Volume 14 Issue 6
Originally issued as F1

Global Journal of human-social science: f
Political Science
Volume 14 Issue 1 Version 1.0 Year 2014
Type: Double Blind Peer Reviewed International Research Journal
Publisher: Global Journals Inc. (USA)
Online ISSN: 2249-460x & Print ISSN: 0975-587X

Issues of Legitimizing Political Power in Late Modernity

By Nicolae Iuga
Vasile Goldis Western University of Arad, Romania

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GJHSS-F Classification: *FOR Code : 369999*



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Issues of Legitimizing Political Power in Late Modernity

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Abstract- **The issue of legitimizing political power has specific dimensions in the context of ample protest movements against the establishment from different countries. Which movements can be considered justifiable and which measures must the governments in question adopt? What role do the common values play in the legitimating of power in a democratic society? How do we make the difference between a legitimate appeal and an illegitimate one, between civism and terrorism? Here are a few questions according to which this article is synthetically structured.**

I. Politics

Both in theory and the level of common sense, the concept of politics has the same fundamental meaning, namely that which means the science to govern the state, the art and practice to govern human societies, the manner of governing a state or supervising its national affairs. Politics is seen at the same time both as art and science. On both dimensions, science and art, politics is the study subject of political sciences or politicology.

The concept of politics also involves a series of related concepts. We're referring to here to institutions, political programs and parties, as well as the political culture, i.e. the ensemble of principles, norms and representations through which people relate to the political life of the society in which they live.

Some authors consider that politicology must be a science of the state. Max Weber[1] argues that the subject of politicology consists of the distribution of power between states or different social groups within the same state. This definition does not exclude, however, that political science refers to the organizations of the political power, the analysis of the forms of political dominance, to political associations, to the role that political ideas play in the consolidation and development of the political power's organisms and the separation of powers in the state.

II. Political Power

In defining political power we must start from the fact that it is primarily and ideological character concept. The concept of power expresses, consolidate and interprets the position and interests of a social-political force.

Any political force or movement, when ruling society, has a certain vision about the concept of power, which it puts into practice precisely by exercising its power. Usually, the political forces in power will explicitly give, for public use, a certain meaning to the concept of power, and the actual exercise of power will deviate more or less from this concept. The difference between what is claimed at a lexical level and what is happening in reality, when exercising power, is in fact the ideological ingredient of the concept of power.

This is true both for totalitarian societies, where there is a single political party, as well as for democratic societies, characterized by a multiparty system. In both cases there will be smaller or larger discrepancies between what is expressed in the political discourse and what exists in reality. In totalitarian societies, in the absence of organized opposition forces that balance the scales of exercising power, the discrepancy between the political language and reality will gradually increase to an aberrant level, till it reaches a language unrelated to reality, to forms of paranoia, in the sense of political culture. And in democratic societies, characterized by a multiparty system, there will always be parties or alliances in power, as well as parties in the opposition. The discourse of the parties in power will have an excessively justified character in relation to the political decisions, and the discourse of the opposition parties will have an excessively critical character in relation with the same political measures. The discrepancy between the discourses of the two forces, regarding the same fact, will also show the ideological character in which the concept of power is understood.

Given these specifications and also methodological precautions, we can define political power through its components, such as: (1) the sovereign power of the state, (2) the power of the political parties, organizations and institutions, (3) the power of the media, (4) a state's political power manifested internationally. [2]

The sovereign power of the state is the main form of exercising political power, the most visible and with immediate effects for citizens. The state's power is the ability to express, impose and realize the will of the

Author: Vasile Goldis Western University of Arad.
e-mail: nicolaeiuga@yahoo.com

[1] Max Weber, *Politics, a Vocatio and a Profession*, *Anima Publishing House, Bucharest, 1992, p.8.*

[2] A. Carpinski, *Political Science*, Al. I. Cuza University Publishing House, Iasi, 1998, p. 49.

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political forces in power as a general-compulsory will for all citizens. It manifests as a mechanism, namely a sum of hierarchically organized institutions, that can ensure the achievement government's political will, on the edge, by coercion. Parties are the main institutionalized expressions of political power, whether they exercise power directly, as parties in power, or indirectly, through influence and pressure on the government, as is the case of opposition parties. The media is a component of the political power, since it creates, shapes and guides the public opinion in relation to the power's other institutions. Internationally, the political power of a state is manifested by its ability to obtain the recognition and respect of their sovereignty, to impose themselves in the regulation of international relations, in the absence of a universal authority worldwide.

The main component of the political power is the state's power, but it is not limited only to the latter. Aside from the state as such, in the system of political power there are also other institutions such as parties, the form of government, mass-media, the influence of foreign policy factors etc.

In comparison with other forms of power (moral, juridical, financial etc.), political power has a number of unique characteristics. (1) Political power has an integrative character, which consists of the capacity to subordinate the other forms of power, to transform them in tools to express its own goals and interests. This feature is explained by the fact that through political power, the act of leading a society in general is achieved. (2) Political power has a sovereign character, being the only supreme court in a national state. It has, in principle, the capacity to take and implement decisions, without the influence of any exterior powers. (3) Political power has a relational and asymmetrical character.[3] It involves two unequal partners, the management and the citizens that are governed, those who impose themselves and those who submit. (4) Political power is instrumented through the state through the state, the entire state apparatus, as well as through political institutions in general.

However, we should mention that political power is, first and foremost, a state power, one which is organized and legitimized. Recognition of this power, when it is held as legitimate, involves the compulsory submission of all citizens to the laws. Nevertheless, the state's power is not limitless or arbitrary, because the state exercises its attributes, including those of repression and coercion, on the basis of some principles and laws. An important issue arises however, namely that if the laws in the juridical sense, which are human creations that sometimes reflect group interests, can have an arbitrary or abusive character. More specifically, if there are any arbitrary laws, then how exactly can they be made compulsory for citizens to obey? Is it sufficient for a law to be unanimously accepted, the fact that it is issued by the state? Thus, we enter a vicious circle: the state of law must be accepted because it is preferable to that of force, but the abiding of the law can be imposed only by force. We therefore identify political power with force. An important thinker, like Max Weber[4], but also practitioners of politics such as Lenin, have shown that "the state has a monopoly on legitimate coercion". The acceptance of the norms prescribed by the power must be based on consciousness of power legitimacy. And on the awareness that "political power is a supreme court in society, there is no other superior authority to which to turn to challenge the decisions of the previously stated"[5].

a) The Legitimacy of the Political Power

Legitimacy is an essential characteristic of political power and it basically means that the political forces that are in power, got there legally.

The very term "legitimacy", etymologically speaking, derives from the Latin word legitimus, which means that a certain fact is consistent with the law. In time, in a political sense, legitimacy became and founding and justification principle of a government system, political power being held by a certain political force, which came to power by means deemed legal.

The idea of political legitimacy implies a double dimension of consciousness, on the one hand we have the consciousness of the government's right to govern, and on the other hand the recognition of this right by those governed. The idea of legitimacy implies a reciprocal relationship freely and tacitly accepted. The legitimacy of power gives the state the attribute of state of law, which offers it the possibility to exercise authority in relation to the citizens. The principles of legitimacy are actually justifications of the power, entitling it to rule.

i. *Legitimacy in Max Weber's Conception*

According to Max Weber, there are three sources of legitimate domination and legitimacy. "There is, first of all, the authority of the traditional custom as being the right way, through its very immemorial oldness of its practice and through the habit which it created. We're talking here about a traditional domination, as exercised by the patriarchs and ruling princes of old"[6]. It is a legitimacy based on the belief that what is established by tradition since time immemorial would be sacred in itself and sufficient to justify itself as such.

Secondly, there is "the authority bestowed upon by a person's unusual grace (charisma), that is strictly

[3] Ioan Jude, *The Paradigms and Mechanisms of Power*, The Didactical and Pedagogical Publishing House, Bucharest, 2003, p. 191.

[4] Max Weber, *Politics, a Vocation and a Profession,* Anima Publishing House, Bucharest, 1992, p. 8

[5] Virgil Magureanu, *Political Sociology Studies,* Albatros Publishing House, Bucharest, 1995, p. 104

[6] Max Weber, *idem,* p. 9.

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his personal endowment through which he gains others' trust in his qualities, clairvoyance, heroism and leadership skills"[7]. This is the charismatic authority exercised by the prophet of old or, in politics, by the leader of the army, the prince, and in modern times by the head of the party. People believe in the charismatic leader and feel the need to submit to the order created by him.[8] Finally, there's also the domination in virtue of "legality", in virtue of faith in the validity of a legal status, based on rational principles, "a domination based on an attitude of submission to legal duties".[9] Namely the legitimacy of the vote. It is the domination exercised by the modern man of state, and people submit to it in a way somewhat for granted, because it supports the basic rule: power is legitimately conferred to the one who has more votes.

ii. *Legitimacy According to Karl Jaspers*

Another important thinker of the twentieth century, Karl Jaspers (1883-1969), utilizes different criteria to distinguish between the different types of legitimacy, resulting in a more simplified and relevant classification. According to Jaspers, there are two main ways of manifesting legitimacy, divine legitimacy (supernatural) and civil legitimacy.[10] Then, this dichotomous classification can branch out and diversify. The first method knows different forms of manifestation, from the "direct involvement in politics of the sacred's value"[11], to the divine legitimization of the monarch, of the government forms and of the institutions specific to monarchy. In ancient Egypt for example, there was a theocratic government, the pharaohs themselves being considered as having a divine nature. There are other variants of theocracy. In other civilizations of antiquity, in the Judaic civilization for example, the prophet, the legislator, the head of the army or the king were not conceived as being themselves of divine nature, but were essentially considered as mere agents of the divine, the state was still theocratic, governed by the divinity thorough its people, not by people in an autonomous way. The divine legitimation of the political power is not limited to remote antiquity, but is a constant of history. We can find such a legitimation in the case of feudal monarchies based on divine right, and even in the case of modern constitutional monarchies, where the monarch's legitimacy sources, mentioned as such in the documents of the office are: "the grace of God and the national will". Also, in the contemporary religious-fundamentalist regimes, the legitimation by divine right is fundamental. A legitimate power, no matter how it is legitimated, can govern without fear, based on public consensus. Instead, illegitimate power shows fear in front of its own people and, out of fear, it will seek to consolidate its position by terrorizing its own people, therefore fear becomes the ultimate state of mind of all, both of the governors and of the governed alike. "Legitimacy is like a magic formula, through which one gains the trust of the nation and an indispensible order is created."[12]

But the bases of liberty are exposed to philosophical critic, Jasper shows, therefore they can always be doubtful. In other words, every means of legitimation has its advantages and limitations. The legitimation by divine right or hereditary legitimation of the monarch may have the advantage that it operates in absolute, it is stable and cannot be questioned in terms of common sense. But on the other hand, this legitimation has the disadvantage of being irrational, because it can legitimate through divine will even the intellectually incapable one, affected by a psychic pathology, as well as the ones lacking character. Similarly, the legitimation of political power by a majority vote seems to eliminate the inconveniences caused by a hereditary legitimation, it seems to have the advantage of a rational and responsible choice, without taking into consideration the interference of foreign wills. But in reality, things are not this way. Elections by majority have their limits, as they may be subject to error, to chance and corruption, the elections may be held under the momentary effect of a grand mass suggestion, of a large-scale manipulation etc. Considering the disadvantages of both, the balance is tipped by pragmatic considerations. Basically the choice is between despotism and democracy, that is why you will usually hear that democracy is not perfect either, but it is better to choose a democratic political regime, because democracy has the least inconveniences when it comes to the possibility of error correction without resorting to violence, struggles for power and the legitimacy of power. The contemporary age sees the source of the power's legitimacy in free elections and in decisions taken with the vote of the majority.

III. Conclusions

In general, legitimacy is manifested as a "tacit consent accepted in relation to the existence of a government system, between the autonomous and equal parts".[13] In relation to the idea of legitimacy, the political systems must follow certain rules. These rules require the government's obligation to protect the civil rights and liberties on the one hand, and on the other hand the recognition of the power's institutions by the citizens, the community's confidence in them and a consensus based on beliefs and the recognition of common values. The lack of consensus and sharing of

[7] *Ibidem.*
[8] Ioan Jude, *op. cit.*, p. 397
[9] Max Weber, *op. cit.,* p. 9
[10] Karl Jaspers, *Autorité et liberté,* in *Essais philosophiques,* Payot, Paris, 1970, p. 116-140
[11] Ioan Jude, *op. cit.*, p. 397 and following
[12] Karl Jaspers, *op. cit.,* p. 131
[13] Ioan Jude, *op. cit.,* p. 398

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common values leads to what is called a crisis of legitimacy. This basically translates into the lack of trust in the political power's institutions, especially when they are burdened by corruption, and has a negative impact on the governance act and on the political stability in general.

Finally, the idea of political legitimacy is not necessarily equally imposed to all members of society. There are many apolitical citizens, who simply ignore the political events, who do not have a sufficiently formed political culture, but nevertheless critically relate to the political power. They ignore the real meaning of certain political events, and the political power, in its turn, ignores these critics. These opposing trends result in a real cleavage in the contemporary society, which also induces political legitimacy crises.

Legitimacy is the principle on which a government system is based and justified. The principle requires, on the one hand, the government's awareness that they have the right to govern, and on the other hand the recognition of this right by those governed. The consequence is the political obligation of citizens to comply with the standards established by that government.

There is also the possibility that some citizens disagree with certain norms, which may then resort to objections of conscience and civil disobedience. These are political behaviors that express disagreement with the political power. There are phenomena of political dissent, peacefully manifested and derived from civil disobedience, and there are also phenomena of contestation, with violent means, of a determined political power, legitimate or not, phenomena diversified as manifestations, but all generically known as political terrorism.

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