the relationship between the authority and the subject as an inescapable, domination-based one, on the one hand, or a relationship whose terms individuals may attempt to modify, and upon whose obedience they are responsible to a certain degree.

4. An evaluation of the subject

Besides expressing opinions about the authorities in question, many of the interviewees provided evaluations of the competence and intentions of the aforementioned subjects, be them an archetype of the Romanian citizen or (to a lesser extent) individuals with a diverse set of characteristics.

Among the themes that have come up in the evaluation of the subjects of authority was the individuals' characterization as egoistical free riders. This occurred, for example, when individuals expressed their opinion about democracy or the 'Romanian political system': "[i]f everyone were to respect the decisions of the majority then yes, we would have democracy. But they don't, and here lies the problem. Everyone's a sore loser" (IB), or "[t]he many don't understand and only vote through a material perspective. They cannot raise themselves to the level of an important decision" (NC). Such generalizing statements were quite prevalent and appeared to be quite centred around a shared image of how 'Romanians' are.

> "It seems to me that us, Romanians, whenever we see a possibility to take advantage of something, we start thinking about what we should do for ourselves. There's this shortcut that any Romanian tries to use, even if it means they lose their integrity." (DO)

Interestingly, such statements were often made by interviewees who had previously expressed their support for democracy. When asked about the compatibility of these two views, a separation between the 'good and bad', or 'competent and incompetent' functioned as a solution for the interviewees that seemed to initially notice a contradiction:

> "In our country, there are two types of people: those who are easily convinced with a bottle of oil and a bag of flour, those who don't have any knowledge in the area, don't listen and very easily convinced with an emotional discourse, and those who are aware of the point we have reached, of the wrongs of this society, and this corrupted way of thinking." (DO)

Furthermore, evaluations of the subjects and the theme of easily bribed citizens often implied the conclusion that those who would rather see their material desires fulfilled than take an informed decision should ideally refrain from voting.

> "When it comes to political participation, I think the only ones who should do this are those who are capable, who have a certain foundation, something better structured than what we hear in the wind, from one or another. I don't agree for people to discuss politics or vote when they only do it for a bucket or a bag of sugar." (CC)

While this type of position has mostly been expressed as a reflection on the character of a number of Romanian citizens, for some the position seemed strong enough to warrant an endorsement of exclusion, however. For instance, one interviewee offered the Roman Senate as an ideal type in that it didn't allow women and slaves to vote: "You know, women have an inclination to judge with their heart. And it shouldn't be like this when it comes to important decisions" (OB).

Overall, the evaluation of the subject as a pole of the relationship underlying legitimacy seemed to be a relevant, recurring theme throughout the conversations – when questions regarding the state of democracy or of the Romanian political system came up, the interviewees answers took into account not only the deeds and characteristics of the powerholders, but those of the subjects as well.

However, these two types of evaluation, as detailed in the section above, cannot be qualified as components of a naïve theory of legitimacy in the absence of a more complex account that describes their relationship, but may instead be qualified as attitudes or

appreciations of the nature of these two types of actors. Therefore, the section below provides an overview of the explanations that individuals have come up with throughout the interviews.

5. Nature of the relationship

As mentioned before, several expressions have been coded as explanatory accounts relevant to the topic of legitimacy, and analysed as potential expressions of a naïve conception of legitimacy.

When it comes to the content of these accounts, one first thing to be noted is that no anarchist or anarchist-like position, has occurred throughout my interviews, meaning that none of the interviewees has expressed any explicit disapproval towards the idea that individuals should live in states and other political arrangements defined by obedience to authority. The only situation where this possibility had been entertained was the metaphor of Robinson Crusoe, which was interestingly enough mentioned by three of the subjects: "You cannot be against all laws and create your own rules. If you were to do that then you just live like Robinson Crusoe, you live on an island, what do you need a society for?" (MS)

While most subjects seemed to approve (or at least be content with) the idea that humans must live in a social order defined by obedience towards authorities, there was some variation in their justifications for this. More precisely, I identified three core, non-exclusive positions, which I call "human nature", "ensuring cooperation and avoiding chaos", and "reciprocity and gratitude".

First, some interviewees suggested that human nature is at the basis of individuals' choice to respect a social order and obey the law. In certain regards, this can be found, for example, in some of the aforementioned positions that have labelled the subjects as somewhat lacking agency or choice when it comes to obeying authorities or complying with a certain

social order. Humans were therefore defined as social creatures who have a need to share their lives with others: “I think it’s because we’re social creatures. Generally speaking, we need and want to interact with each other, and social interaction is always governed by social rules, and that’s where it comes from.” (IN)

Another interviewee suggested even more explicitly that the human need for social organization is what led to the creation of states:

> “As humans, we kind of need a structure, a form of organisation, and this was what chance brought us. We had to organise in small villages and then these villages grew bigger and... ok, we decided we need someone to organise them. I think people are looking for authorities everywhere. This is how our families are structured, this is why we have religion. This is how humans are.” (BM)

The second type of explanation also bears some recognition for the social nature of humans, but goes further to imply that, in fact, authority and social order are necessary in order to promote cooperation and prevent chaos. More specifically, the absence of social order is seen as something that would almost lead individuals back to a state-of-nature-like situation: “Some sort of order is always necessary, otherwise everyone will do whatever they want, and we go back to homo homini lupus” (EB). Another interviewee presented a similar position appealing to her own experience as a teacher: “There must be someone who gets the situation under control. I can see this, on a smaller level, in my job. If my pupils would make their own justice I’d live like s**t, they’d live like s**t and everybody would live like s**t.” (GI)

Because of this, a social order that prevents this type of breakdown of society needs to be established. One interviewee, for instance, defined society as “a community of people that is led through rules” (MS) which is imperative to be maintained: “When you break these rules, society transforms into chaos!” In concrete terms, the order can be broken when either the subjects betray the order by attempting to find workaround - “law in many cases allows, at least

in Romania, for whomever wants to be the slick player to manage to get away with it"(IB) - or when the powerholders do not provide what they are obligated to.

> "I'd like to live in a country where… that's how it's written you should do, so that's what you do. Not in the authoritarian sense - but you should know you can count on the others and that everyone respects the same rules as you, that you're playing the same game as the others. When you get out of your house, you need to know you'll get there and solve your problem. When I leave my home, I assume it's likely I won't solve my problem today. Maybe the person I need to talk to left without announcing, maybe he's having a coffee and I can't find him, maybe he's not in the mood for me and doesn't answer." (DO)

Therefore, social order, law, and the need to respect authorities are seen as both a manner of avoiding chaos and a way of fostering cooperation or, as one interviewee put it, enabling citizens to realize "that no one is alone in wanting to do that" (AR).

Beyond the more instrumental need for cooperation, however, interviewees have also expressed quite often ideas related to the principles of gratitude and reciprocity. These positions were expressed in terms of duty to reciprocate. Perhaps in their most straightforward sense, "[t]he state spent money so that you become who you are right now", therefore "people have a moral duty to aid their country" (SN).

This position came up especially in the context of the discussions about emigration from Romania toward more developed countries. Some of the interviewees expressed their disapproval to the fact that many youth choose to leave Romania, and list this as one of the main reasons for "why things don't work around here". In their view, there is an obligation to "give back" to a country that has contributed to one's development:

> "I think the youth should stay in the country. I think they have a duty. I mean, the state sent you to school, to university, right? And all of these are from the revenues of the society, of everybody else. Do you really not have any duty towards this society? I understand, you go abroad, you specialize in something, but it's right to come and contribute even just a little bit. You need to have a dose of gratitude towards this society that you grew up in, that formed you, right?" (NC)

Furthermore, reciprocity was seen as an ideal way in which social order should be maintained, leading to a good functioning of society: “I respect others’ rights because, with mutual respect, things go right” (EB). Along these lines, themes such as “belonging to the same group”, “helping each other”, and “building a sense of support” were also listed. Even more, these principles were also formulated to refer to future generations: “Sharing things and taking part towards a common goal is surely right. Even because you do so for your children, you give them a future.” (CI)

Finally, this final theme seems to challenge the idea that individuals should obey authorities (be them tangible ones, such as the police, or intangible ones, such as the law) due to some inherent characteristic such as human nature, the impossibility of doing otherwise, or the need to prevent chaos, and instead because of amoral duty toward other members of their group.

> “We obey for each other; we don’t obey for the state. When people don’t think the state is helpful, they don’t follow the law. A good example is tax evasion, because they don’t feel like they pay taxes for the good of the state, so they don’t follow it.” (GM)

5.2 Concept structure

The final step of the data analysis consisted in the creation of a concept structure (Fig 2) whose most basic function will be to illustrate what a naïve theory of legitimacy looks like. It reunites the elements described above which, together, delineate individuals accounts on

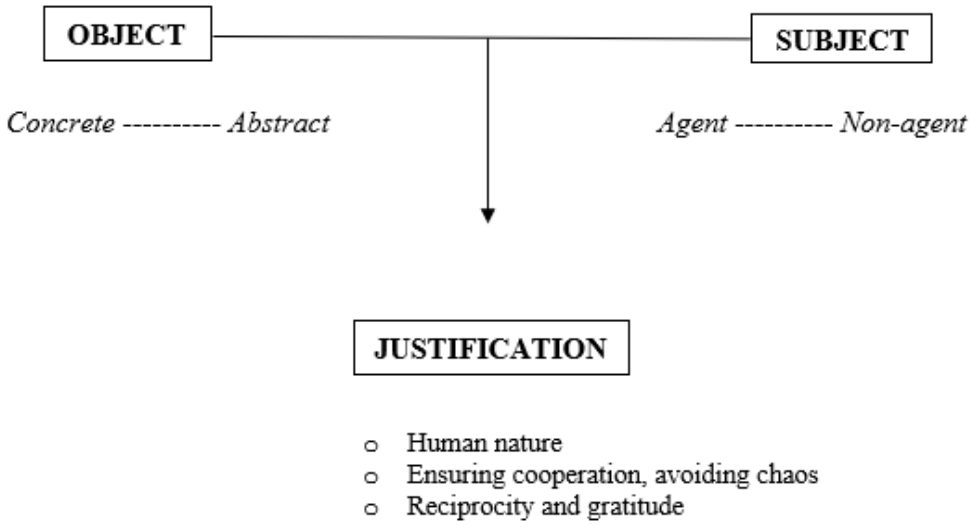

Figure 2

topics related to the semantic field of political legitimacy from statements that would otherwise qualify as mere stated opinions or beliefs.

Therefore, while the various naïve theories of legitimacy may vary significantly in their content, they do seem to share a common structure, which is defined by the existence of two poles of a relationship – the object towards which obligation and obedience should be directed, and the subject who is obligated, under the defined conditions, to provide these. Besides these poles, a necessary attribute for a naïve theory of legitimacy should be the existence of a justification for the nature of this relationship, expressed either in moral or instrumental terms.

Due to the limited sample and exploratory nature of this study, however, this should not serve as a generalization for the content that naïve theories of legitimacy should usually present. In fact, the content and types of justification may be quite specific to the context in which the interviews have been carried out, i.e. the salient political topics of the time (e.g. migration, police incompetence), or the various characteristics of Romanian political culture (used as an umbrella term). As stated before, however, the purpose of this research is not to provide a

generalizable answer to the question of what are individuals' naïve theories about legitimacy, but to explore the shape that these theories may take in a variety of contexts.

Therefore, the last chapter will discuss the implications of the findings presented above, and introduce several potential uses for future research.

Conclusion

In one of his chapters on the topic of legitimacy, political philosopher John Simmons makes a broad claim about what this thesis has called folk individuals' beliefs, a statement which might represent the most comfortable, intuitive position that philosophers might take in this regard:

> "This is a philosophical problem to which most nonphilosophers can immediately relate, bearing as it does on their practical concerns about daily conduct. While we all know, of course, that much of our obedience to law and support for political institutions is a function of childhood training, simple habit, or fear of sanctions, we also know that most people believe as well that disobedience to law would in most instances be wrong." (Simmons 2008, 40)

While the main purpose of this thesis was not to give a definite verdict on whether Simmons was right in claiming that people believe that disobedience to law would be morally wrong, it sought to explore the various ways in which individuals express positions on the issue of obedience, especially by adding a moral perspective through naïve theories of legitimacy.

As a result of my data analysis, I have identified a basic structure of the expressions of naïve theories of legitimacy I have encountered throughout my interviews. Despite the limited scope of this thesis, I argue that this can serve as a "map" for studying other relevant aspects of folk conceptions of legitimacy. More specifically, once we do recognize that legitimacy can exist, among individuals' beliefs as more than "a function of childhood training, simple habit, or fear of sanctions", as Simmons calls it (2008, 40), and that it can take the form of a moral belief, the next question that we may ask is how exactly do these beliefs look like? As the result of an abductive coding procedure following the grounded theory method, I suggest that such beliefs do recognize the existence of the relationship defined by obedience and obligation between a subject and an object of legitimacy.

Interestingly, I have not identified any beliefs that legitimacy cannot exist. Instead, even those who expressed some amount of cynicism towards the authorities, or a recognition of their lack of agency within this relationship, displayed an agreement with the fact that some level of order must be maintained, even under the constraints of a flawed society. In this case, it seemed that whenever individuals were discontent with their more embodied authorities (such as the prime-minister), they would go further on that axis towards more intangible objects of legitimacy, such as a certain social order.

Furthermore, the interviewees appeared to express complex ideas about the topic of legitimacy whenever the discussion was guided in that direction. These positions took, I argue, the form of naïve theories, and could even stand some comparison with political philosophers' accounts. For instance, some of the interviewees' claims that "everyone should play by the same rules" were reminiscent of fair-play theories, and the reciprocity and gratitude arguments rang true to the reciprocal accounts. Furthermore, some interviewees even seemed to take contractualist, almost Hobbesian positions suggesting that social order is necessary in order to keep at bay the selfish nature of individuals. At the same time, however, one could argue that voluntarist theories were not as prevalent, especially due to several accounts of individuals' lack of agency in their relationship with political authorities.

These similarities might suggest that some of the political theories of legitimacy might have more intuitive roots than others. Of course, such a claim would require further investigation, and could even yield relevant insights on questions of variation: what types of individuals ascribe to which types of naïve theories of legitimacy? What factors play a role in this regard? What could the implications of such naïve theories be for individuals' behaviour in terms of altruism and willingness to cooperate?

This thesis has sought to lay the groundwork for future explorations of these questions, by attempting to capture, in a manner as straightforward as possible, the ways in folk people, laypeople, or 'nonphilosophers' think about the issue of legitimacy, an essentially moral one – and it does appear that the concept has some use.

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Appendix 1 – Interview Map

INTRO

One of the main purposes of my research is to explore <u>how</u> people discuss political topics. Therefore, I would like to ask you to approach this interview in a casual manner. There are no right or wrong answers. I am also not looking for a specific type of answers, so if you feel like you are not sure whether you understood the exact angle of any of my questions, feel free to start with the first thing that comes to your mind – I am not 'looking for valuable or relevant answers'.

ICEBREAKERS

When was the last time you remember discussing politics with someone?

Do you remember any instance where you found yourself thinking about political issues?

Entities	**Meanings**	**Naïve theories**	**Attitudes/feelings**	**Experiences**
Authorities	First things that come to mind	Obligations towards citizens Scope of permissible actions Ideal-world scenario	Feelings when interacting with authorities Opinion on actions of mentioned authorities Feelings of respect	Day-to-day instances when faced with authorities Most memorable experience
Relevant others	Meaning of citizenship Political community	Polities Citizens obligations to each other Ideal-world scenario Human nature	Feelings towards fellow citizens Feeling of belonging	Experience of having to cooperate / coordinate with others News and political events Following the law
Self	Personal identity Sense of belonging to a community	Moral duties of the self	Common sense	Instances of self-reflection Benefits received from authorities Acts of "citizenship" (e.g. participation)

Closing Remarks
Can you recall of having ever read or studied about the things that we have discussed about?
Did you ever discuss political theory throughout your formal and informal education?

Appendix 2 – Sample summary

Initials	Gender	Age	Education (last graduated)
First wave			
AB	M	31	Masters' degree
SN	F	70	High school
MV	F	27	Masters' degree
IN	M	50	PhD
CI	M	33	High school
MI	M	25	Bachelors' degree
OB	M	77	Masters' degree
MS	F	80	Bachelors' degree
NC	M	54	High school
BM	F	21	High school
Second wave			
DO	F	29	Bachelors' degree
CC	F	23	Bachelors' degree
AR	M	42	High school
GM	M	30	Bachelors' degree
AD	F	36	Masters' degree
FE	F	28	Bachelors' degree
EB	F	61	Masters' degree
IB	M	58	High school
GI	F	27	High school
PT	F	30	High school