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Measuring Legitimacy – New Trends, Old Shortcomings?

Christian von Haldenwang

Measuring legitimacy –
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Abstract

The legitimacy of political orders is an important reference point in political analysis, but the concept is difficult to operationalise and measure – particularly in those countries where legitimacy is critical (cases of political transformation and high state fragility). This paper develops a four-fold analytical framework based on a dialogical understanding of legitimacy. To be successful, legitimation (the strategic procurement of legitimacy) has to fulfill two separate functions: it has to relate demands for legitimation to government performance, and relate the legitimacy claims issued by the rulers to behavioural patterns of individual and collective actors. The paper gives an overview of recent attempts to measure legitimacy. It argues that these attempts largely fail to conceptualise legitimacy in a convincing way. As a result, extant approaches measure only specific types of legitimacy – or they do not measure it at all.

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Contents

Abstract

Acknowledgements

Abbreviations

1	Introduction	1
2	Introducing the concepts of legitimacy and legitimation	2
2.1	Two cycles of legitimation	4
2.2	Legitimacy and support	5
2.3	Sources of legitimacy	6
3	Measuring legitimacy: approaches, methods, indicators	8
3.1	Four dimensions of measurement	8
3.2	Attitudes and opinions	9
3.2.1	Perceptions of access	10
3.2.2	Opinions on regime properties	11
3.2.3	Opinions on regime performance	12
3.2.4	Attitudes	13
3.3	Performance	14
3.3.1	Matching performance claims with performance levels	15
3.3.2	Expert opinions and indexes on political regime properties or performance	16
3.4	Behaviour	19
3.5	Legitimacy claims and inclusion	20
3.5.1	Autocratic offers of inclusion	20
3.5.2	Democratic offers of inclusion	23
3.6	Multi-dimensional approaches	24
3.6.1	Combinations of attitudinal and behavioural measures	24
3.6.2	Combinations of performance and behavioural measures	24
3.6.3	Discourse/media analysis	25
4	Conclusion	26
	References	29

Figures

Figure 1: Two cycles of legitimation	4
Figure 2: Modalities of legitimation	7

Tables

Table 1: Dimensions of measurement	9
Table 2: Methods and data sources	26

Abbreviations

CIA	Central Intelligence Agency
CIRI	Cingranelli-Richards
CPI	Corruption Perceptions Index
CSP	Center for Systemic Peace
ECPR	European Consortium for Political Research
FH	Freedom House
GDP	Gross domestic product
IDEA	International Institute for Democracy and Electoral Assistance
IMF	International Monetary Fund
KOF	Konjunkturforschungsstelle of the Swiss Federal Institute of Technology
MENA	Middle East/North Africa
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
PTS	Political Terror Scale
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
US	United States
WGI	Worldwide Governance Indicators
WHO	World Health Organization
WVS	World Values Survey

“If legitimacy is as important to political stability as the classical literature argues, then it should have observable effects.”

(Booth & Seligson, 2009, p. 2)

1 Introduction

Some political-science scholars use legitimacy as a concept to explain the stability or transformation of political orders. The term is sometimes brought into play as a broad reference to factors that add to political support and government credibility. Increasingly, however, scholars are exploring ways to make legitimacy itself the object of empirical inquiry. This tendency has partly been driven by debates on the legitimacy of international regimes (Chapman, 2009; Franck, 1990; Hurd, 1999; Keohane, 2011; Scholte, 2011; Steffek, 2007; Zürn, 2012), the European Union (Bolloyer & Reh, 2011; Eriksen & Fossum, 2004; Scharpf, 2009), and non-governmental actors (Beisheim & Dingwerth, 2008; Bernstein, 2011). Still, the main focus of research continues to lie on the legitimacy of the nation-state. One part of the debate refers to the legitimacy crisis of the welfare state (Offe, 1984), that is, a supposedly general trend of declining regime support in democratic, industrialised countries (Booth & Seligson, 2009; Mau & Veghte, 2007; Norris, 1999a). A growing body of literature, on the other hand, deals with issues of political transformation, state building and fragility (Andersen, 2012; Dix, Hussmann, & Walton, 2012) and – increasingly – with the legitimisation of non-democratic rule (Abulof, 2015; Backes, 2013; Gerschewski, Merkel, Schmotz, Stefes, & Tanneberg, 2013; Holbig, 2013; Josua, 2016; Kailitz, 2013; Kendall-Taylor & Frantz, 2015; Mazepus, Veenendaal, McCarthy-Jones, & Trak Vásquez, 2016; Morgenbesser, 2015; von Soest & Grauvogel, 2015).

Even with a rapidly expanding body of academic research on legitimacy, however, the concept has proven to be stubbornly elusive regarding its operationalisation and measurement. This is especially true for cases that are particularly interesting in terms of legitimacy research: countries undergoing rapid political change or suffering from extended periods of fragility and conflict. One obvious problem in this context is the lack of reliable data on regime performance, citizens opinions and attitudes, political participation, public debates, and so on – data typically employed in studies on the legitimacy of Western democracies (for instance, Nullmeier et al., 2010).¹ One could almost say that the more precarious the apparent legitimacy of a political order, the more difficult it is to put this impression to a rigorous test. The two most important cases of radical political transformation in recent decades – the demise of socialist rule in Eastern Europe and the political changes following the ‘Arab Spring’, came as a surprise to many renowned experts.² Limited access to data may have played a role here.

Beyond the issue of data availability, however, measuring legitimacy is confronted with deep-rooted conceptual problems: First, the concept is profoundly normative by nature.

1 Not all countries with limited data availability are fragile or conflict-ridden; however: some are governed by long-lasting authoritarian regimes that are able to control access to information.

2 There are, of course, exceptions – mostly in the form of detailed case studies. See, for instance, Sedgwick’s (2010) insightful account of legitimacy deficits in pre-transformation Egypt.

Those who use it in politics, but also in academic research, tend to have strong convictions about its contents and underlying processes. Some authors try to cope with this problem by distinguishing democratic and non-democratic forms of legitimacy (Karlsson, 2012; Montero, Gunther, & Torcal, 1997; Nullmeier et al., 2010; Schlumberger, 2010), while others embrace the idea of a common normative ground for all kinds of legitimacy (Beetham, 1991; Peter, 2010; Rawls, 2005). Second, while it is possible to distinguish several sources of legitimacy and various mechanisms of legitimation (as will be shown below), there is no consensus in the literature on how to construct categories or types of legitimacy – even though there is a general consensus on the *need* to categorise. A third structural problem consists in finding valid and reliable indicators for the different dimensions of legitimacy one aspires to measure.

This paper holds that the academic debate on the subject has so far failed to present truly convincing approaches to address these problems. As a result, attempts to empirically assess legitimacy have been spoiled by two basic shortcomings: Either they have measured only specific types of legitimacy (such as the Western model of democratic rule of law), or they have measured general regime support rather than legitimacy.

The following section introduces the concepts of legitimacy and legitimation (the latter term referring to the strategic procurement of legitimacy).³ It identifies two interrelated cycles of legitimation and discusses in which way legitimacy constitutes a specific kind of political support. Section 3 gives an overview over existing attempts to measure legitimacy, their methodological approaches and the indicators and data sources employed. Section 4 concludes.

2 Introducing the concepts of legitimacy and legitimation

In our everyday language, the term ‘legitimate’ characterises something we consider ‘right’, ‘good’, ‘fair’ or ‘justified’. We speak of ‘legitimate claims’ or ‘legitimate rights’ and mean that, beyond the factual existence of those claims or rights, there are good reasons that can be brought forward to sustain them. Interestingly enough, this everyday understanding of the term already refers to a collective order, even if we use it in a completely apolitical way. By giving good reasons for a claim or a right we invoke a collectivity that produces rules under a common set of values and norms. In a similar pre-theoretical fashion, we speak of ‘legitimate government’ or ‘legitimate authority’ when referring to a political order that provides a fair amount of public goods and whose rulings deserve to be followed.

3 Apart from ‘legitimacy’ and ‘legitimation’, this paper uses terms such as ‘political rule’, ‘political order’, ‘political regime’, ‘state’, and ‘common good’. Since this is not the place for an in-depth discussion of these fundamental yet conflictive concepts, I offer some straightforward working definitions in order to avoid confusion: (i) ‘Political rule’ refers to the practice of producing and implementing binding regulative and allocative decisions. (ii) ‘Political order’ is the overall institutional and normative setting in which political rule takes place. (iii) ‘Regimes’ are understood as sets of institutions, norms and procedures that cover specific aspects of a political order. Political regimes characterise a political order as being ‘democratic’, ‘autocratic’, etc. (iv) ‘State’ refers to the part of a political order which produces and enforces binding decisions for the common good. (v) Finally, ‘common good’ is defined as the intentional outcome of actions that are a) based on shared norms and purposes that a community has given itself; b) follow procedural rules that do not violate the basic rights of individual members of that community; and c) aspire to maximise the social welfare function.

As political subjects, we thus approach legitimacy from a normative perspective: Obviously, not every political order qualifies as legitimate in our eyes. A first generation of legitimacy research has consequently strived to identify the institutional setting best suited to produce a ‘just’ political order (Peter, 2010, pp. 4-10; Weatherford, 1992, p. 150). However, there are conflicting views on what constitutes legitimate rule – just consider, for instance, the role of religion or the issue of gender equality in politics. From the point of view of someone involved in politics, legitimacy is an additional quality, not a necessary ingredient of authority. Easton (1965, pp. 278-286) makes a point in showing that certain political systems (above all, international systems) can in principle survive without legitimacy. This has led some authors to consider legitimacy a secondary element of political rule – something nice to have, good for lowering the costs and raising the effectiveness of rule, but limited in its explanatory value with regard to political stability and transformation (for instance, see Levi, Sacks, & Tyler, 2009; Marquez, 2015).

At the same time, however, Easton himself finds it difficult to imagine stable political order without any legitimacy at all: “But under most conditions, we might suspect, there is a pressure to stabilize political relationships through diffusion of sentiments of legitimacy” (Easton, 1965, p. 286). In fact, every political order conceived as a *lasting* institutional arrangement aspires to evoke and nurture the belief in its legitimacy.⁴ Even blatantly authoritarian regimes design strategies to substantiate their claim that the political order they impose is the one that under given circumstances serves the common good best.⁵ This empirical phenomenon has largely escaped the attention of political philosophers. One could argue that, although not every political order is *legitimate*, at least every political order attempts to *legitimise* itself. From a normative point of view, a political order is *either* legitimate *or* illegitimate. From an analytical viewpoint, however, it is *more or less successful* in procuring legitimacy.

Given these considerations, the approach to legitimacy presented here departs from two basic assumptions:

- First, every political order designed to last in time engages in the *strategic procurement* of legitimacy. The operations carried out by rulers to legitimise a political order shape the process and outcome of political decision-making as well as the implementation of public policies. From the perspective of those who stage these operations (the rulers), legitimation is successful to the degree that it allows the regime to effectively guide the political behaviour of the members of society.
- Second, this procurement of legitimacy is *dialogical* by nature: At the end of the legitimacy chain, it is the individual member of society (the ‘citizen’ in republican terms) who provides legitimacy – even though political collectivities (parties, trade unions, business associations, etc.) often act as vehicles, amplifiers or filters. Citizens respond to the *legitimacy claims* of rulers by either endorsing or rejecting these claims. At the same time, they express *legitimation demands* – expectations directed towards their governments, which rulers can decide to meet, repress or compensate.⁶ From the

4 See Weber (1976, p. 122). Weber’s most important contribution to the debate on legitimacy has been to detach the concept from its normative underpinnings and open it to analytical reasoning.

5 For instance, see Gandhi and Przeworski (2007). Schatz (2006) and Schlumberger (2010) link these operations to the concept of ‘framing’ used in the social movement literature. See Benford and Snow (2000) for the original argument.

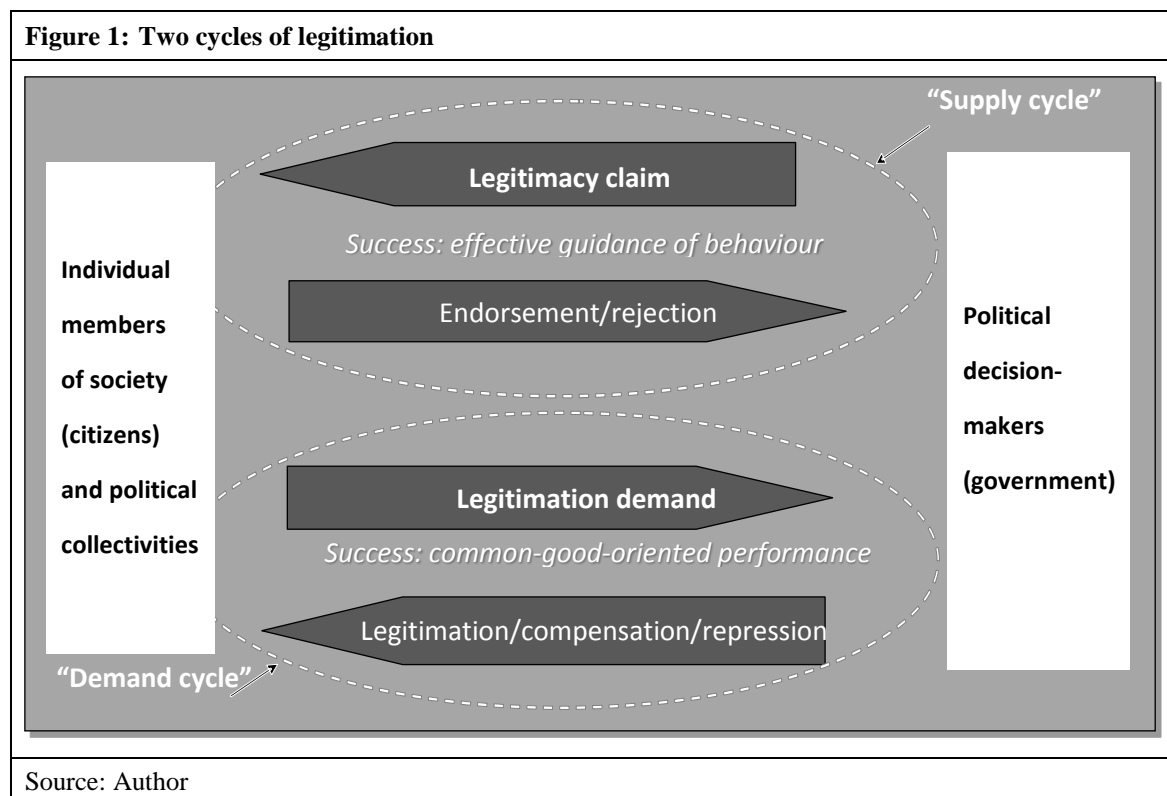
6 To simplify the setting, disregarding a legitimacy claim is considered here as a form of rejection, and ignoring a legitimation demand as a form of repression.

perspective of political subjects, the success of legitimation lies in the effective common-good orientation of the political regime.

2.1 Two cycles of legitimation

The facticity of legitimation and its dialogical character can be pictured as two political cycles covering the supply of and demand for legitimation (see Figure 1). Identifying these two cycles helps to understand that the “right to rule” (Gilley, 2009) of legitimate government is always limited by the *right to dissent* of every member of society (Rawls, 2005). The moral obligation to obey orders which many scholars mention as a key aspect of legitimacy is ultimately rooted in our own disposition to acknowledge the legitimacy of the authority issuing these orders.

In principle, every citizen can speak up on, or act upon, legitimacy issues. The fundamental role individual actors play in legitimising authority has led many scholars to focus their research on exploring the attitudes and opinions⁷ of citizens (see, for instance, Booth & Seligson, 2009). Yet, it is important to bear in mind that not every voice or action has the same weight or chances of success.



⁷ I use ‘opinions’ as a reference to what respondents think about the properties and performance of the political order in which they are living. As an example, a World Values Survey question asks: “How widespread do you think bribe taking and corruption are?” (Canache & Allison, 2005, p. 96). ‘Attitudes’ refers to general dispositions of respondents regarding regime principles, social norms, their own role in politics, etc. An example would be the New Europe Barometer question: “How interested are you in politics?” (Linde, 2012).

- First, some actors enjoy more political influence than others because they are more articulate, better organised, or control strategic resources.
- Second, the impact legitimisation demands have depends on a broad range of exogenous factors and trends (such as global economic cycles), many of which escape the control of rulers or ruled.
- Third, not every legitimisation demand is equally well suited to be put forward successfully within a given political regime. This has something to do with (i) the number and kind of people affected, (ii) the underlying value judgments and priorities, (iii) the distribution of costs and benefits attached to the demand, (iv) the social conflicts that determine the political agenda, and (v) the time horizon of the issue brought forward.
- Fourth, apart from domestic actors, international forces also influence the legitimacy of a political order. This is why some authors consider ‘international’ or ‘external legitimacy’ as a form of legitimacy in its own right (Brassett & Tsingou, 2011; O’Lear, 2007; Schlumberger, 2010; Sedgwick, 2010; Unsworth, 2010).
- Fifth, every political regime produces rules to deal with legitimisation demands. These rules cover (i) issues that may, or may not, be raised (for example, many democratic regimes prohibit openly racist positions to be brought to the public), (ii) access to decision-making bodies, (iii) modes of demand articulation (rules for political parties, non-governmental organisations (NGOs), mass media, etc.), and (iv) the processing of demands by governmental bodies (administrative, legislative and judicial processes, the use of police and security forces, etc.).

Obviously, the less democratic a political regime, the more selective its handling of legitimisation demands. However, every political regime – even the most democratic ones – devises these kinds of rules. In fact, they are a key feature of political efficiency.

2.2 Legitimacy and support

Most scholars working on political stability or transformation would agree that a political regime cannot survive on the basis of coercion and repression alone.⁸ Some kind of support is needed, if only from those forces doing the repression job. Obviously, a legitimate political order should enjoy widespread support⁹ – but how are both notions related to each other? Does legitimacy lead to support, or vice versa (Klingemann, 1999, p. 31) – or are both concepts essentially one and the same when referring to a political order? If the latter

8 For instance, see Sedgwick (2010, pp. 251-252) with references to Tocqueville and Almond. In contrast, Levi et al. (2009) contend that “it is possible to rule using only coercive power” – an assertion that may be based on a misperception of what constitutes ‘rule’ as opposed to ‘power’. See the more detailed discussion below.

9 There is a vast body of literature on political support, in particular with regard to democratic governance (see Gilley, 2009; Hurrelmann, Krell-Laluhová, Nullmeier, Schneider, & Wiesner, 2009; Norris, 2011b; 1999d with many additional references to the debate). Another strand of the literature aspires to measure the quality of democracy (for instance, see recent contributions by Bühlmann, Merkel, Müller, & Weßels, 2012; Landman, 2012; Logan & Mattes, 2012). Separating this discussion from our topic – legitimacy – can be difficult, especially in the case of studies focussing on democratic legitimacy, such as Nullmeier et al. (2010). This paper follows a pragmatic approach: it considers above all those contributions which explicitly discuss the notion of legitimacy.

were the case, finding a measure of support would solve the problem of measuring legitimacy.

Unfortunately, both concepts – though closely related to each other – are not identical. Political support may be based on different rationalities, including fear, habit, the expectation of short-term gains or long-term benefits, regime performance criteria, or belief in the superior morality of a ruler (Marquez, 2015). It may be extremely ephemeral or stable and solid, the product of completely selfish considerations or based on notions of collective good and cooperation (Nowak, 2011). Easton's (1965) discussion of specific versus diffuse support distinguishes different rationalities. Hence, measuring general levels of support does not add too much to our understanding of legitimacy as long as it does not account for the specific kind of support underlying legitimation relationships.

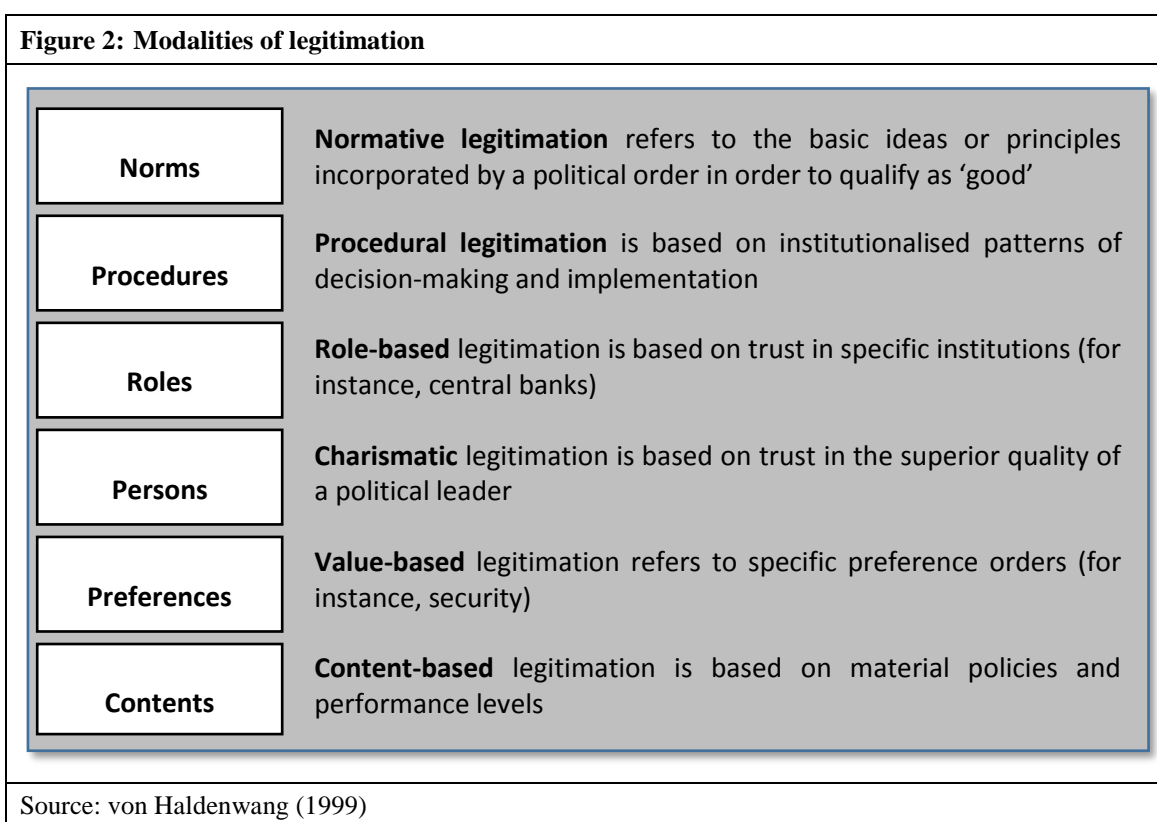
As has been said above, a political order acquires legitimacy if the reasons given to justify rule are endorsed by individual or collective actors. *Rule*, a key notion in this phrase, can be distinguished from the more general concept of *power* by its implicit or explicit reference to a collectivity and the concomitant claim that it serves some kind of common good. By referring to an institutional setting beyond a particular situation, the notion of rule entails a meaning of duration and stabilisation of expectations: A power relationship can be established between two actors who meet only once – for instance, one person assaulting ('overpowering') another. Rule, in turn, is based on a continuous relationship that extends beyond individual actors. This is why the institutional requirements of rule are higher than those of power.

Consequently, the endorsement a legitimacy claim receives cannot be motivated by individual cost-benefit-calculations alone. Rather, it has to reflect the collective order individual actors are embedded in. This does not mean to imply that other motivations such as fear or greed do not exist (they patently do in every political order), but they do not provide a stable foundation to political rule because they do not produce legitimacy. In Gilley's (2009, p. 5) words: legitimacy "is a particular type of political support that is grounded in common good or shared moral evaluations". The endorsement of a legitimacy claim can be tacit, but in order for a political order to mobilise additional resources in times of stress, endorsement has to be based on observable behavioural patterns ("evidence of consent", Beetham, 1991, p. 13) related to the claim.

2.3 Sources of legitimacy

Even the specific type of support needed for legitimacy, however, can draw from several sources. This has been discussed in the literature with reference to the *objects* or *sources* of legitimacy claims. For instance, Gilley (2009, 2012) identifies legality and moral justifiability as basic sources of support, evidenced in observable actions of consent. He further introduces a long list of variables that could motivate citizens to grant a state legitimacy, including several performance indicators (Gilley, 2009, pp. 29-57). In a similar vein, various studies distinguish 'input' and 'output legitimacy', with the first category referring to access to political decision-making and the second category referring to political regime performance (see Scharpf, 2004). Another strand of the literature cites Weber's (1976, p. 124) basic distinction of rational-legal, traditional and charismatic legitimacy (Unsworth, 2010, pp. 15-20).

Dalton (1999) and Norris (1999c, 2011b) use Easton’s (1965) discussion of specific and diffuse support to develop a five-fold typology.¹⁰ I present a related approach that also draws on Easton (von Haldenwang 1999, 2011). It is conceptually based on the observation that legitimacy issues materialise around binding allocative or regulative decisions, as shown, for instance, by media analyses (Nullmeier et al., 2010). These decisions are *always and necessarily* characterised by six elements: (i) They have a material content which affects a specific group of actors; (ii) they express value judgments and preference orders; (iii) someone issues and implements them, acting as a person (authority) and (iv) at the same time as the embodiment of an institution (authority role); (v) decisions are produced and implemented through institutionalised procedures; and (vi) they rest on normative principles and ideas whose common denominator lies in the claim of the political order to be ‘good’ or ‘adequate’ for a given society. Each element can be linked to a specific legitimation modality (see Figure 2).



These modalities differ with regard to their design and impact. For instance, the broader the *scope* (range of issues) and *reach* (range of addressees) of a legitimation strategy, the more important its contribution to regime efficiency and effectiveness. In a period of crisis and change, however, other features of legitimation may become more relevant, such as the capacity to adapt to changing demands, or the cost that legitimation entails in terms of the additional resource mobilisation required. Researchers often aspire to measure the ‘amount’

¹⁰ See also Booth and Seligson (2009); (Stark, 2010). Several authors propose similar categorizations. For instance, Nullmeier et al. (2010) distinguish actors, institutions, regime principles and the political community as ‘objects of legitimation’, leaving out the performance dimension. Sedgwick (2010) finds ten ‘varieties’ of legitimacy, three external (international, regional and out-of-region) and seven internal (economic and non-economic output legitimacy, religious, traditional, ideological, mobilisational, and charismatic legitimacy).

of legitimacy political regimes hold at a given point in time. The durability or precariousness of legitimacy is hardly ever addressed. However, it appears obvious that some legitimisation patterns provide a more stable basis for legitimacy than others (see von Haldenwang, 2011).

Political regimes are never characterised by one single modality, but it is easy to see that the charismatic appeal of a Hugo Chávez in Venezuela differs from the value-based law-and-order approach of an Augusto Pinochet in Chile, from the rich symbolism and historical legacy embodied by Queen Elizabeth II in the United Kingdom, or from the low-key procedural legitimisation patterns prevalent before reunification in Germany's 'Bonn Republic'. The mix of modalities employed by different regimes varies considerably, according to the reasons given for being 'good' or 'justified', the addressees of legitimacy claims, the stability or flexibility of the relations these modalities establish and, not least, the costs connected to legitimisation.

3 Measuring legitimacy: approaches, methods, indicators

To sum up the discussion so far, what would we expect from an 'ideal' approach to the operationalisation and measurement of legitimacy? Given the dialogical character of legitimisation, we would certainly want to know what key individual and collective actors *think* of their governments and the political order they are living in, and how these attitudes and opinions translate into political action. Further, we would want to assess what governments *do* to procure legitimacy and how legitimacy claims are met by observable patterns of behaviour by the addressees of these claims. Beyond these rather descriptive aspects, however, our main interest would probably be to understand the extent to which legitimacy contributes to mobilising resources for collective action, and how stable (or precarious) this contribution is. Almost needless to say, we would want to do this in a comparative fashion and covering a broad range of countries and political regimes.

3.1 Four dimensions of measurement

The previous section has shown that an adequate approach to measuring legitimacy would need to include both sides of the relation – rulers ('government') and ruled ('citizens'). This is not the first time such a distinction has been brought into play. For instance, Weatherford (1992) distinguishes a top-down perspective, referring to institutional aspects of legitimisation, from a bottom-up perspective, referring to public opinion and the voice of (individual) actors. However, based on the two legitimacy cycles introduced above, we are able to identify *four dimensions of measurement* (see Table 1). If the success of legitimisation is understood as effective common-interest orientation of rulers, the revealed *attitudes and opinions* of individual and collective actors determine the range of *performance* responses on behalf of the political leaders or the 'government'. If, on the other hand, the success of legitimisation is considered to lie in effectively guiding the behaviour of members of society, the legitimacy *claim* issued by the rulers entails an offer of inclusion, echoed by patterns of *behaviour* ("evidence of consent", Beetham, 1991, p. 13) on behalf of the ruled.

Table 1: Dimensions of measurement		
Focus on...	Successful legitimation as ...	
	Common-interest orientation of rulers	Guidance of behaviour of ruled
Individual and collective actors (ruled)	<i>Attitudes/opinions</i> (e.g., confidence in leaders, satisfaction with regime)	<i>Behaviour</i> (e.g., electoral behaviour, protest activities, mobilisations)
Government (rulers)	<i>Performance</i> (e.g., public service delivery, effective regulation)	<i>Claim</i> (e.g., access to law, political procedures, civil rights, social services, symbols)
Source: Author		

These four dimensions *do not* constitute subtypes of legitimacy or legitimation and, hence, should not be misread as a proper conceptualisation of legitimacy per se. They do, however, constitute four approaches to operationalisation that entail different conceptual and methodological choices. Extant empirical studies can be categorised according to their focus on one, or several dimensions. In a similar vein, the selection of indicators can be analysed according to the dimensions they cover.¹¹

Obviously, each of the four dimensions has not attracted the same amount of scholarly attention. In more recent studies, it is quite common for attitudes and beliefs of the citizens to be in the focus of research, or, as Booth and Seligson (2009, p. 8) put it, for legitimacy to be measured “as an attitudinal phenomenon”. Accordingly, we observe a prevalence of studies employing survey data in recent years.

Following the distinction introduced in Table 1, the subsections below will discuss measurement approaches with a focus on attitudes and opinions (3.2); regime performance (3.3); political behaviour (3.4); and legitimacy claims and inclusion (3.5). The last section will present studies that combine several measurement dimensions or methods (3.6).

3.2 Attitudes and opinions

As has been said above, recent contributions to legitimacy research tend to emphasise the attitudinal dimension of the concept. With regard to measurement, this dimension has been almost exclusively explored with the help of survey data. Comparative studies have grown increasingly sophisticated over the last two decades, in line with theoretical reasoning (Booth & Seligson, 2009; Mau & Veghte, 2007; Montero et al., 1997). Data are taken above all from the World Values Survey (WVS) and from the regional surveys EuroBarometer,

11 This has been done before. For instance, some empirical studies distinguish (i) ‘subjective’ indicators (attitudes and opinions) from ‘objective’ indicators (tax collection, regime performance indicators, voting behaviour, etc.), (ii) ‘input’ indicators (properties of political decision-making and inclusion) from ‘output’ indicators (properties of regime performance) or (iii) ‘democratic’ indicators (pertaining to the core modes and institutions of democratic rule) from ‘non-democratic’ indicators (Hurrelmann, Krell-Laluhová, Lhotta, Nullmeier, & Schneider, 2005; Schneider, 2010).

LatinoBarómetro, AsianBarometer, AfroBarometer and, more recently, ArabBarometer.¹² However, the object of scrutiny has been mostly limited to Western democracies and some advanced industrialised countries. Only few authors have used survey data in developing country research (Chu, Bratton, Lagos, & Shastri, 2008; Levi & Sacks, 2007; Levi et al., 2009; Sacks, 2012; Tezcür, Azadarmaki, Bahar, & Nayebi, 2012). As a result, the variation of cases is limited, and generalisations with regard to the universe of poorer or non-democratic countries are difficult to justify.

Survey data cover *attitudes and opinions* on a broad range of issues, whereas *expectations* of how governments *should* act or look like are hardly studied at all.¹³ I distinguish *opinions* on (i) access to political decision-making, (ii) specific regime properties and (iii) regime performance. (iv) A fourth issue area refers to *attitudes* with regard to broader questions of regime principles, identity, etc.

3.2.1 Perceptions of access

Access to political decision-making is a fundamental feature of political inclusion. Attitudinal approaches measure this feature above all with a view to **electoral participation**. Tezcür et al. (2012) assess the perception of free elections and civil rights based on Iranian WVS data. Chu et al. (2008, p. 77) apply the same approach, covering “more than 54 countries” and using data from GlobalBarometer, which combines the datasets of LatinoBarómetro, AfroBarometer, AsiaBarometer and, since 2005, ArabBarometer.

Related to the issue of electoral participation, some studies assess perceptions of **influence** in the political process. Political disaffection is measured, for instance, by Vassilev (2004), using data from the Comparative National Elections Project Survey in Bulgaria. Holmberg (1999) approaches influence in the Swedish political process, while Grimes (2008) studies influence with regard to railway planning procedures in Sweden. Weatherford (1992) explores how US citizens respond to the statement: “Voting is the only way that people like me can have any say about how the government runs things”. Gel’man (2010) uses data on regime closeness and responsiveness in Russia from a nation-wide survey of 1,500 respondents.

12 Survey data sets can be accessed following these links: www.worldvaluessurvey.org/ (WVS) and http://ec.europa.eu/public_opinion/index_en.htm (EuroBarometer). The other regional barometers mentioned above are located at www.globalbarometers.org/ (all accessed on March 29, 2016).

13 Miller and Listhaug (1999, pp. 212-216) address the issue of expectations concerning standards of government performance, but they deduce citizens’ expectations from observed perceptions of fairness or justice.

3.2.2 Opinions on regime properties

Attitudinal approaches to legitimacy often focus on citizens' perceptions of political regime properties and the degree of **trust** set upon public institutions. Various comparative studies have a regional focus.

- Linde (2012) measures public perceptions of procedural fairness and impartiality as a key source of support for democratic rule in Eastern Europe. Several years earlier, Kluegel and Mason (2004) analysed political trust in five Eastern European countries.
- Doyle (2011) takes data from the annual LatinoBarómetro survey to construct an index of trust in national political institutions, covering 18 Latin American countries. Booth and Seligson (2009) show that perceptions of procedural injustice and corruption impact negatively on political support in eight Latin American countries. Power and Cyr (2009) check for trust in Congress and political parties based on LatinoBarómetro data.
- Levi and Sacks (2007) use the AfroBarometer to monitor the perceived effectiveness, fairness and trustworthiness of government in 16 African countries. One question included in this study refers to the fair treatment of the respondent's own ethnic group by the authorities.

Other papers distinguish specific country groups, such as for instance the Organisation for Economic Co-operation and Development ([OECD], 2013) with a focus on OECD member countries. Mishler and Rose (2001) look at 'new democracies' on a global scale.

Satisfaction with democracy is another dimension frequently measured by attitudinal approaches. Anderson and Just (2012) use data on all free, democratic elections since 1945 to capture respondents' satisfaction with the way democracy works in their respective country. Other authors exploring this aspect with data from varying sources include Anderson and Singer (2008); Booth and Seligson (2005); Chu et al. (2008); Finkel, Humphries, and Opp (2001); Linde (2012); O'Lear (2007); Vassilev (2004) and Weatherford (1992).

Another aspect refers to the **rule of law**. In their study on eight Latin American countries, Booth and Seligson (2005) ask whether courts guarantee a fair trial and whether rights are well protected by the political system. The issue of fair trials is also approached by Weatherford (1992), based on a 1976 US voter survey, and by Finkel et al. (2001), who use panel data from Leipzig (Germany) between 1990 and 1998. Doyle (2011) uses an index of trust in political institutions, including the judiciary, as a proxy for legitimacy in his study on Latin American populism. A similar approach is followed by Kwak, San Miguel, and Carreon (2012) for the Mexican case, by Spehr and Kassenova (2012) in their analysis of Kazakhstan, and by Levi et al. (2009) for their study of 18 African countries.

Perceptions of rule of law further include views on basic **human rights** (Gilley, 2006a, 2006b, 2012; Tezcür et al., 2012). A specific aspect studied by some researchers in this context refers to the freedom of expression. For instance, O'Lear (2007) takes national survey data to determine whether respondents regard people in Azerbaijan to be free to express their opinion and concerns. Finkel et al. (2001) look at 'satisfaction with free speech' in their Leipzig panel study.

3.2.3 Opinions on regime performance

Several studies explore opinions concerning the performance of political regimes, covering aspects of public service delivery and material wellbeing as well as the workings of individual institutions entrusted with the implementation of public policies. This line of research has become more prominent in recent years. The underlying assumption is that perceptions of government performance (for instance, regarding public service delivery or distributive justice) are a major dimension of regime legitimacy (Letki, 2006; Miller & Listhaug, 1999; Weatherford, 1992). A key question in this context is whether citizens perceive a political regime to be responsive to their demands. This research perspective is sometimes considered to be particularly promising, as it provides opportunities to link attitudinal (micro-level) approaches to macro-level observations of political regime characteristics (Anderson & Singer, 2008).

Some authors use **incumbent government support** as a measure for opinions on regime performance, such as for instance Rose, Shin, and Munro (1999). Booth and Seligson (2005) measure support for municipal government. Several authors use data from the World Values Survey on how the respondents evaluate the current government (Gilley, 2006a, 2012; Letki, 2006; Mishler & Rose, 2001). Seligson (2002) as well as Criado and Herreros (2007) ask whether respondents voted for the incumbent party. Tyler, Schulhofer, and Huq (2010) ask US respondents to evaluate their willingness to cooperate with the authorities.

Perceptions of **corruption** are frequently taken as indicators of (lacking) political legitimacy (Canache & Allison, 2005; Gel'man, 2010; Linde, 2012; Manzetti & Wilson, 2007; Mishler & Rose, 2001; Seligson, 2002). The argument goes that once corruption is *perceived* as a divergent yet common behavioural pattern it should have a negative impact on legitimacy. In this context, one of the most relevant institutions identified by legitimacy research is the police (Gilley, 2006a, 2006b, 2012; Kwak et al., 2012; Levi et al., 2009; Turner & Carballo, 2009; Tyler & Fagan, 2008; Tyler et al., 2010). Authors argue that support for the police can be taken as an indicator for the legitimacy of the political regime in general. In addition, people's perceptions of corruption can be measured by asking questions related to policing practices, as shown by Seligson (2002) in his study of legitimacy and corruption in four Latin American countries.

Perceptions of **social policies** are also studied as part of regime performance. For instance, Booth and Seligson (2005) ask for evaluations of the political regime's success in fighting poverty and protecting the environment. Success in fighting poverty is also assessed by Canache and Allison (2005) and by Kluegel and Mason (2004). Several authors use survey data (above all, from the WVS) on respondents' satisfaction with their own economic situation (Canache & Allison, 2005; Kluegel & Mason, 2004; Linde, 2012; Linde & Ekman, 2003; Manzetti & Wilson, 2007; McAllister, 1999; Mishler & Rose, 2001; Tezcür et al., 2012) as control variables.

O'Lear (2007) for Azerbaijan as well as Levi and Sacks (2007) for 16 African countries measure legitimacy based on perceptions of **public service provision**, among other factors. This approach is subsequently broadened by Sacks (2012), who assesses to what degree service provision by non-state actors and donors undermines citizens' legitimating beliefs in the state. The assessment is based on Afrobarometer data from 19 countries.

3.2.4 Attitudes

It has been said above that legitimacy is a specific type of political support. Against this background and in order to distinguish opinions on specific political issues from more fundamental perceptions regarding the political order, many studies are interested in survey data that reveal attitudes rather than opinions.

One aspect in this context refers to the **interest** citizens show in politics. This is based on the assumption that a lack of interest could be the result of political alienation and apathy, indicating deficits in legitimacy as a positive resource for regime survival and stability. Political interest is found to be positively correlated with support for democracy in a study on the new Eastern European democracies (Linde, 2012). Montero et al. (1997) as well as Vassilev (2004) look at interest as an indicator for political disaffection in Spain and Bulgaria, but make a point in distinguishing this dimension from political legitimacy. Anderson and Singer (2008) use political interest as a control variable in their study on the effects of income inequality on satisfaction with democracy and trust in public institutions in 20 European countries, as do Canache and Allison (2005) in their study on corruption and political support in Latin America. Other studies presenting evidence on the relation of interest to political support or legitimacy include Mishler and Rose (2001); Norris (2011b); Weatherford (1992); and Weitz-Shapiro (2008).

Another attitudinal dimension often explored in legitimacy research is **interpersonal trust** (as opposed to trust in specific political institutions). Following this line of reasoning, interpersonal trust is fundamental to enable collective action and develop a sense of inclusion. Since these are two basic features of legitimate political order, low levels of interpersonal trust should thus be linked to low levels of legitimacy. Several authors use the World Values Survey (WVS), which contains an item measuring interpersonal trust (Linde, 2012; Mishler & Rose, 2001; Spehr & Kassenova, 2012). Rose et al. (1999) use data from the New Korea Barometer Survey, while Weatherford (1992) employs US Electorate data. Letki (2006) expands the subject by including WVS items referring to the acceptance of certain types of common-good-related behaviour, such as cheating on taxes.

A third attitudinal dimension covered by legitimacy research is the **identification** of citizens with the political and societal order they are living in. Several case studies and cross-country analyses use survey data on national pride or national values (Booth & Seligson, 2005; Dalton, 1999; Klingemann, 1999; Kwak et al., 2012; Newton, 1999; Norris, 2011b; Rose et al., 1999). Other authors introduce religious identity as a control variable (Castillo, 2012; Inglehart, 1999; Newton, 1999; Rose et al., 1999; Tezcür et al., 2012; Tyler et al., 2010).

Regarding the political identity of respondents, **ideology** (including the identification with specific political parties) plays an important role. For instance, Spehr and Kassenova (2012) explore the construction of post-Soviet identity in Kazakhstan to see if there is an ideological context that legitimises a specific set of political arrangements. Party identification also appears as a variable in Gibson and Caldeira (2009), but they add a measure of ideological distance between the respondents' and the incumbents' ideological positions. Anderson and Singer (2008), Blais and Bodet (2006) in a cross-country study on proportional representation along with Castillo (2012) in a study on perceptions of inequality and legitimacy in Chile explore where respondents place themselves on a left-right-scale.

As has been said above, several studies look at satisfaction with democracy as an indicator of legitimacy. Following Linde and Ekman (2003), however, these items do not always measure **support for the ideal of democracy** but rather its practical performance in a given country's context. The authors ask respondents to evaluate democracy as a principle or an ideal against possible alternatives. Following this line of reasoning, Tezcür et al. (2012) as well as Canache and Allison (2005), Booth and Seligson (2005) and Klingemann (1999), measure support for democracy separately from support for the incumbent government (the latter being a more performance-related indicator, see above). Montero et al. (1997) present data on citizens' preferences for democracy over authoritarian rule in Spain, as do Weitz-Shapiro (2008) and Turner and Carballo (2009) for Argentina, using WVS data. Likewise, in their research on post-Communist countries, Fuchs (1999), Kluegel and Mason (2004), and Linde (2012) explore support for democracy as opposed to socialist or authoritarian rule.

A related line of attitudinal research explores how respondents perceive authority, usually associating higher preferences for authority with a stronger inclination towards authoritarian rule (Inglehart, 1999; Norris, 2011b). In a similar vein, van Oorschot, Reeskens, and Meuleman (2012) use items from the European Social Survey referring to whether schools teach children to obey authority and whether people who break the law should receive much harsher sentences.

3.3 Performance

The previous section has shown that *perceptions* of regime performance play an important role in attitudinal approaches to legitimacy. This is based on the idea that individual and collective actors match the 'output' of political regimes with what they perceive as a 'good' or 'rightful' provision of public goods in order to classify regimes as legitimate or illegitimate. This matching exercise does not necessarily refer to the quantity of goods and services alone, but can also include the inclusiveness of political decision-making and the quality of public administration. As Norris (2011b, p. 190) puts it: "From this perspective, satisfaction with the democratic performance of any regime is expected to reflect an informed assessment about the cumulative record of successive governments, whether judged by normative expectations about democratic decision-making process, or by the achievement of certain desired policy outputs and outcomes".

Many political regimes base their legitimacy claims primarily on performance criteria, such as the material content and underlying preference orders of their policies.¹⁴ Socialist regimes, for example, have typically justified their rule with a supposed superiority in terms of generalised welfare gains, albeit in the distant future (Thaa, 1996). Military dictatorships tend to emphasise their performance with regard to security and public order, especially after a period of political turmoil and violent conflict. In a similar vein, traditional concepts of good rule have usually been based on performance criteria such as the distribution of resources, the rule of law, and the absence of corruption.

14 To avoid confusion, it is important to keep in mind that the analysis of legitimacy looks at regime performance from three different angles: (i) the *perception* of performance by members of society (treated in Subsection 3.2.3); (ii) the effects of *observed performance levels* on legitimacy (treated here); and (iii) the reference to performance as a strategy to *procure* legitimacy (treated below in Subsection 3.5 on legitimacy claims and inclusion).

Modern legitimacy research has rightfully waved the notion of specific performance criteria as an ‘objective’ basis of legitimacy.¹⁵ A growing body of literature analyses performance-based legitimacy claims of political regimes by contrasting them with real or perceived performance levels. Causality can go either way: regimes gaining (or losing) acknowledgement because of their performance, or regimes adapting their performance levels to revealed attitudes and opinions of members of society.

3.3.1 Matching performance claims with performance levels

Some authors address the (mis-)match of performance claims and real performance. In most cases, this link is explored by qualitative case studies that reconstruct causal relationships through narrative or process-tracing methods, based on interviews with stakeholders, analysis of mass media and literature reviews. These studies provide rich insights into the micro-mechanisms of legitimation, but they do not always fully comply with the standards of rigorous hypothesis-testing and academic scrutiny. Often, authors do not operationalise the concept of legitimacy at all, relying instead on an implicit normative understanding of legitimacy. This reduces the comparative value of the papers.

For instance, Rajah (2011) explores the puzzle of authoritarian regimes procuring legitimacy through the **rule of law**, taking Singapore’s Vandalism Act as a case study. He shows how the authoritarian law-and-order attitude of the rulers was subsequently incorporated into the political discourse and turned into a value-based legitimation pattern. In contrast, Wong and Huang (2010) interpret the relation between the regime and the people in the case of Singapore as an exchange relationship where the regime performance in terms of security and prosperity produced by a meritocratic elite is met by the acquiescence of the citizens.

In his study on legitimation in Indonesia, Barton (2010) concludes that the main source of legitimacy in Indonesia lies in delivering on peaceful democratic transition in combination with economic growth and redistribution. Success in these areas has relied not least on the generally positive role played by Islamic leaders and civil society movements. At the same time, it has contributed to keeping radical Islamist political parties at bay and to maintain broad support for secular democracy in Indonesia.

Another approach is chosen by Goodstein and Velamuri (2009) who study a case of contested legitimacy involving the government of post-colonial Zimbabwe and a private telecommunication company. Based on semi-structured interviews, company documents and press articles covering the regime’s battle for institutional control, the authors reconstruct the link from power (involving legal and illegal forms of coercion) to legitimacy. Legitimacy springs from the utilisation of ‘centers of power’ and is based on the regime’s

15 This does not mean to imply that objective performance criteria should be ignored in legitimacy research. In their study on democracy collapse, Diskin, Diskin, and Hazan (2005) find that of eleven indicators usually associated with the (in-)stability of democratic rule, five appear to be crucial for the prediction of democratic collapse: social cleavages, a malfunctioning economy, an unfavorable history, the durability of government coalitions or cabinets, and foreign involvement. Even though no single indicator is sufficient to predict the fate of democratic governance, the authors maintain: “If four of these negative factors appear simultaneously, the democratic regime is almost doomed to collapse” Diskin et al. (2005, p. 304).

performance in effectively securing **property rights** through the control of key economic sectors.

Rothstein (2009) makes a strong point in favor of performance-based legitimacy as opposed to legitimacy based on electoral democracy. According to the author, democratic procedures alone are unable to carry the weight of political legitimacy, even in the richest and presumably most democratic countries. By studying the outbreak of civil war in Yugoslavia, Rothstein aims at reconstructing the causes of legitimacy breakdown. He finds that the lack of procedural fairness (or bureaucratic quality) in the implementation of public policies (putting Serbs against Croats) led to the de-legitimation of the regime.

Heberer and Schubert (2008) base their broad qualitative study on political participation and regime legitimacy in **China** on the assumption that the Chinese government seeks to foster regime legitimacy by shifting social service provision to the local level, combined with increased opportunities for political participation. In the same line of research, Schubert and Ahlers (2012) explore the link between regime performance and legitimacy in a multilevel setting in China. Based on interviews with Chinese government and party officials, village cadres and village residents as well as scholars, the authors show that county and township cadres can be effective providers of legitimacy for the state when implementing rural policies. In addition, local cadres legitimise official policies vis-à-vis local residents, acting as transmission channels between the state and citizens.

Similarly, Zhu (2011) maintains that references to regime performance in terms of economic growth, social stability, national power and good governance are used by the rulers to generate legitimacy for the Chinese modernisation path. In this context, the Chinese government has introduced a set of political accountability measures and social monitoring mechanisms. In his narrative analysis, Zhao (2009) compares the historical with contemporary China and puts emphasis on performance-based legitimation as the traditional dominant pattern of legitimation in China. The author maintains that today legitimation is tightly knit to economic performance and to issues of national sovereignty and territorial integrity. According to the author, this entails the risk of losing legitimacy if actual performance falls short of expectations.

3.3.2 Expert opinions and indexes on political regime properties or performance

Apart from surveys, expert opinions are another widely used source of comparative information on regime properties and performance. Several major indexes are partly or completely based on expert assessments. For instance, the Freedom House (FH) Freedom in the World Report with its two ratings on Civil Liberties and Political Rights is the product of the assessments of some 90 experts.¹⁶ FH ratings are employed as control variables and proxies for political support or (democratic) legitimacy by Clark (2007); Schatz (2006); Mishler and Rose (1999; 2001); Power and Cyr (2009); and Norris (1999a, 1999b, 2011a, 2011b). Other authors (see, for instance, Letki, 2006) use the Polity IV dataset on Political Regime Characteristics and Transitions.¹⁷

16 Online: <https://freedomhouse.org/sites/default/files/Methodology%20FIW%202014.pdf>, accessed 07.01.2015.

17 Online: www.systemicpeace.org/polity/polity4.htm, accessed 09.01.2015.

The Worldwide Governance Indicators (WGI) published by the World Bank are partly based on expert assessments, as they use expert-based ratings from third sources, such as FH or the Bertelsmann Transformation Index.¹⁸ The latter is used, for instance, by Power and Cyr (2009) as a source of control measures for their survey-based approach to legitimacy in Latin America. In her seminal work on political support, Norris (2011b) relies on the WGI as a source of information on political process performance indicators.

To capture the state's role in **political violence, human rights protection or abuses, and levels of repression**, authors rely on several data sources which are (partly) based on expert opinions. For instance, Norris (2011b) refers to the Cingranelli-Richards (CIRI) Human Rights Dataset. State violence is approached by Mullins and Young (2012) by using data from the Correlates of War project. In addition, the authors utilise World Health Organization (WHO) data on mortality and death penalties, and the Political Terror Scale (PTS)¹⁹ as an indicator of physical integrity rights violations. PTS assumes that state violence can be assessed along the dimensions of scope (type), intensity (frequency) and range (targeted population). It relies heavily on subjective coding (Wood & Gibney, 2010). The data for the PTS comes from annual country reports on human rights practices published by the US State Department and from Amnesty International reports. Gilley (2006b) includes the number of mercenary soldiers as one indicator of governmental violence.

The relevance of **corruption** for legitimacy is widely acknowledged, but as an illegal and mostly informal activity it is particularly difficult to measure. Most studies rely on the Corruption Perceptions Index (CPI) published by Transparency International (Canache & Allison, 2005; Criado & Herreros, 2007; Norris, 2011b; Power & Cyr, 2009; Seligson, 2002). The CPI draws on various different surveys and assessments from a variety of independent institutions, business people, opinion surveys, and performance assessments from a group of experts. Another, less widely used database on corruption is produced under the roof of the WGI (Letki, 2006).

A further approach is considered by Norris (2011b) who links the performance of states to the degree of international involvement. She refers to the KOF Index of Globalization,²⁰ which measures the economic, social and political dimensions of globalisation. It considers multiple sources ranging from the United Nations to the International Monetary Fund and the World Bank. For political globalisation, the KOF index takes into regard the number of embassies in a country, its membership in international organisations, participation in UN Security Council Missions, and international treaties. The Cosmopolitanism Index elaborated by Norris and Inglehart (2009) uses the data of the KOF Index and combines it with the Freedom House Index and per capita GDP (gross domestic product). Each component receives the same weight to build the overall index – a proceeding fairly common in aggregate measures relating to political regime properties or performance.

18 Online: <http://info.worldbank.org/governance/wgi/index.aspx#doc>, accessed 07.01.2015.

19 Online: www.humanrightsdata.com/; www.correlatesofwar.org/; www.politicalterroryscale.org/, all accessed 08.01.2015.

20 KOF is the acronym of the Konjunkturforschungsstelle of the Swiss Federal Institute of Technology in Zurich. Online: <http://globalization.kof.ethz.ch/>, accessed 12.01.2015.

Other major datasets not based on expert assessments include the Human Development Index, published by the United Nations Development Programme (UNDP) and taken as an indicator for socio-economic performance (Norris, 2011b; Power & Cyr, 2009). This index combines life expectancy, educational attainment and per capita income. In addition, the World Development Indicators are quite frequently used as indicators for economic development and the change in real GDP (Jhee, 2008; Norris, 2011b; Power & Cyr, 2009). Turner and Carballo (2009) take data from the World Factbook published by the Central Intelligence Agency (CIA). Miller and Listhaug (1999) use International Monetary Fund (IMF) data on the government deficit or surplus as a percentage of GDP to estimate government performance.

Regime change can be regarded as another measure of performance. Mishler and Rose (2001) code countries according to whether the regime underwent fundamental change or not over the last 20 years. Likewise, Gandhi and Przeworski (2007) categorise countries with regard to the replacement of dictators by type (monarch, military, civilian, other). To access data on regime change, Norris (2011b) uses the International Institute for Democracy and Electoral Assistance (IDEA) Handbook of Electoral System Design.

Finally, the Center for Systemic Peace (CSP) provides a mainly performance-based measure for **legitimacy** with four dimensions (Vasu & Cheong, 2014): security, political, economic, and social. (i) Security legitimacy is based on the PTS measure of state repression. (ii) Political legitimacy is based on scores on factionalism, ethnic group political discrimination, political salience of elite ethnicity, polity fragmentation, and exclusionary ideology of the ruling elite, all taken from reports produced by CSP. (iii) Economic legitimacy is based on the share of exports in manufactured goods, while (iv) social legitimacy is based on the infant mortality rate. The underlying rationale is that “[g]reater levels of societal-systemic development favor and support more inclusive and deliberative forms of decision making and legitimate sources of authority” (Vasu & Cheong, 2014, p. 7). However, given the limited number of indicators and the scarcity of information they generate, it is difficult to capture the micro-theoretical foundations of this approach.

References to political regime and performance indexes are common in the political science literature. These indexes are popular because they tend to provide data for large numbers of countries and they free individual researchers from the tedious tasks of coding, checking for validity, and deciding on threshold values or aggregation rules. It comes as no surprise that the use of these indexes has proliferated in recent years. Research on legitimacy should not shy away from employing these sources of information; however, in theoretical terms, it makes little sense to insinuate that specific properties or performance levels are indicative of the existence or absence of legitimacy. In most cases, categories are too broad, aggregation rules too simple, measurement errors too big, and threshold values too arbitrary to allow for meaningful generalisations beyond basic statistical correlations (Gisselquist, 2014).

3.4 Behaviour

The third measurement dimension introduced above refers to the behaviour of individual and collective actors. If successful legitimation is understood as the effective guidance of the behaviour of the ruled (the ‘supply cycle’ of legitimation), observed patterns of behaviour could provide important clues to the legitimacy of political orders. In addition, behavioural patterns may also be taken as indicators of attitudes and opinions. While this is widely acknowledged in principle, scholars struggle with the identification of meaningful and valid indicators to measure this dimension.

- A first challenge consists in isolating the effect we want to study from other possible effects: For instance, is high voter turnout in country x attributable to a general acknowledgement of the legitimacy of the political order? Or is it perhaps the result of political mobilisation because the legitimacy of the political order is questioned by some political groups? Or perhaps the result of (legal or illegal) sanctions imposed on non-voting? And, vice versa, is non-voting necessarily an expression of citizen discontent or even de-legitimation, or could it be related to apolitical (not necessarily anti-political) attitudes or to the fact that, at that particular moment, no major issues were at stake?
- A second, related challenge refers to access to data that allows for the comparative study of behavioural patterns. For instance, contractualist approaches to taxation (Bräutigam, 2002; Levi et al., 2009; Moore, 2008; Timmons, 2005) suggest that the payment of taxes (in particular, direct taxes on private income and property) could be an indicator for legitimacy. Beyond the world of OECD member states, however, researchers find it difficult to obtain the detailed data they would need in order to explore this relationship.

In his three-fold operationalisation of legitimacy (views on legality, views on justification, and acts of consent), Gilley (2006a, 2006b) approaches the third, behavioural dimension by means of two indicators. The first indicator is voter turnout; the second is the quasi-voluntary payment of taxes, a concept first introduced by Levi (1988). In addition, he looks at the use of violence in civil protest as one of three indicators for his second dimension, views on justification. Gilley's multi-dimensional approach will be discussed in more detail below. Voter turnout is also used by Doyle (2011) and Jhee (2008). As an alternative measure for (lack of) regime support, Gravingholt, Zijsa, and Kreibaum (2012) look at data on political asylum granted by country of origin, published by Office of the United Nations High Commissioner for Refugees (UNHCR).

Some authors use behavioural patterns as proxies for political interest. For instance, Newton (1999) collects survey data on newspaper and TV consumption. Broms (2014) uses survey data on participation in political discussions in his study on the relationship between taxpaying and political interest in sub-Saharan Africa, as does Vassilev (2004) in his research on Bulgaria.

Political participation is assessed with survey data by Criado and Herreros (2007) as well as Booth and Seligson (2005). This allows authors to draw a more detailed picture of political participation as opposed to simply using electoral data. Mishler and Rose (2001), Newton (1999) as well as Letki (2006) rely on World Values Survey data on membership in voluntary organisations, while Norris (2011a) uses the same source to obtain information on participation in demonstrations, petitions and the boycott of consumer products. Building on the idea of religious activity as a factor promoting political participation, Tezcür et al.

(2012) look at survey data on mosque attendances and the influence of religious leaders, and Mishler and Rose (1999) account for church attendance. Finally, in their research on political participation and legitimacy in China, Heberer and Schubert (2008) obtain information on patterns of neighbourhood participation through interviews with citizens as well as government and party officials in several Chinese cities and villages.

3.5 Legitimacy claims and inclusion

Every legitimacy claim entails an offer of inclusion. The addressees of the claim are invited to be part of a collective characterised by specific properties, objectives and principles. Inclusion can be framed with reference to material policies and performance (for instance, social welfare, employment) or as an invitation to political participation through elections, mass mobilisation, and so on. Moreover, it can express itself as identification with a charismatic leader, with the nation, with overarching goals (for instance, independence from colonial rule) or with basic principles and norms, such as those underlying democratic rule of law. As said above, every political order designed to last in time makes this kind of offer, and expects that members of society shape their patterns of behaviour in response to this offer. Strategies by which offers of inclusion are framed as controlled political or material participation geared towards specific opposition groups or elite sections are termed co-optation in the academic literature.²¹

3.5.1 Autocratic offers of inclusion

A growing body of literature on legitimacy in non-democratic settings has focused on the question of how rulers *seek* legitimacy and which offers of inclusion they apply. Similar to the performance dimension discussed above, qualitative case studies prevail and the methodological quality of the papers is mixed. However, several studies aspire to lay the conceptual groundwork of non-democratic regime analysis based on legitimacy claims (Kailitz, 2013; von Soest & Grauvogel, 2015), legitimacy strategies (Mazepus et al., 2016; von Haldenwang, 1996) or sources of stability (Gerschewski et al., 2013).

Several authors analyse autocratic regime legitimation with reference to the **Middle East/North Africa (MENA) region** – a part of the world where some of the most resilient autocratic regimes can be found, even though recent years have witnessed radical change in many MENA countries. It is interesting to see that several papers ascribe a critical role to external (international) sources of legitimacy.

Pruzan-Jorgensen (2010) explores how a reform of traditional family law (including new roles and rights for women) was legitimised in Morocco in the early 2000s. Based on discourse analysis of two speeches of King Mohammed VI, the author identifies a mix of charismatic, traditional and rational/legal appeals, partly addressed to external actors. The paper further discusses how the offers of inclusion were perceived by specific groups in Morocco (liberals, Islamists, traditionalists).

²¹ Co-optation is sometimes discussed as a third modality of rule, along with repression and legitimation (Gerschewski, 2013). In this context, co-optation is understood as an interest-based relationship built on material rewards. However, co-optation also entails offers of inclusion. In this sense, it can be part of a legitimation strategy (Josua, 2016; Kendall-Taylor & Frantz, 2015).

Schlumberger (2010) discusses traditional, material, ideological and religious legitimacy as the four key legitimization strategies employed by Arab autocracies. He finds that, with few exceptions such as Saudi Arabia, religion plays a less prominent role in legitimating regional autocracies than usually claimed in political science research. Tradition (especially the dynastic justification of sustained rule) is a key pillar of legitimation of the status quo, sometimes combined with performance-based patterns (welfare). In contrast, ideology (sometimes in combination with religion) is increasingly brought into play by forces challenging existing regimes. Key terms of legitimation today are resistance (against incumbent regimes and Western influence) and solidarity (with Palestinians and Iraqis).

Similar to Pruzan-Jorgensen (2010), Sedgwick (2010) identifies external (primarily Western) sources of legitimacy as key to regime stability in Egypt. In addition, drawing on institutional analysis and survey-based case studies, he shows that traditional legitimacy has been strong while economic (performance-based) legitimation did play a rather negative role, as Egyptian governments were often considered to be blatant underperformers in terms of providing welfare and public services. In general terms, Sedgwick (2010) analysis of the ups and downs of specific legitimation patterns revealed a critical shortage of legitimacy in President Mubarak's Egypt.

Several years earlier, Albrecht (2005) studied authoritarian survival strategies with reference to Egypt. He found that controlled participation of the opposition (co-optation) seemed to strengthen authoritarian rule and hence contribute to the legitimacy of the Egyptian state rather than undermining it. In her study on Jordan, Josua (2016) arrives at similar conclusions. According to her, the regime relied on co-optation as a means to strengthen ties with supporting groups, rather than to incorporate new sectors of society. Abulof (2015) discusses how access to rents may enable autocratic regimes to deliver on welfare promises, thus reinforcing performance-based legitimacy (or “negative legitimacy” in Abulof's terms, p. 2).

In recent years, some studies have explored patterns of inclusion by looking at the **Chinese case**. In these studies, media and discourse analysis is frequently used to identify varying patterns of inclusion. Most papers observe a re-legitimation of the regime from the 1990s onwards.

In her study on mass persuasion as a means of legitimation in China, Brady (2009) reconstructs the transformation of ideology and political communication led by the Chinese Communist Party and concludes that the economic order of market liberalism combined with an increased emphasis on ‘patriotism’ replaced the ideology of social transformation of the Mao era. A key tool of inclusion was the ruling party's capacity to frame the public debate. The study on corruption in China by Hsu (2001) explores official statements of the Chinese Communist Party as well as popular and dissident views on corruption. Based on interviews and mass media analysis, the author finds that, starting in the 1990s and in a context of market-oriented reforms, new narratives shifted the role of the state from ideological or moral leadership towards economic management. With this new framing of the issue, corruption ceased to be a (de-legitimising) moral disfunction of the state itself, and fighting corruption became a (legitimising) developmental task of the authorities who ostensibly acted in response to citizen demand. In this sense, the fight against corruption itself became a performance criterion in the legitimation strategy of the state, ultimately based on economic growth and social stability.

Holbig and Gilley (2010) study the Chinese debate on legitimacy in 168 articles published in party school journals, university journals and public policy journals. Unlike other sources cited here, they find that the legitimacy of the communist regime draws on diverse sources, among which economic development and nationalism are but two. Ideology, culture and governance are additional, more durable sources of legitimacy (see also Holbig, 2013). Related to this, Song and Chang (2012) analyse the coverage of rural development by China's most important newspaper, the *People's Daily* over the period 1997-2006. They find that political responsibility was effectively transferred from central authorities to local bureaucracies as a strategy to isolate the central regime from the de-legitimising effects of performance deficits at the policy implementation level.

Beyond the Chinese case, other authors emphasise the tensions emerging from competing patterns of traditional and modern political inclusion. For instance, McCarthy (2010) explores the legitimation strategies of the military government in Myanmar. These refer to historical achievements of defending the country against ethnic separatism and communist insurgencies, but also to the promotion and defense of Buddhism, the reinvigoration of monarchical traditions in a context of national independence and sovereignty and the promotion of economic growth and regional integration. The author shows that these claims have been challenged and subsequently adapted in multiple ways. Thayer (2010) demonstrates that the legitimacy of the one-party regime in Vietnam has been challenged in various ways over the last decades. The regime has used repression in response to these challenges, but it has also adapted its legitimation patterns in a process of gradual liberalisation, for instance by deepening market reforms, reforming the formal institutions of the state and accelerating elite turnover in the party and state leadership. The researcher claims that after decades of warfare stability has been an important pillar of legitimacy. In addition, high growth rates have been key to the performance-based legitimation of the socialist regime.

Another case of one-party rule is presented by Case (2010). The author studies recent challenges to the incumbent regime in Malaysia, partly fuelled by ethnic cleavages. The non-Malay part of the population (roughly one-half) was alienated by offers of ethnic-nationalist inclusion geared specifically towards the Malays. Adding to growing religious conflicts and high levels of patronage and corruption (which undermined the credibility of inclusion even in the eyes of the favoured group, the Malays), this led to a severe electoral setback for the regime in the 2008 elections.

The fragile ideological transformation in Thailand is analyzed by Dressel (2010) based on a 'historical-institutional' account of power struggles and legitimation claims. Following the author, the traditional conception of a stratified paternal-authoritarian state in which power emanates from religion, the king and his networks is at odds with more recent claims of popular sovereignty, constitutionalism and performance. In one way or another, both competing offers of inclusion failed to deliver at certain points in time, adding to the growing polarisation in Thai politics. In a similar vein, Vasu and Cheong (2014) show that corporatist patterns of inclusion in Singapore are consistently challenged by the ethnic fractionalisation they are supposed to accommodate.

The strategic use of elections to procure domestic and international legitimacy under autocratic rule is analysed by Morgenbesser (2015) with reference to Myanmar. According to the author, controlled elections are a way to mobilise regime supporters, send signals of

regime strength and societal consensus on the preference orders underlying value-based legitimations, and gain international acknowledgement by feigning compliance with democratic norms (see Kendall-Taylor & Frantz, 2015 for the general argument). Likewise, in her case study on political reform in Qatar, Lambert (2011) shows that the new Quatari regime's decision to hold elections and grant women political rights was motivated above all by its search for external legitimacy as a means to procure Western security guarantees and achieve larger independence from its neighbour, Saudi Arabia.

3.5.2 Democratic offers of inclusion

Democratic offers of inclusion are often discussed from an attitudinal perspective (see above, Subsection 3.2) or in the context of multi-dimensional research designs (see below, Subsection 3.6). Still, several studies explore specific aspects of inclusion in democratic settings.

For instance, Karlsson (2012) discusses the legitimacy of political participation at the European Union-level based on the new media ('eParticipation'). Perepechko, ZumBrunnen, and Kolossov (2011) use expert coding in combination with regression analysis to explore patterns of organisation and the institutionalisation of political parties in Russia, comparing the period 1905-1917 with the post-Soviet period of 1993-2007. Legitimation, penetration/diffusion, charisma, ideology and centralisation/decentralisation are the five features used for categorisation. While legitimation simply refers to internal versus external support to the party, ideology is used to distinguish 'liberal', 'centrist' and 'communitarian' offers of inclusion.

In their study of the Argentinian crisis of 2001-2002, Armony and Armony (2005) use a computer-based programme counting specific keywords (e.g. 'country', 'pride', 'people', 'work') found in internet fora and presidential speeches to explore how citizens react to **populist** offers of inclusion in times of crisis. In a similar setting, Jagers and Walgrave (2007) measure populism as a political communication style in Belgium, relying on a human-coded content analysis of television programmes. Hawkins (2009) presents an assessment of populism by analysing more than 200 speeches of more than 40 (mostly Latin American) heads of governments. Using a technique called 'holistic grading' where readers are asked to interpret whole texts, he arrives at the conclusion that it is possible to identify populism as "a reasonably coherent and consistent phenomenon" (ibid, p. 1061).

Satoh (2010, p. 585) reconstructs the "shifting grounds of Japanese legitimacy", showing that offers of inclusion based on citizen obedience and assertive nationalism are increasingly being contested and gradually replaced by patterns of democratic participation and popular sovereignty. Wisman and Smith (2011) present another historical reconstruction, analysing the legitimation of inequality in Western societies. They find that religion has been replaced by economic thought as the ideological justification of inequality.

3.6 Multi-dimensional approaches

Several approaches to the measurement of legitimacy or legitimation cover more than one of the dimensions discussed above. In this section I focus on (i) studies that combine attitudinal with behavioural measures, (ii) studies that combine performance-based with behavioural measures, and (iii) studies based on discourse or media analysis.

3.6.1 Combinations of attitudinal and behavioural measures

Various authors acknowledge that the measurement of opinions or attitudes alone do not reveal the whole story of legitimacy and legitimation. Based on Beetham's (1991) approach to legitimacy as a combination of legal validity, moral justifiability and evidence of consent, these authors seek evidence on political action along with political attitudes or opinions.

Perhaps the most elaborate approach in this regard to date has been forwarded by Gilley (2006a, 2006b, 2012). In his tree-fold operationalisation of legitimacy (views on legality, views on justification, and acts of consent), Gilley (2006a, 2006b) employs six attitudinal (survey-based) and three behavioural indicators. The third dimension (acts of consent) is approached by means of voter turnout, taking data from the International Institute for Democracy and Electoral Assistance and the quasi-voluntary payment of taxes, a concept first introduced by Levi (1988). Data for this indicator is taken from the IMF. In addition, Gilley employs another behavioural indicator, the use of violence in civil protest, as one of three indicators for his second dimension, views on justification. Data are taken from the World Handbook of Political and Social Indicators.

3.6.2 Combinations of performance and behavioural measures

To capture legitimacy in the context of their research on state fragility, Grävingholt et al. (2012) rely on two performance-based and one behavioural indicator. First, they use PTS data on **state violence**. The underlying rationale is that levels of repression and legitimacy are inversely related to each other and that rulers will prefer legitimacy over repression due to the higher costs of the latter. In addition, the authors use information on **press freedom**, taking data published by the US-based NGO *Reporters Without Borders*. As a behavioural indicator, the study looks at the number of **granted asylums** by country of origin, taking data from UNHCR.

The advantage of this approach is that it combines a focus on both legitimation cycles ('supply' and 'demand') with a focus on both, citizens and rulers (see above, Table 1). Questions remain, however, with regard to the validity of the indicators. In particular, the assumptions underlying the use of state violence (inversely related to and more costly than legitimacy) appear to be rather far-fetched – especially from the perspective of the rulers. Partly in response to these shortcomings, the study by Grävingholt et al. (2012) is more cautious than other studies in aggregating the indicators into one value. Instead of simply adding values or building averages, the authors opt for taking the minimum values for each country-year. The approach sacrifices information (as only the 'worst-performing' indicator is considered in each country-year observation) and, hence, level of detail in the final measure. However, this is justified by the general thrust of the paper (identifying patterns of state fragility).

3.6.3 Discourse/media analysis

Various researchers approach legitimacy with a methodological framework based on discourse or media analysis. Following this approach, the study of political communication should reveal attitudes, opinions and actions relevant for the legitimation of regimes:

[M]edia discourses are particularly important suppliers and repositories of the frames, interpretations and knowledge (e.g., knowledge about appropriate normative standards) that citizens are likely to draw upon in the development and transformation of their own legitimacy beliefs, or in the translation of behavioural dispositions into acts of support and dissent. (Hurrelmann et al., 2009, p. 487)

Rather than looking at the individual citizen, this line of research focuses on *political elites* (although the argument is not always framed as such), understood here broadly as those actors who enjoy privileged access to political decision-making. In this sense, the approach incorporates a relevance filter for political action, assuming that those perceptions that make it into mass media are more likely to have an impact on the legitimation cycle. This also reflects the fact that several authors identify ‘evidence of consent’ as a key pillar of legitimacy (Beetham, 1991; Gilley, 2009). The approach combines the collective expression of attitudes and opinions with the production of legitimacy within an elitist setting of deliberative democracy.

A group of scholars based originally at the University of Bremen has been particularly engaged in this line of research (Hurrelmann, Krell-Laluhová, Lhotta, Nullmeier & Schneider, 2005; Hurrelmann et al., 2009; Nullmeier et al., 2010; Schneider, Nullmeier, & Hurrelmann, 2007). Their approach consists in coding articles from selected newspapers in Western democracies (Switzerland, Germany, United Kingdom, United States) with regard to the object of legitimation, the normative judgement expressed in the article (legitimate or illegitimate) and the prevalent patterns of legitimation addressed. The analysis is based on the automated search for selected keywords within a given database. One main conclusion drawn by Hurrelmann et al. (2009) states that delegitimising communication tends to focus on relatively marginal political institutions, while the core regime principles, which are deeply entrenched in the political cultures, serve as anchors of legitimacy.

To categorise newspaper articles, Nullmeier et al. (2010) identify four different levels of legitimation objects, 29 legitimation patterns clustered in four groups, four groups of actors and (up to) eight thematic issue areas. The underlying effort at conceptualisation is impressive and the authors find several solutions for the problem of complexity reduction (above all, by distinguishing democratic from non-democratic legitimation). Still, the research design incorporates a large number of discretionary choices, such as the selection of newspapers; the threshold values used to interpret the data; the categorisation of patterns; the choice of observation periods; and the comparability of national public debate cultures. While some settings appear to be rather data-driven, many others are founded on thorough reasoning. However, taken as a whole they compromise the research design and the validity of findings, creating an illusion of objectivity. Results are far from being robust and the question arises whether the outcome warrants the effort of such an elaborated research design.

4 Conclusion

Empirical research on legitimacy needs to account for its dialogical character. Depending on the causalities they want to explore, researchers may either look at how rulers respond to the revealed preferences of their constituencies by adapting the performance of political regimes – or analyse the behavioural response of individual and collective actors to the legitimacy claims of the regime. For non-democratic settings, this latter cycle (the ‘supply cycle’) may lend itself more easily to empirical research, since data on attitudes and opinions can be hard to come by in this group of countries. The ‘demand cycle’, however, may be better suited to capture the legitimation efforts of regimes undergoing profound change and struggling to survive, as it can be assumed that rulers under stress will be more inclined to pay attention to legitimation demands by powerful groups of society. In the best of worlds, legitimacy research should strive to cover both cycles, as both are empirically significant.

Yet the literature review presented above shows that studies sometimes succumb all too quickly to the limitations of practical research. This means that they focus on isolated aspects or – even worse – rely on unfounded assumptions regarding relationships between variables that are not always well operationalised. Further, comparative analyses rarely address the longitudinal or cross-country reliability of measurements.

The academic debate on the legitimation of political rule draws on a broad array of methodological approaches and data sources. Most studies follow the assumption that legitimacy can be assessed by looking at attitudes and opinions of individual or collective actors. As a consequence, studies employing survey data prevail. In addition, scholars use other large-N data sets, media or discourse analysis, rely on expert evaluations, or conduct qualitative case studies (see Table 2). However, few studies explicitly account for the dialogical character of legitimation, let alone distinguish the supply cycle based on *legitimacy claims* from the demand cycle based on *legitimation demands*.

Table 2: Methods and data sources	
Method	Data source
Surveys/semi-structured interviews	Responses by citizens or specific groups
Other large-N data analyses	Data on violence, voting behaviour, political participation, taxes, regime change, corruption, etc.
Media/discourse analyses	Newspapers, government documents, public speeches of political leaders
Expert evaluations	Multiple sources shaping expert opinions
Qualitative case studies	Mix of data sources: secondary data analysis, literature review, expert opinions, text analysis, etc.
Source: Author	

A first shortcoming of the attitudinal approach becomes immediately evident from the argument, laid out in Chapter 2, referring to unequal access to political decision-making: Survey data (the main source of information for this approach) attach the same weight to each respondent in the sample. However, there is no reason to believe that in real politics every member of society has the same opportunity to effectively raise legitimacy demands

or react to legitimacy claims (Schmidtke & Schneider, 2012). Further, studies based on survey data rarely offer a sound theoretical basis for linking attitudes and opinions to political action. Several authors refer to the controversy whether revealed levels of confidence, trust or satisfaction effectively measure legitimacy (or rather, other kinds of support), and the associated question of causality between perceptions and legitimacy (Grimes, 2006; Norris, 1999c; Schmidtke & Schneider, 2012; Vassilev, 2004).

Measuring legitimacy by looking only at people's attitudes and opinions can be compared to giving an account of a telephone conversation while listening to just one of the two sides: It *can* give you a fairly good idea of the issues at stake, but relevant information may be lost. To give an example: The opinions respondents in Venezuela held in 2010 regarding their ruler Chávez were probably much more relevant for the legitimacy of the political regime than what people in Germany at the same time thought of chancellor Merkel. This is so because the procurement of legitimacy in Venezuela under Chávez was based much more on personal leadership (charismatic rule) than in the German case. It is hence crucial to assess the dialogical character of legitimation from both sides: rulers *and* ruled. Only in combination with a political economy approach to legitimation as a *process* can general survey data be meaningfully explored.

Among the studies that address these questions in a systematic manner, the one by Montero et al. (1997) appears to be particularly relevant. The authors argue that democratic legitimacy is distinct from political disaffection or alienation as well as from political discontent or dissatisfaction. In their case study on Spain between 1976 and 1996 they find fluctuating rates of satisfaction with political and economic performance coinciding with quite stable rates of support for democracy as opposed to authoritarian rule. Obviously, democratic regimes provide mechanisms to deal with political discontent and even political disaffection without jeopardising the legitimacy of the political order.

The question remains, however, whether the approaches developed in the context of democratic rule can be meaningfully applied to non-democratic regimes or regimes experiencing major transformations. Specific political actions may have a completely different meaning for the legitimacy of a political order depending on the nature of the regime. To give an example, public demonstrations and protests are usually considered a positive feature of open democracies, adding to their legitimacy, while they are typically regarded an indicator for legitimation problems when occurring under persistent autocratic rule (Josua, 2016). Likewise, the mobilisation of supporters is an important element of legitimation in times of rapid political change, but the legitimacy it provides can be fairly spurious, as long as it is not transformed into more institutionalised patterns (von Haldenwang, 2011).

Another topic, sometimes framed as input- versus output-legitimacy, refers to the impact of state performance on legitimacy: “Across all types of regime, variations in regime support are most closely linked to current economic and political performance” (Mishler & Rose, 2001, p. 316). This kind of reasoning has led to a certain upswing of performance-related approaches to legitimacy in recent years. However, while it may be true that performance always influences legitimacy to some degree, it appears equally obvious that some regimes are less well suited to deal with the legitimacy impact of changing performance levels than others. Such changes may particularly affect those regimes that put the promise of social welfare or the maintenance of public order at the centre of their value-based legitimation strategies.

Recent years have seen important progress in the identification and categorisation of legitimacy claims in non-democratic regimes (Gerschewski, 2013; Kailitz, 2013; Kendall-Taylor & Frantz, 2015; Mazepus et al., 2016; Morgenbesser, 2015; von Soest & Grauvogel, 2015). More conceptualisation might be needed to identify the mechanisms that link claims to specific behavioural patterns but, in general terms, it appears that a promising line of research is emerging with regard to the supply cycle of legitimation under non-democratic rule.

With regard to the ‘demand cycle’ described above, that is, the cycle that links attitudes and opinions to specific performance levels, new research has highlighted the relevance of performance-related legitimation (Hwang & Schneider, 2011; Linde, 2012; Mazepus et al., 2016; von Soest & Grauvogel, 2015; Zhao, 2009; Zhu, 2011). Performance criteria are sometimes used as independent variables to explain changes in attitudes. In contrast, the mechanisms through which revealed attitudes and opinions might influence the performance of political regimes have been studied less extensively so far (Miller & Listhaug, 1999). In this sense, legitimation is still predominantly understood as a relationship that goes from ruler to ruled (Anderson & Singer, 2008). However, the question of how political leaders deal with legitimation demands in times of political crisis or stress seems to be highly relevant. Additional research covering the demand cycle of legitimation would be useful to fill existing knowledge gaps in the study of political regime survival and transformation.

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