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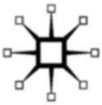

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Series Editors' Preface

When we think about the future of the modern state, we encounter a puzzling variety of scholarly diagnoses and prophecies. Some authors predict nothing less than the total demise of the state as a useful model for organizing society – its powers eroded by a dynamic global economy and by an increasing transference of political decision-making powers to supranational bodies. Others disagree profoundly. They point to the remarkable resilience of the state and its core institutions. For them, even in the age of global markets and politics, the state remains the ultimate guarantor of security, democracy, welfare and the rule of law. These debates raise complex questions for the social sciences: what is happening to the modern liberal nation-state of the OECD bloc? Is it an outdated model? Is it still useful? Is it in need of modest reform or far-reaching changes?

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This book contributes to the work of the Collaborative Research Centre *Transformations of the State* at the University of Bremen (Germany), and is funded by the German Research Foundation (DFG). The state analyses pursued by the Centre are readily accessible through two overview volumes: Stephan Leibfried and Michael Zürn, (eds), *Transformations of the State*? (2005); and Achim Hurrelmann, Stephan Leibfried, Kerstin Martens and Peter Mayer, (eds), *Transforming the Golden-Age Nation State* (2007), published in the Transformations of the State series. Further information on the Centre can be found at www.state.uni-bremen.de.

Achim Hurrelmann, Stephan Leibfried,
Kerstin Martens And Peter Mayer
Series Editors

Preface and Acknowledgements

This book documents the first phase (2003–6) of a research project carried out at the TranState ('Transformations of the State') Research Centre of the University of Bremen. One of the key assumptions of the Research Centre is that the democratic nation state of the post-war decades was a *legitimate* regime form, and that this legitimacy was grounded in its *democratic quality*. Against this backdrop, the present volume examines whether the political developments and challenges of the 'post-national constellation' have ushered in a *legitimacy crisis* of the democratic nation state. However, on the basis of a novel, text analytical approach to empirical legitimacy research, we propose a rather sanguine assessment of public support for Western democracies in the age of globalization (see also Hurrelmann et al. 2005, 2009; Schneider 2008).

The research team behind this book – Frank Nullmeier with Achim Hurrelmann, Zuzana Krell-Laluhová, Steffen Schneider and Achim Wiesner – are indebted to a number of institutions and individuals. The German Research Foundation (DFG) has funded our research since 2003, and continues to do so, in the context of the TranState Research Centre. The research project itself was developed and initiated by Frank Nullmeier together with Roland Lhotta, who left the University of Bremen in 2004 to become professor at Helmut Schmidt University (the University of the German Armed Forces) in Hamburg. We would also like to thank our colleagues at the Research Centre, the new members of our team – Dominika Biegoń, Jennifer Gronau, Martin Nonhoff, and Henning Schmidtke – and several cohorts of student research assistants for many fruitful discussions and their support. Sebastian Haunss, Tanja Klenk, and Tanja Pritzlaff provided us with major inputs in the early phase of the project. Vicki May has done an outstanding job in reviewing and improving the English-language manuscript. Last but not least, we thank the Research Centre's director, Stephan Leibfried, as well as Alexandra Webster and her collaborators at Palgrave Macmillan for ensuring the swift publication of this book once we as authors 'had our act together'.

Steffen Schneider, Achim Hurrelmann, Zuzana Krell-Laluhová,
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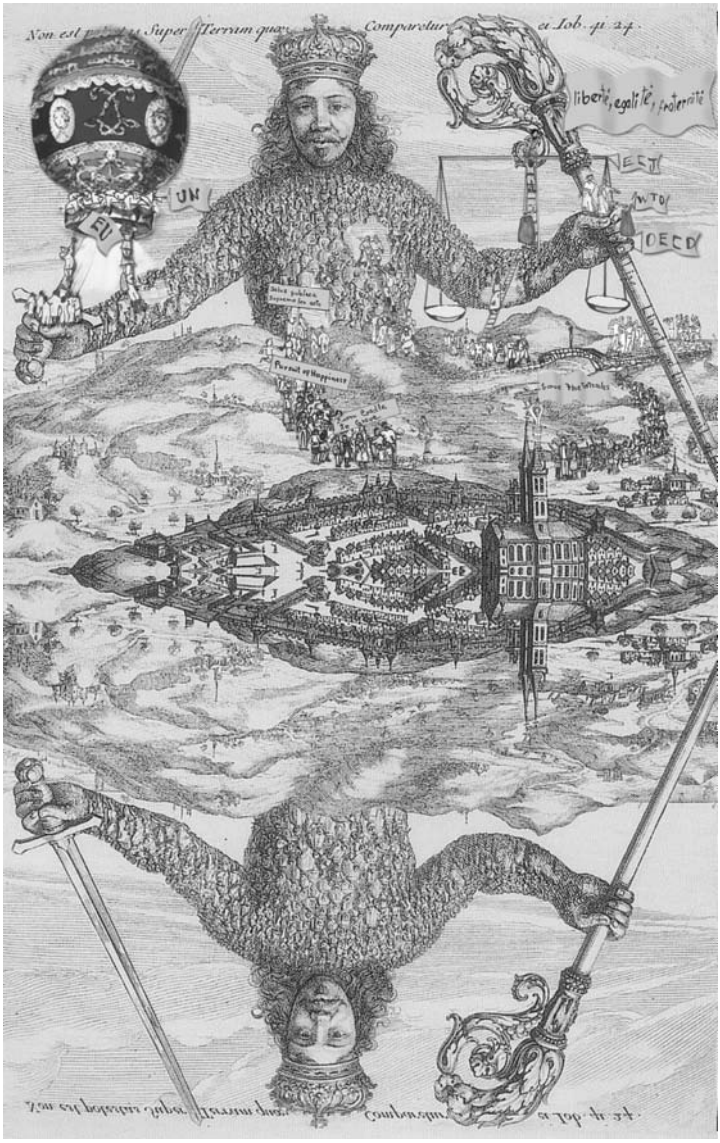
of national and international political orders, on single-party dominance in Western democracies, and on labour market policy-making in advanced industrial economies. His books and journal articles include *Legitimacy in an Age of Global Politics* (ed. with Achim Hurrelmann and Jens Steffek, 2007) and 'La légitimité des systèmes politiques, l'espace public et les médias', *Politique et Sociétés* 27 (2008); other articles have appeared in *European Journal of Political Research*, *Canadian Public Policy*, *Leviathan*, *Zeitschrift für Internationale Beziehungen*, and *Zeitschrift für Parlamentsfragen*.

Achim Wiesner was a Research Associate at the Centre for Social Policy Research and currently holds an administrative position at the University of Bremen. His research interests are in the areas of political ethnography, post-secondary education policy, and federalism. His publications include *Politik unter Einigungszwang: Eine Analyse föderaler Verhandlungsprozesse* (2006); *Mikro-Policy-Analyse: Ethnographische Politikforschung am Beispiel Hochschulpolitik* (with Frank Nullmeier and Tanja Pritzlaff, 2003); and 'Legalität und Legitimität – erneut betrachtet', in Michael Becker and Ruth Zimmerling (eds), *Politik und Recht* (with Achim Hurrelmann, Zuzana Krell-Laluhová, Frank Nullmeier and Steffen Schneider, 2006).



This illustration is taken from the original etching in Thomas Hobbes' *Leviathan* of 1651. Palgrave Macmillan and the editors are grateful to Lucila Muñoz-Sanchez and Monika Sniegs for their help in redesigning the original to illustrate what "transformations of the state" might mean. The inscription at the top of the original frontispiece reads "*non est potestas Super Terram quae Comparetur ei*" (Job 41.33): "there is no power on earth which can be compared to him". In the Bible, this refers to the seamonster, Leviathan. (Original Leviathan image reprinted courtesy of the British Library.)

1
Introduction: A Legitimacy Crisis of the Democratic Nation State?

According to one of the more recent *Eurobarometer* public opinion surveys, 40 per cent of Germans and 30 per cent of the British trusted – while 54 and 64 per cent, respectively, distrusted – their national government in the autumn of 2007. In the same year, a mere 48.3 per cent of the population participated in the national elections of Switzerland while 61.7 per cent of the 'voting-eligible' population turned out in the United States presidential and congressional elections a year later.[1] And, while observers such as the political scientist Marc J. Hetherington (2004: 26) or the *Washington Post* journalist E. J. Dionne (1991) bluntly claim that Americans 'hate' the government and politics of their nation, the 14 March 2004 issue of the *Post* draws on the traditional imagery of the United States as a 'city on a hill' to suggest that the country is 'a beacon of morality and justice, and a fit model for other nations ...'. We posit that these and similar pieces of evidence reveal something about the *legitimacy* of political systems such as Switzerland, Germany, Britain, and the United States. But what exactly do they reveal – and what do we mean by the term 'legitimacy' to begin with?

The question seems urgent. After all, if a substantial body of political science literature and equally concerned media reports are to be trusted, the democratic nation state and its core representative institutions – parliaments – are affected by a serious performance and legitimacy crisis today (Held 1995; Abromeit 2002; Sassen 2002; Albrow 2003; Zürn 2005; Hurrelmann and Leibfried et al. 2007b; Weinert 2007). We are thus faced with a somewhat paradoxical situation: despite the conspicuous lack of normatively plausible alternatives to the models of liberal constitutionalism and representative democracy, and despite their presumptive global triumph in the 1980s and 1990s (Huntington 1991; Fukuyama 1992), scepticism has prevailed in recent assessments of the

legitimacy and democratic quality of political systems in the Western world itself (Pharr and Putnam 2000; Dalton 2004; Torcal and Montero 2006). Notwithstanding the dominance of such pessimistic accounts, however, more sanguine positions may also be found in the literature. According to these, established democracies are faced not so much with an *erosion* of legitimacy as with the *transformation* of its foundations (Zürn 1998; Scharpf 1999, 2000; Beck 2005).

The present book engages with this important yet largely unresolved debate on the legitimacy of democratic nation states in the age of globalization (for an overview, see Hurrelmann and Schneider et al. 2007b, 2007c). Is the legitimacy of Western democracies truly waning, or is it being reinvented? What does it mean for democratic nation states if the extent or foundations of their legitimacy are indeed changing, and which dynamics or mechanisms underpin their (de)legitimation? Such questions will be tackled on the basis of an empirical study probing the legitimation of four OECD democracies – Switzerland, Germany, Britain, and the United States – during the 1990s and early 2000s. Based on an original set of textual data, the study examines the nature and development of national legitimation discourses – that is, legitimacy-related communication – in the opinion-leading press of these four countries. However, given that extant work in the field has so far paid no more than scant attention to the communicative dimension of legitimation, the book aims not least at making a conceptual and methodological contribution to legitimacy research. This introduction – in which we outline our own understanding of the term legitimacy and give a cursory review of crisis diagnoses offered in the extant literature on Western democracies – sets the stage for the remainder of the book.

Legitimacy as an empirical concept

The term 'legitimacy' undoubtedly denotes a key issue (Easton 1975: 451) – and perhaps even the 'master question' (Crick 1959: 150) – of political thought, namely, the justification of political authority. At the same time, there is no denying the 'essentially contested' nature of concepts such as democracy and legitimacy (Gallie 1956: 183–7; Collier et al. 2006; Hurrelmann and Schneider et al. 2007a: 229–37). The discipline's preoccupation with legitimacy has, however, followed a decidedly cyclical trajectory (Abromeit and Stoiber 2007: 35). The issue of legitimacy and related crisis diagnoses tend to crop up in phases of intense political conflict or massive change (Beetham 1991: 3), and each cyclical peak brings the contested nature of legitimacy to the fore.

Small wonder, then, that globalization has triggered the latest major wave of contributions to this literature (Gilley 2006b: 499), and that the current debate on the alleged legitimacy crisis of the democratic nation state once again highlights substantial disagreement on the meaning and implications of legitimacy: to what exactly do we refer when we use this elusive and ambiguous term? What are its normative or empirical foundations? Which conditions have to be fulfilled for political systems to be legitimate, and what are the consequences of shifts in the extent or foundations of their legitimacy? How do we recognize a legitimacy crisis when we see it?

Our own understanding of legitimacy is grounded in two fundamental distinctions: first, between normative and empirical uses of the term; second, between legitimacy and support defined more broadly, as any kind of 'attitude by which a person orients himself to an object either favorably or unfavorably, positively or negatively' (Easton 1975: 436). The crucial distinction between normative and empirical uses of the term legitimacy – or between an actor's and an observer's perspective on the phenomenon – appears straightforward enough but is nevertheless ignored surprisingly often (Beetham 1991: chapter 1; Barker 2001: 7–12; Peters 2005: 97–8).

The formulation and justification of procedural or substantive criteria for the *acceptability* of political orders – that is, for the conditions under which they are worthy of compliance – is at the centre of normative work in the field. But the democracy measurement literature and the closely related 'diagnostic' branch of legitimacy research – which evaluate real-world political systems and institutions on the basis of their own (and therefore *external*) standards, gleaned from various strands of normative democratic theory – may also be subsumed under that label, notwithstanding the fact that they are observation-based and rely on empirical indicators for the measurement of democratic quality (Beetham 1994; O'Donnell et al. 2004; Diamond and Morlino 2005; Abromeit and Stoiber 2007).

By contrast, genuinely empirical legitimacy research is concerned with the factual *acceptance* of political systems and institutions, actors, or decisions by the citizens who are subjected to them, or, to be more precise, with the extent and (re)production of the kind of regime support that goes by the name of legitimacy. In other words, empirical legitimacy researchers assume an observer's perspective, treating the legitimacy claims, beliefs, or assessments of political elites and citizens – as well as the practices and strategies that underpin the attribution or withdrawal of legitimacy – as *social facts* (Steffek 2003: 253; Barker 2007: 20–1).

However, two further qualifications have to be added. First of all, while it appears plausible to apply the concept with a view to specific individual and collective political actors – David Easton's 'authorities' (1965: chapter 13) – or even with a view to their respective policy decisions, most empirical work in the field, including our own, concentrates on 'political communities' or 'regimes' (Easton 1965: chapters 11, 12) as a whole with their basic principles and core institutions. This relatively narrow understanding of legitimation objects implies the not entirely unproblematic but widely shared assumption that citizens are able to distinguish between the incumbents of political offices and mandates on the one hand, and structural features of regimes like the democratic nation state on the other. As indicated by public opinion research, this conceptual distinction is not always watertight, but it may indeed be validated empirically (Westle 2007: 94–105).

Moreover, as indicated above, the notion of support is broader than that of legitimacy. In the empirical strand of legitimacy research, the concept of legitimacy is usually tied to a particular *form* of regime support – namely, Easton's 'diffuse' (1965: 273–4, 1975: 444–7) as opposed to his 'specific' variety of support (1965: 267–8, 1975: 438–9). The acceptance of political systems and the compliance with decisions emanating from them may, after all, be due to mere apathy and habitual obedience, to positive or negative incentives offered by the rulers, and to purely self-interested motives of the ruled, such as their fear of punishment and individual cost–benefit calculations (Weber 1978: 212–13; Barker 1990: 11). In a similar vein, the notion of specific support refers to a match between the demands of individuals or groups of citizens and a political system's outputs or performance; extant public opinion research suggests that it is primarily directed at authorities and therefore *unrelated* to legitimacy – a regime may, in other words, enjoy this kind of support without being legitimate and vice versa.

By contrast, diffuse support represents a 'generalized attachment' that 'will normally be independent of outputs and performance in the short run' (Easton 1975: 444–5). Unlike support based on a mere 'quid pro quo', which is somewhat precarious for this very reason, diffuse support is 'not conditional upon specific returns' (Easton 1965: 268, 272) and therefore likely to be more inert. It may be qualified as *generalized* in two key respects. First, it is grounded in a belief in 'the appropriateness of the political order of things' (Easton 1965: 279), that is, its conformity with moral values, legal principles, or other normative criteria. Second, it is a kind of support that extends beyond the authorities to the regime or political community as a whole (Easton 1975: 451). Yet

'[w]here power is acquired and exercised according to justifiable rules, and with evidence of consent, we call it rightful or legitimate' (Beetham 1991: 3). In qualifying such legitimacy-related beliefs and value orientations as the most important and effective foundations of diffuse support – because they are presumably able to establish political obligations and so give a regime 'the prestige of being considered binding' – Easton (1965: 276, 1975: 451) and others (Barker 1990: 21–6; Steffek 2003: 254; Gilley 2006b: 501) closely follow Max Weber (1978: 31). Defining legitimacy in this fashion, then, implies a link between the normative and empirical uses of the term, although the two may not be confounded: even as empirical concepts and phenomena, diffuse support and legitimacy are tied to normative benchmarks and positions, albeit those of citizens or rulers.[2]

Legitimacy and its foundations – historical developments and crisis diagnoses

The necessity to justify the exalted position of rulers and political systems in that normatively grounded fashion, at least in part, is undoubtedly as old as political authority itself (Würtenberger 1982; Schorn-Schütte and Tode 2006; Zaller 2007). A regime that solely relies on force or the self-interest of its subjects to ensure compliance is vulnerable. Thus, according to Weber and Easton (1965: 281), authority is 'a power relationship that exists only where there is a belief in the legitimacy of those who exercise the power'. In Europe, both Roman and medieval jurisprudence had already characterized a state of affairs as 'legitimus' that was in accordance with customs and traditions, ethical principles and (natural) law, or some notion of justice and public welfare, thus employing the word in a remarkably similar fashion to its modern users. From the Middle Ages onwards, the term essentially came to denote legal succession to the throne, (mostly) according to the principle of primogeniture and backed up by divine right. This enabled rulers to establish their legitimacy in an easily verifiable and (in most cases) uncontroversial fashion (Abromeit and Stoiber 2007: 35–6).

Yet the specific normative criteria and justifications used to claim or evaluate the legitimacy of political systems and institutions may, of course, have individually, culturally or historically specific foundations. Weber's (1978: 215–16) distinction between traditional, charismatic and legal–rational sources of legitimacy immediately comes to mind, as does Easton's (1965: 287, 1975: 451) between ideological, structural, and personal foundations of legitimacy. In the Western world, these

foundations became more problematic for the first time when different sources of legitimacy began to enter into serious competition with each other. The American and French revolutions ushered in a prolonged struggle between the *Ancien Régime* notion of legitimacy and a set of alternative normative criteria – legality and popular sovereignty, individual or collective self-determination, and so on – privileged by the proponents of liberal constitutionalism and the burgeoning democratic nation state.

However, the extant literature is replete with the notion that we should usually expect a congruence, fit, or match between the political arrangements of a specific culture or epoch on the one hand, and the foundations of its legitimacy on the other. The notion is also implied in Weber's famous typology, even though Weber himself (1978: 216) acknowledged that the legitimacy claims and beliefs prevailing in any specific context are likely to be mixed, and hence to draw on several or all of his ideal–typical legitimating motives. He nevertheless suggests that traditional sources of legitimacy have increasingly been sidetracked by charismatic ones, and eventually by legal–rational ones, as premodern societies gave way to the modern bureaucratic state. In a similar vein, much of the current literature assumes that the post-war 'trente glorieuses' of the democratic nation state have ushered in a firm match between the basic principles of that regime type and democratic or, in any case, rational foundations of legitimacy.

The *normative* legitimacy of Western democracies has remained subject to formidable challenges throughout the nineteenth and well into the twentieth century (Hirschman 1991), and the extent to which democratic government could be regarded as legitimate in an *empirical* sense has also been regularly questioned. A glance at twentieth and early twenty-first-century political thought yields three major waves of crisis diagnoses. The first occurred during the 1920s and 1930s – at a time when the democratic form of government was still anything but 'the only kid on the block' and indeed temporarily succumbed to its rivals – authoritarian and totalitarian regimes – throughout much of Europe (Laski 1933; Kirchheimer 1967; Schmitt 1993). This crisis literature primarily focused on the alleged flaws and legitimacy deficits of *parliamentary* democracy.

A second peak is represented by the crisis literature of the 1970s – the first blemishes in the highly successful post-war model of economic growth and social development, and the events of 1968, had fostered concerns about the performance and legitimacy of capitalism and the Keynesian *welfare state*. While observers on the left (Offe 1972; Habermas

1975, 1979) diagnosed an insurmountable tension between the exploitative logic of capital accumulation and the legitimation function of the welfare state, authors further to the right on the ideological spectrum (Crozier et al. 1975; Hennis et al. 1977, 1979) were variously concerned about the 'overload' and 'ungovernability' of democratic regimes, about their leadership deficits and tendency to marginalize experts or political elites in general, and about a 'moral decline' allegedly fostered by too much democracy (overviews of this literature with its major strands and representatives are given in Kateb 1979; Kaase 1980; Birch 1984).

Finally, globalization appears to have triggered the latest cyclical peak of crisis diagnoses. What distinguishes the third wave of crisis diagnoses from the earlier two, apart from various other differences in terms of historical context, is the particular causal story now offered to explain the alleged erosion of legitimacy in the Western world. The two older variations on the crisis theme essentially focused on *internal* flaws and contradictions of parliamentary democracy and capitalism against the backdrop of the 'national constellation' that had arguably characterized the political reality of established democracies up to the 1970s. By contrast, the more recent literature tends to identify the globalization-induced emergence of a so-called 'post-national constellation' (Habermas 2001b) as the main culprit for the performance and legitimacy crisis of the *democratic nation state* after its presumptive heyday in the post-war era (Hurrelmann and Leibfried et al. 2007a).

According to the familiar line of reasoning developed in this body of work, economic globalization and the ongoing internationalization of political responsibilities undermine the erstwhile autonomy and capacity of the nation state as a whole, and even more so the decision-making and control functions of its representative institutions (Dahl 1994; Andersen and Burns 1996; Burns 1999). Because decisions are increasingly made within a web of multiple, interconnected centres and layers of political authority, governments have less autonomy vis-à-vis both international and non-state organizations and actors. The political communities of established democracies are increasingly confronted with a situation in which many decisions that affect their lives are taken in arenas beyond nation-state control. As a result, the accountability of governments to parliaments and, ultimately, their citizens suffers (Norton 1996; Maurer and Wessels 2001; Schütt-Wetschky 2001; Magalhães 2006). The circumvention or maceration of democratic principles and procedures in the wake of these trends appear to represent no less than a general erosion of *democratic quality*. Yet, if citizen support for the political orders and core institutions of the Western world

is indeed linked with their democratic nature, the hollowing out of related principles and procedures should foster a *legitimacy crisis*.

Such pessimistic assessments of democratic quality and legitimacy at the national level are compounded by the equally widespread perception that international regimes and supranational organizations – just like NGOs, corporations, and other non-state actors or (public–)private governance arrangements – are plagued by their own, and perhaps even more serious, legitimacy deficits. The sceptical view attributes the legitimacy deficits of internationalized governance arrangements primarily to the fact that they have no, or little, democratic quality and are unlikely to obtain much of it.[3] This line of reasoning, in other words, diagnoses a kind of globalization-induced negative-sum game in which waning support for the democratic nation state – itself largely due to internationalization – is exacerbated by the questionable legitimacy of those organizations and actors to which political authority has increasingly shifted (see Conclusion).

More sanguine views exist but are clearly in a minority position. They usually submit the argument that globalization is linked with yet another shift in the historically 'appropriate' criteria of legitimation, namely, a shift from input-oriented to output-based criteria such as effectiveness (Dahl 1994; Scharpf 1999: 6–28, 2000: 107–15) or the protection of human rights (Beck 2005: chapter 8). Hence we should observe a *transformation* rather than the feared erosion of legitimacy at the national level, while the legitimacy of internationalized governance arrangements such as the EU should be based on different foundations altogether, and hence should be much less problematic than suggested by the crisis literature (Majone 1998, 1999, 2001; Moravcsik 2002, 2005).

Legitimacy in the age of globalization – towards an empirical analysis

Closer examination of the latest crisis diagnoses and their more sanguine counterparts, however, reveals that both are open to challenges. In much of this work, the normative and empirical notions of legitimacy – an actor's and an observer's perspective on the phenomenon – are not properly disentangled from each other, and many supposedly empirical contributions have, rather, a diagnostic character. The sceptical accounts of Anthony Birch (1984), Max Kaase (1980), and George Kateb (1979) have exposed the widespread confusion between a diagnostic and a truly empirical perspective in the neo-Marxist crisis

literature of the 1970s and its conservative equivalents, and they correctly point out that the evidential basis of this literature was at best rudimentary. As Kateb wryly remarks, many of the crisis diagnoses reviewed in his contribution, '[f]ailing to see what their theory predisposes them to want, ... claim[ed] to see a legitimation crisis' (720).

Much of the current literature on the globalization-induced erosion or transformation of legitimacy in the Western world is vulnerable to similar criticism. Quite frequently, it remains unclear whether crisis diagnoses are to be understood as normative (that is, the nation state and its institutions have become *unacceptable* because they no longer satisfy democratic or other external legitimation standards) or as empirical (the political orders of the Western world are no longer *supported* by their own citizens). Where diagnoses are indeed meant to be empirical, their evidential basis often remains equally unclear. A typical formulation in the vein of the 'erosion of legitimacy' hypothesis, for instance, states that

> without an effective redefinition of representative democracy's role or function, its profound incapacity and marginalization are not only likely to continue, but to contribute to a loss of faith in and support for democratic institutions. It will become increasingly difficult to maintain the public image of the centrality of parliamentary democracy in the face of growing democratic deficits and substantial gaps between presumed responsibilities and actual capabilities of governing. (Burns 1999: 182)[4]

In order to substantiate the empirical inferences and causal arguments implied in this and similar propositions, one would, above all, have to show (a) that citizens (fully) recognize the impact of *globalization* on the nation state's performance, as well as the link between globalization and the phenomenon of deparliamentarization, (b) that support for political orders in the Western world is indeed primarily 'anchored' in evaluations of *representative* institutions, and (c) that *democratic* benchmarks are privileged when the legitimacy of these political systems is evaluated. All this may well be the case. Without adequate corroborating evidence, however, such claims are no more than expressions of the normative claim that 'no matter how often defeated, democracy represents the ultimate legitimacy' (Apter 1991: 463). To be sure, this premise is today hegemonic among political theorists. As an empirical proposition, however, it amounts to suggesting that the appropriate benchmarks for the evaluation of the democratic nation state trickle down from the

academic sphere to citizens in an unproblematic fashion, that there is a societal (quasi-)consensus on them, and hence that the kind of match between regime type and evaluation standards alluded to above does indeed exist.[5] The optimistic scenarios which claim the growing importance of new evaluation standards – whose designation as 'democratic' is at the very least questionable from a normative point of view – usually do not fare any better. They, too, tend to assume rather than demonstrate the alleged transformation of legitimacy.

In short, most or all of the diagnoses briefly reviewed here are formulated against the backdrop of thinly veiled normative positions, whether anchored in the mainstream of democratic theory or not. Of course, there is nothing wrong with such a normative or diagnostic orientation in legitimacy research, and the study at the core of this book will obviously have to use concepts and consider questions that are grounded or raised in democratic theory. However, we intend to treat the legitimacy of the democratic nation state as much as possible as a social fact and, moreover, start with the premise that the debate between the proponents of crisis diagnoses and their more optimistic counterparts has not yet been settled if understood as an *empirical* debate.

A typology of crisis scenarios

If one considers both the extent to which a given regime is supported and the more or less democratic foundations of its legitimacy, one may actually distinguish *three* crisis scenarios and one reference category, namely, secure democratic legitimacy (Table 1.1). A regime may be legitimated or delegitimated – considered legitimate or illegitimate – by (most of) its citizens or observers, and on the basis of (mostly) democratic or non-democratic evaluation standards.[6] This typology could, in principle, be used to categorize a regime's normative or empirical legitimacy, and it may be employed in a cross-sectional or longitudinal perspective for a comparison of different political systems or institutions, and for an analysis of change over time, as in this book.

As illustrated by Table 1.1, the 'erosion of legitimacy' hypothesis corresponds to our type I – the *delegitimation* of a regime or some of its core institutions on the basis of *democratic* criteria. Yet this is not the only scenario that appears plausible against the backdrop of globalization. As indicated above, the more sanguine minority view in the literature on globalization and European integration rejects the dominant 'erosion of legitimacy' hypothesis, positing instead that the transformation of the nation state and the emergence of internationalized or (public–) private

Table 1.1 Types of legitimacy crisis

	Democratic benchmarks	**Non-democratic benchmarks**
Delegitimation	Legitimacy crisis I: *Erosion* of democratic legitimacy, crisis of democratic institutions	Legitimacy crisis II: *Collapse* of democratic legitimacy, crisis of democratic institutions *and* of democracy's normative foundations
Legitimation	Secure democratic legitimacy	Legitimacy crisis III: *Transformation* of democratic legitimacy, crisis of democracy's normative foundations

governance arrangements may have coincided with the rise of new *sources* of legitimacy. In other words, it puts forward the idea of a new match between institutional arrangements and legitimation standards in the 'post-national constellation'. If this *transformation of legitimacy* were indeed taking place, support for established democracies and their core institutions should thus be stable, albeit on the basis of non-democratic criteria (type III).

Viewed from a normative angle, however, such a development may itself be interpreted as a crisis phenomenon inasmuch as it represents a shift away from evaluation standards related to democratic quality. One scenario that a transformation of this kind might indicate or forebode is 'post-democracy' – a state of affairs in which democracy survives as a façade but is in effect a mere spectacle, with citizens playing a 'passive, quiescent, even apathetic part' and 'politics [being] really shaped in private by interaction between elected governments and elites that overwhelmingly represent business interests' (Crouch 2004). However, the empirical proposition that there has been a shift from democratic input to non-democratic output criteria of legitimation must, of course, also be substantiated. Like the 'erosion of legitimacy' hypothesis, it may overestimate the role of democratic criteria in the heyday of the nation state. Conversely, the view that output-based, non-democratic criteria are normatively unobjectionable equivalents to input-oriented, democratic ones need not be shared widely enough by citizens to prevent a decline in actual regime support today.

A third crisis scenario – which would have to be considered particularly alarming from a normative and an empirical perspective alike – might therefore be observed, namely, the loss of regime support combined

with a shift to non-democratic criteria, that is, a *collapse of democratic legitimacy* (type II). Both the type I and II crisis diagnoses and the more sanguine type III scenario thus involve far-reaching empirical claims with regard to levels and foundations of legitimacy, and their change over time. Upon further inspection, however, these claims often appear to be quite unsubstantiated and to rest more strongly on their authors' implicit normative positions than on reliable evidence. Hence it may even be the case that the extent and foundations of legitimacy in the Western world have remained stable and primarily democratic, thus belying all three scenarios of crisis or change. Few contributions also seem to envisage more than one of these scenarios – and, by implication, there is a tendency to present one of them (usually type I) as the situation or trend that prevails more or less *uniformly* in all established democracies. Thus we not only have reason to enquire which of the outlined scenarios is closest to reality. Rather, the very existence of such a uniform trend has to be probed as well.

As indicated above, our own reading of the empirical literature suggests that the jury is still out on both questions. The ambiguity of findings reported by the extant literature may therefore be attributed to the fact that there is no single pervasive trend, be it an erosion, a collapse, or a mere transformation of legitimacy. It may also stem from the specific methodological biases of the different strands of empirical legitimacy research, or from the confusion between normative and empirical perspectives. More work – both conceptual and empirical – is therefore required, including work that explores untrodden paths of legitimacy research, such as the text analytical perspective on legitimation discourses that we propose.

Plan of the book

This book, then, probes the 'erosion of legitimacy', 'collapse of legitimacy', and 'transformation of legitimacy' hypotheses against the backdrop of a comparative study of legitimation discourses – that is, legitimacy-related communication – in four Western democracies. We are concerned with legitimation as an *empirical* phenomenon and, moreover, focus on the legitimacy of *national* political systems and institutions, although the conclusion will briefly explore questions related to the legitimacy of internationalized or (public–)private governance arrangements. While our study is certainly anchored in democratic theory, as suggested by the crucial distinction between democratic and