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Political Legitimacy in East Asia: Bridging Normative and Empirical Analysis

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1 INTRODUCTION

A political order enjoys legitimacy when its citizens or subjects have reason to believe that its claim to power is based on rightful authority, and its exercise of power can be justified according to accepted principles or norms. Political legitimacy is thus always a two-sided affair; intrinsically, it entails both empirical and normative dimensions. Understood from an empirical or sociological point of view, a state or regime is legitimate to the extent that its people accept its authority and see its actions as justifiable according to reasons they accept as valid. The normative dimension of legitimacy concerns the question of whether the norms by which the political order justifies its power *ought* to be regarded as valid norms. A state can enjoy sociological legitimacy without meeting coherent criteria of normative legitimacy. A state that can be rationally justified according to a particular conception of normative legitimacy may not be legitimate in the eyes of its people if they do not embrace the normative premises that underwrite this justification. To fully understand the dynamics of political legitimation in a given context requires attentiveness to both its empirical and normative aspects.

Yet despite repeated admonitions from scholars who study political legitimacy, most scholarly work on the concept tends to address its normative and empirical dimensions as separate enterprises.¹ Political philosophers seek to identify the principles for evaluating the moral justifiability of political power. Empirical social scientists investigate the factors behind a people's acceptance or rejection of political elites' claims to govern. Neither approach seems to be entirely satisfactory on its own. A purely normative approach that abstracts away from particular contexts in constructing an ideal theory of legitimacy is vulnerable to the challenge that it has little practical relevance. Legitimacy is

about power relations between rulers and ruled; surely a consideration of the reasons that motivate agents in a particular order is relevant to evaluating the legitimacy of power relations in that order. Likewise, a social scientific approach that takes citizens' statements of support for a state as indicators of political legitimacy has not shed much light on the state's legitimacy or illegitimacy if it has not also probed the normative principles according to which they believe the state's actions to be justified. Citizens support – or decline to oppose – a state for many reasons, some of which (e.g., fear of sanctions, expectation of benefits) have nothing to do with the judgment that the state's exercise of power conforms to valid norms. A full account of a particular state's legitimacy requires an analysis of the motivations that generate popular support for a regime or government, the norms its people affirm, how their belief in the validity of these norms emerged historically, and whether the norms are sufficiently stable and coherent to structure state-society relations over time.

In contrast to earlier collections on political legitimacy in Asia,² this volume quite deliberately brings together empirical scholars with normative theorists and offers an approach for integrating the distinctive contributions of each to a deepened understanding of legitimacy. Taken as a whole, the volume illuminates the empirical patterns of political legitimacy in East Asia that distinguish the region from other parts of the world, including Euro-American societies, and offers insights into the historically rooted normative logic that helps make sense of these differences. As explained further later in this chapter, we use the term “*minben* legitimacy” to denote this distinctively East Asian normative logic. The volume's comparative studies and country case studies also shed light on different patterns of legitimation within the region.

The predominant normative and empirical approaches to the study of legitimacy arose in Western societies, and the historical experience of those societies continues to structure theoretical models of legitimation. In the contemporary era of globalization, there is a pressing need to *decenter* Western experience and intellectual traditions in our study of the central categories of political analysis, and to reexamine those categories to assess their appropriateness for the study of non-Western contexts. The concept of political legitimacy is among the most fundamental categories by which scholars structure the study of politics. In political philosophy, the centrality of legitimacy is explicit throughout the broad tradition of modern Western thought, beginning at least with Hobbes. In empirical political science, the concept of political legitimacy often informs inquiry less explicitly, but it lies in the background of the distinction between authoritarian and democratic

regimes, the study of regime stability, and the study of the degree to which political outcomes in democracies reflect the preferences, attitudes, or interests of their citizenries – to mention just a few defining themes in the discipline of political science. To the extent that this fundamental concept has acquired its content from the political and intellectual development of the West, we need to be open to the possibility that predominant articulations and operationalizations of the concept are inapt for the study of non-Western contexts. Although our focus in this volume is on East Asian contexts – a choice we believe is warranted given the increasing importance of the region in global power structures – our hope is that the volume as a whole offers some guidance for future collaborative studies of political legitimacy in other non-Western contexts. This introduction makes the case for the volume’s contributions to that broad endeavor.

2 THE MULTIDIMENSIONALITY OF POLITICAL LEGITIMACY

That different regime types draw on various sources to legitimate political power has been a familiar truth ever since Max Weber’s famous distinction between traditional, charismatic, and rational-legal bases of political authority. Yet Weber’s taxonomy left at least two unfortunate legacies for empirical social science. First, his historical account of the trajectory of political development from the authority of tradition toward the modern form of rational-legal authority became solidified in modernization theory as a logic of progress modeled on the (schematized) trajectory of Western states from the eighteenth century to the early twentieth century. This model of political development took hold in postwar American political science (and in the development aid policies of Western states and international institutions), highlighting the more-or-less sequential emergence of market capitalist economies, centralized state bureaucracies governed by the rule of law, and (eventually) democratization in the form of competitive multiparty parliamentary systems as the universally valid hallmarks of political development. In the early twenty-first century, we have ample reason to question the progressive logic of modernization theory as it developed through the postwar years. Although market economies and bureaucratic organization are characteristic features of many states around the world, these developments have not entailed a straightforward abandonment of “tradition” as a source of social and political norms. Nor does the spread of capitalism and bureaucratic structures clearly lead toward democratization, as the twenty-first century experience of China and Russia, at least to the present date, makes clear. Finally, as political

sociologist Shmuel Eisenstadt stressed, the study of non-Western societies reveals that there is no singular pathway or sequence by which the characteristic structures of modern states emerge in history; the patterns by which societies accommodate these structures to deeper cultural or civilizational inheritances are complex and context specific.³ Consequently, we should eschew the temptation to measure all societies by a single metric of modernization and instead seek to understand the “multiple modernities” – and hence the multiple patterns of political legitimation – that have emerged in different global contexts. As we discuss further later, the studies in this volume bring out the multiple sources of political legitimacy that operate in East Asian societies, some of which they have in common with Western societies, and some of which are rooted in deep cultural histories that are distinctive to the region.

Weber’s second regrettable legacy to subsequent studies of legitimation stems from his operationalization of political legitimacy for purposes of empirical study. Weber acknowledges that political legitimacy rests on “the belief in the absolute validity of the order as the expression of ultimate values of an ethical, esthetic, or of any other type.”⁴ This belief carries motivational force for individuals and generates their voluntary compliance with the state’s commands as a matter of the duties imposed by independently valid norms or values – as contrasted with motives of prudence or expediency that have no moral content. Yet when it comes to empirical measurement of the legitimacy of a particular order, Weber falls back on actual compliance as the appropriate metric (thus conflating prudential and normative sources of compliance). Later social scientists sought to sharpen the operationalization of the concept by taking citizens’ expressions of belief in an order’s legitimacy as evidence of its sociological legitimacy, together with patterns of compliance. As David Beetham argues convincingly in *The Legitimation of Power*, however, this approach misses the normative logic of legitimacy by dodging the relationship between the belief in legitimacy and the logic of justification according to accepted norms that underwrites and warrants such belief.⁵ Further, Beetham argues, acts that express consent (e.g., voting, paying taxes, participating in demonstrations supportive of the regime) generate an independent source of motivation for voluntary compliance in the future. Here, the psychological claim is that individuals who have performed such actions feel themselves bound by the affirmation of the order’s legitimacy that was implicit in their overt action. According to Beetham, Weber’s mistake was to conflate three distinct dimensions of political legitimacy that are present in all political orders: (1) valid authority (the acquisition and exercise of power in accordance with established rules or norms); (2) the justifiability of established rules or

norms according to shared beliefs, including beliefs about the nature of the common interest; and (3) expressions of consent.⁶

Several of this volume's contributors also stress the multidimensionality of political legitimacy as a factor that empirical studies must address directly through research design. With an explicit debt to Beetham, Bruce Gilley disaggregates three components of political legitimacy: legality, justification, and consent. Having developed a sophisticated scheme for operationalizing these concepts, he argues that "justification is roughly twice as important as each of legality and consent" in determining whether a citizenry regards its state as legitimate (p. 61). Doh Chull Shin and Youngho Cho adopt a different approach, geared toward measuring *regime* legitimacy (specifically, the legitimacy that attaches to democratic as contrasted with authoritarian political orders) rather than *governmental* legitimacy, but they too develop a multidimensional model for measuring legitimacy in South Korea. Like Beetham and Gilley, and in the spirit of Weber, Shin and Cho's focus is on the work that a belief in regime legitimacy does in motivating voluntary support of a political order. They distinguish three components of a belief in the legitimacy of democracy that must be present for us to conclude that the belief carries motivational force: cognition (a coherent understanding of what democracy is), affect (a positive emotional response to the idea of democracy and toward democratic institutions), and conation (a willingness to perform voluntary acts in support of democracy).

Another important distinction that runs through the volume is that between *input* or *process* (procedural) legitimacy, which roughly corresponds to the element of legality in Beetham's and Gilley's frameworks, and *output* or *performance* (substantive) legitimacy, that is, the judgment that a state's policies meet a substantive common interest of the people such as national security or economic prosperity. This distinction is particularly salient for assessing the legitimacy of democratic states, where political institutions' compliance with basic procedures of democratic politics can offset negative assessments of a particular government's performance in serving the public interest. As Benjamin Nyblade puts the point in his case study of democratic legitimacy in Japan, "political satisfaction [with a government's performance] is a poor indicator of political legitimacy. In fact, it is often those citizens who are most strongly committed to the legitimacy of fundamental political institutions that are most disappointed when politicians and parties fail to live up to expectations" (p. 219). Min-Hua Huang's chapter on democratic legitimacy in Taiwan shows that the governmental instability that arises from polarized democratic politics should not be mistaken for a crisis of democratic legitimacy. The Taiwanese public's commitment to democracy and rejection of

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authoritarianism have gradually increased over the past decade, even though disapproval ratings of sitting governments have been high. Like Shin and Cho, Huang and Nyblade read democratic consolidation through the lens of regime legitimacy: the more that citizens regard democracy as the most legitimate form of political order (“the only game in town”), the more likely that states that adhere to the procedural fundamentals of democratic transfers of power will be regarded as legitimate even if they are judged wanting with respect to their delivery of public goods.

In addition to multiple scales of legitimacy (regime vs. governmental legitimacy) and different components of legitimacy (legality, justification, consent; cognitive, affective, conative), the volume’s contributors also identify a plurality of grounds of justification at work in the legitimation of political power in East Asian societies. It is here that the contributions of comparative political theory and cross-cultural empirical comparison meet. The justificatory logic of democratic legitimacy in Western democracies is familiar from the history of modern Western political thought and entrenched in the design of democratic constitutional orders and competitive electoral systems. The principles that ground this logic include the equal status of citizens before the law, rights of political participation, and freedoms of speech and association. Although ideas of individual equality, rights, and freedoms are also invoked in East Asian societies, and particularly in democracies, they are not the only ideas that circulate in both elite and popular conceptions of political legitimacy. Other ideas, whose roots lie in the region’s deeper cultural and intellectual history, are also in play. In Singapore, as Kenneth Tan and Benjamin Wong discuss in their chapter, the principle of meritocracy is explicitly invoked as the foundational justification of political authority, and it is contrasted explicitly with democracy as a superior form of rule. Daniel Bell’s contribution sheds light on the Confucian roots of meritocratic conceptions of political legitimacy, which shaped political orders across centuries of dynastic change in China (and throughout the region). Another principle of legitimacy with origins in Confucianism is *minben*, “the people as root,” which holds that the well-being of the people, and not the interests of the rulers, should guide the exercise of political power. In her multi-method study of political legitimacy in Hong Kong, Wai-man Lam finds that a *minben* conception of legitimacy operates alongside ideas of individual rights and rule of law principles in the views of Hong Kong citizens:

In post-handover Hong Kong, the popular conceptions of a legitimate government have remained hybrid, both at the individual and collective levels, which contain multiple elements of different origins. Such elements are procedural and substantive in nature, and are of Chinese and Western

origins, which variously include the expectations of the government to be *minben*, caring, moral, fair, accountable and democratically elected.

(p. 131)

The hybridity of East Asian logics of legitimation emerges as one of the themes that unites the volume as a whole and bridges the normative and empirical contributions. Daniel Bell, for example, shifts between empirical and normative perspectives on legitimacy by first investigating the range of (nondemocratic) ideas about political legitimacy that circulate in China and then analyzing them philosophically to assess whether they are conceptually coherent, morally defensible, and mutually consistent. The net result of this inquiry is a defense of a distinctly Confucian understanding of legitimate political order that nonetheless includes some elements of modern democracy – in short, a hybrid conception of legitimacy. As Leigh Jenco argues in her concluding reflections on the volume, the real-world phenomena of hybridity should lead us to rethink our categories of analysis in both empirical and normative approaches to legitimacy. Standards for legitimacy “sometimes appear as multiple things at once, as simultaneously both democratic and authoritarian, as both Chinese and Western, as both collective and individual” – and, we might add, as both traditional and modern (p. 239). Recognizing hybridity entails understanding logics of legitimation as dynamic processes, she argues, not fixed or culturally determined features of particular political orders.

3 WHAT IS DISTINCTIVE ABOUT POLITICAL LEGITIMACY IN EAST ASIA?

By itself, the hybridity of patterns of legitimation in East Asian societies does not distinguish them from any other regional cluster of political orders. Even Weber stressed that the traditional, charismatic, and legal-rational modes of legitimation were ideal types; in modern societies, they are co-present and find expression in different political institutions and practices.⁷ Yet other features of political legitimation in East Asia do distinguish the region from Euro-American as well as other non-Western contexts.

Empirically, public attitudes about political legitimacy follow patterns that are unique to East Asian societies. One such pattern is that citizens in East Asian democracies express ambivalent support for democracy and the rule of law in comparison to other democracies around the world, including those whose transition from authoritarianism to democracy occurred at roughly the same time as East Asian transitions (p. 29). Shin and Cho’s findings in their

chapter confirm this pattern in the South Korean case, where support for democracy is fairly weak, and sometimes uninformed, and acceptance of authoritarianism is fairly high. In Min-Hua Huang's study of Taiwan, he found comparatively robust support for democracy and opposition to authoritarianism, but even a minority of citizens (47 percent) believe that democracy is always preferable to any other form of government (Table 7.2, p. 178).

A second empirical pattern that is distinctive of East Asia is the so-called legitimacy premium enjoyed by states in the region. In most countries, citizens' belief in a state's legitimacy declines when measures of its performance (e.g., economic performance) decline, a tendency that can be somewhat offset by process legitimacy in the form of democracy and rule of law institutions. The idea of a legitimacy premium captures the cases where citizens' assessments of a state's legitimacy are more robust than we would predict based on performance and process measures. Bruce Gilley's chapter demonstrates that since the late 1990s, East Asian societies have all indeed had above-expected legitimacy.

Important as these findings of East Asian distinctiveness are, the explanatory puzzle remains – and it points us back to normative political theory to look for answers. Is there a distinctively East Asian normative justification for political power that both sets the region apart from other regions of the world and can help make sense of the empirical patterns of East Asian exceptionalism? Cultural explanations such as theories of “oriental despotism” and “habitual deference,” while common enough, are deeply dissatisfying, not least because they lend themselves to caricatures of East Asians as unreflective and passive subjects of power rather than active moral agents. As Beetham argues,

The costs of [the] separation [of empirical from normative analysis] are evident in the difficulty many social and political scientists experience when it comes to handling the normative dimension of social relations. Either they discount it altogether, as in “realist” theories of power. Or they treat values in a reductionist way, as deriving their force from psychological or pre-rational motivations. In doing so, they forfeit any understanding of the logic of reasons at work when people follow rules, keep obligations or seek to realise their ideals . . . Such “logic” can only be grasped by an internal analysis of ideas and arguments, of the kind that is central to the practice of normative philosophy.⁸

Scholars may use a variety of methods in undertaking the “internal analysis of ideas and arguments” pertinent to the legitimation of power. One approach, exemplified by Wai-man Lam's chapter, is to conduct empirical research using interviews or open-ended survey questions to elicit citizens' everyday

understandings of what justifies political power and then interpretively reconstruct their statements into more-or-less coherent accounts of political legitimacy. In response to her open-ended survey question “What is a legitimate government?” the plurality of answers invoked the idea that government should be responsive to the people’s needs and demonstrate care for the people (pp. 119–20 and Table 5.1). As Lam notes, it is reasonable to interpret this cluster of answers as consistent with a *minben* (people-centered) view of the justification of state power, which has deep roots in Chinese culture (p. 131). A second approach also takes empirical findings as its starting point, using large-*n* survey research to reveal distinctive patterns of legitimation across societies, and then taking the further step of trying to identify context-specific justifications of political power that are both consistent with the data and coherent from an agent-centered perspective. After confirming the empirical validity of the phenomenon of a legitimacy premium in East Asian countries, Bruce Gilley offers a historical explanation: traditional legitimations of state power have deeply shaped political culture in the region and sustained a state-centered view of legitimacy into the modern period and up to the present day. “The origins of the East Asian legitimacy premium,” he suggests, “have . . . to do with a state-building process that uniquely combined ancient political orders with cosmologically legitimating political cultures that were then reinforced by colonial and Cold War conditions” (p. 71).

A third approach to making sense of insiders’ views of legitimacy, closer to normative political theory than to empirical social science, looks to intellectual history to trace the logic according to which the evolution of state structures is subjected to normative evaluation. In her chapter, Melissa Williams suggests that the key contrast between Western and East Asian ideas of political legitimacy may lie in their different accounts of the relative priority of state and society. Whereas Western thought generally treats society as both ontologically and normatively prior to the state, East Asian thought traditions, and particularly Confucian traditions, treat society as the outgrowth of state actions, including the active development by the state of individual and societal capacities (e.g., through education). This contrast helps make sense of the perceived legitimacy of the state-led development of market economies in East Asia, and possibly even of state-led democratization – policies that appear paradoxical from within a Western frame.

Finally, scholars may directly address the philosophical coherence and defensibility of a society’s characteristic arguments in justifying political power – the approach that Beetham correctly identifies with political philosophy proper. Daniel Bell’s chapter adopts this approach by re-reading political legitimacy through the lens of Confucian political philosophy, raising the

possibility that legitimate political rule need not, as most contemporary Western political theory does, presuppose democratic forms of government. First, Bell reconstructs a Confucian account of performance legitimacy through the concept of *minben*, according to which it is the people's well-being that decides the legitimacy of the state, and not the people's will. States that rely on performance criteria to legitimate their power run the risk of instability, however, since hard times fall on good and bad governments alike. To buttress the substantive criterion of performance or *minben*, states also need a procedural criterion of legitimacy. This may point toward democracy, but it need not: Confucianism's tradition of meritocracy could also fit the bill if states actually lived up, more or less, to the principle that the people who hold positions of political authority should be selected from those who are most competent to frame and carry out policies aimed at the common good. Bell draws on empirical research to show that both of these ideas (performance and meritocracy) have traction as legitimating principles in East Asia, on the history of ideas to show that they have traction in Confucian thought, and on critical philosophical analysis to argue that if tempered with democratic and rule of law norms, they can be justified as appropriate for modern societies (specifically, China). He argues further that nationalism, the third nondemocratic resource for political legitimation in contemporary China, can be rescued from its dangerous and destructive tendencies if it is reconstructed as a celebration of China's intellectual and cultural inheritance from Confucianism (and not as a quest for dominance over other nations).

Together, the volume's chapters confirm that the patterns of legitimation that we find in East Asian societies are distinctive from both empirical and normative perspectives. Empirically, they show that both the legitimacy premium and the pattern of ambivalent support for democracy as the only legitimate system of government are fairly stable points of contrast with Western democracies, though of course the strength of these patterns varies across countries in East Asia. Normatively, the chapters offer the outlines of a logic of justification for state power that has deep historical roots in the region's Confucian traditions. This logic is, the chapters suggest, both philosophically and normatively coherent and stands as a clear alternative to the logic of justification characteristic of Western liberal democracies. The core normative premises of this distinctively East Asian pattern of legitimacy include a *minben* conception of the purposes of government and a meritocratic view of the sources of political authority. At the same time, the contributors steer clear of the pitfalls of cultural generalization by recognizing both the internal and external plurality and diversity of conceptions of legitimacy in East Asian societies. *Minben* and meritocracy carry different