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## Theorizing the Grey Area between Legitimacy and Illegitimacy

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## Theorizing the Grey Area between Legitimacy and Illegitimacy

### ABSTRACT

Despite a proliferation of research on legitimacy, the ‘grey area’ that lies between legitimacy and illegitimacy remains undertheorized. Responding to calls for further research, we clarify the construct of legitimacy and extend legitimacy theory by providing a conceptual framework for analyzing the legitimacy-illegitimacy continuum. First, we propose three novel legitimacy states between legitimacy and illegitimacy – conditional legitimacy, unknown legitimacy, and conditional illegitimacy – and elaborate on the distinct qualitative characteristics of the five legitimacy states. Second, we offer a model of the dynamics of legitimacy state change and the (in)stability of the issue-specific reference framework that is used to judge them. Third, we explain how our legitimacy states bridge the research streams on legitimacy judgment formation and legitimation strategies. By doing so, we integrate these research streams and enumerate discursive strategies for each state. Our paper contributes to a more robust understanding of both how legitimacy states can be conceptualized and analyzed in future research, and how they can be dealt with in managerial practice.

**Keywords:** illegitimacy, legitimacy, legitimacy-illegitimacy continuum, legitimation strategy, polarization

## INTRODUCTION

Legitimacy is a fundamental concept in management scholarship for the far-reaching implications it holds for social exchange and organizational survival (Aldrich & Fiol, 1994; Suddaby, Bitektine, & Haack, 2017). It reflects the extent to which evaluators consider a subject of legitimacy (SL) acceptable, desirable, or appropriate within some socially constructed system of norms, values, beliefs, and definitions (Suchman, 1995). Scholars have mostly treated legitimacy as a dichotomous phenomenon: SLs are considered legitimate or not (Deephouse & Suchman, 2008). This view has helped us understand key issues related to gaining/maintaining legitimacy or the specific problems of legitimacy loss. However, at the same time, it has left the space between legitimacy and illegitimacy undertheorized and arguably impeded our ability to develop a more comprehensive understanding of (il)legitimacy as a phenomenon and the dynamics linked to legitimation and delegitimation. Thus, scholars have increasingly come to realize the need to recognize legitimacy as a continuum and to clarify the ‘grey area’ between legitimacy and illegitimacy (Bascle, 2016; Castelló, Etter, & Nielsen, 2016; Haack, Pfarrer, & Scherer, 2014; Rutherford & Buller, 2007). It is this grey area that we will focus on in this paper.

The absence of a theoretical understanding of this grey area is problematic. We argue that to develop our theoretical and practical understanding of legitimacy, it is important to uncover what lies between the ideal states of legitimacy and illegitimacy. By states, we mean the prevalence of types of legitimacy evaluations or judgments amounting to particular conditions for the SL. This clarification is critical for theory building because legitimacy and illegitimacy are not simply the end points of a linear continuum. For example, a lack of approval does not equate to outright disapproval. Rather, it could also mean partial approval, partial disapproval, or the evaluators’ inability to cast a judgment. These various states have specific characteristics, each with distinct implications that go well beyond a mere difference in degrees of legitimacy on a continuum.

We thus offer a conceptual framework to analyze the grey area that lies between legitimacy and illegitimacy by identifying and elaborating on three novel legitimacy states: conditional legitimacy, unknown legitimacy, and conditional illegitimacy. Conditional legitimacy is the state in which

evaluators cast a positive legitimacy judgment but explicitly impose one or more constraints on the SL. Unknown legitimacy means that legitimacy remains undetermined – either because of a lack of evaluation or conscious efforts leading to an ambiguous outcome. Conditional illegitimacy, in turn, means that the SL is deemed illegitimate but gains a certain level of acceptance in light of some mitigating factors.

This then leads to questions about the dynamics of legitimacy assessments and the relative (in)stability of the reference framework used to make them. These are crucial issues *per se* to better understand the legitimacy states, but they can also help us link this reflection to existing research on judgment formation (e.g.: Bitektine, 2011; Bitektine & Haack, 2015; Tost, 2011) and judgment change in response to legitimation strategies (e.g.: Bascle, 2016; Golant & Sillince, 2007; Hofer & Green Jr, 2016; Vaara, Tienari, & Laurila, 2006). While previous studies help to comprehend how legitimacy judgments are formed or changed, the specifics of the different outcomes of the judgment formation process in the grey area between legitimacy and illegitimacy have remained undertheorized. Hence, we put forward a model that elaborates the different legitimacy states, and helps to understand the dynamics involved in changing legitimacy perceptions as well as the implications for legitimation strategies used by the SLs.

Our analysis makes three contributions. First, in response to calls in prior research (Deephouse, Bundy, Tost, & Suchman, 2017; Haack et al., 2014; Hudson, 2008), our paper provides a conceptual framework that pins down three specific legitimacy states in the grey area between legitimacy and illegitimacy and examines their salient characteristics. This is important for theory development in terms of construct clarity and offering means to tackle critical issues in this grey area. Second, we offer a model of the dynamics of legitimacy judgment change and the (in)stability of the issue-specific reference framework that is used to judge them. We explain how the (in)stability is driven by three key determinants: evolving norms, values, and beliefs; conflicts of legitimacy types; and opposition by dissenting evaluators. By so doing, we help to dig deeper into the nature of the different legitimacy states and the changes between them. Third, with the new conceptual framework and the model depicting the dynamics of legitimacy assessments, we connect research on legitimacy judgment

formation and legitimation strategies. Not only is this important to clarify the construct of legitimacy at macro level, but it also advances the integration of these relatively separate research streams more broadly.

The paper is structured as follows: In the ensuing section, we review the existing literature highlighting the need to develop an understanding of the grey area between legitimacy and illegitimacy states. Next, we proffer our conceptual framework with a focus on the different legitimacy states. Then, we elaborate on the dynamics of legitimacy states change and discuss the implications for legitimation strategies. Finally, we conclude with the discussion and provide directions for future research.

### THEORETICAL UNDERPINNINGS

Legitimacy is the perceived appropriateness of an SL to a social system in terms of norms, values, and beliefs (NVBs) (Deephouse et al., 2017; Tost, 2011) in a given institutional environment. SLs are those ‘social entities, structures, actions, and ideas whose acceptability are being assessed’ (Deephouse & Suchman, 2008: 54). In some studies, the SL is an individual, for example, a CEO (Walsh, 2008); in others, it is a specific activity such as genetic modification of organisms (Hiatt & Sangchan, 2013), or a particular setting such as men's bathhouses (Hudson & Okhuysen, 2009). It may be an organization such as De Beers in Namibia (Claasen, 2012) or a whole industry such as the global arms industry (Durand & Vergne, 2015). In the remainder of this paper, following Deephouse and Suchman (2008), we use ‘SL’ to refer to both the subject of legitimacy and its representative/agent (e.g., when referring to a product, activity, or process).

Although legitimacy has been conventionally viewed as dichotomous, researchers increasingly have come to recognize legitimacy as a continuum (e.g. Suddaby et al., 2017). Scholars refer to the continuum either explicitly (e.g. Haack et al., 2014) or implicitly by referring to ‘varying levels’ of legitimacy (Gardberg & Fombrun, 2006), ‘greater degrees of legitimacy’ (Dacin, Goodstein, & Scott, 2002), ‘thresholds of legitimacy’ (Rutherford & Buller, 2007), ‘intermediate conformity legitimacy’ (Bascle, 2016), or legitimacy as something that can be ‘enhanced’ (Elsbach, 1994), ‘gained’ (Suchman, 1995) or ‘facilitated’ (Castelló et al., 2016). Thus far, only Deephouse et al. (2017) have made an initial

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effort to characterize different states of legitimacy. Specifically, they propose ‘four basic outcomes of legitimacy evaluations and hence four basic states of organizational legitimacy: accepted, proper, debated, and illegitimate’ (Deephouse et al., 2017: 9). While this first attempt to characterize the legitimacy-illegitimacy continuum is laudable, it remains grounded in the dichotomous view of legitimacy. Accepted and proper legitimacy both refer to full legitimacy. The primary difference between them is the process through which the outcome is obtained: ‘accepted’ means that the SL’s legitimacy is taken for granted, whereas ‘proper’ refers to legitimacy awarded through active evaluation. ‘Illegitimate’ reflects the social system’s assessment that the SL is inappropriate and should be radically reformed or cease to exist, with no reference to how this assessment was reached. According to the authors, ‘debated’ reflects the presence of active disagreement within the social system’ (Deephouse et al., 2017: 10). However, we argue that there can always be some active disagreement (debate) about any SL, irrespective of its state (even in the state of legitimacy). Thus, the question remains open about how to characterize the grey area that lies between legitimacy and illegitimacy.

According to Deephouse and Suchman (2008), evaluators’ efforts to cast a judgment differ depending on the legitimacy type, which refers to the process used to form a judgment. Regulatory legitimacy is guided by compliance with a given set of rules and regulations, pragmatic legitimacy by self-interest, and moral/normative legitimacy by values and beliefs. All these types imply an active assessment by evaluators. Cognitive legitimacy is taken for granted, implying a passive assessment. For example, an evaluator judging the legitimacy of gun ownership on the foundation of the Second Amendment of the US Constitution may be assessing regulatory legitimacy, whereas other evaluators might take the right to own a gun for granted and appeal to cognitive legitimacy. For others still, the right to bear arms must be balanced against some form of control based on normative legitimacy. And some evaluators may take a more pragmatic approach by arguing that the best defense against armed threats is arming those who are threatened. Thus, different evaluators may use different processes (active or passive) to judge the same SL and arrive at different legitimacy judgments.

Suddaby and colleagues (2017) claim that legitimacy has been construed through three main

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perspectives: first, as a property or asset possessed by a subject of legitimacy (SL); second, as an interactive process of social construction involving multiple stakeholders; third, as a perception comprising evaluators' assessments within a multilevel framework of individual and collective judgments. In this paper, we take the third perspective at collective level. This collective level is the highest level (macro level) in a given institutional environment. At this level, evaluators evaluate SLs in accordance with an issue-specific reference framework comprising the socially constructed system of norms, values, beliefs, and definitions relevant to that specific issue. The determination of the institutional environment is equally important, given that a specific SL may be judged in accordance with different reference frameworks in different institutional environments (e.g., the legitimacy of the legality of abortion is different in the Dominican Republic compared to France).

Legitimacy judgment formation comprises individual-level propriety and collective-level validity (Bitektine & Haack, 2015; Haack & Sieweke, 2018). Individual evaluators form a favorable judgment (propriety) when they judge the SL to be proper or appropriate (Dornbusch & Scott, 1975), and an unfavorable judgment (impropriety) when they judge it improper and inappropriate (Zelditch, 2001). Collective-level legitimacy, or validity, refers to the extent to which an entity is appropriate for its social context (Dornbusch & Scott, 1975; Tost, 2011). In cases where there is collective disagreement about the appropriateness of an SL (Zelditch & Floyd, 1998), or a collective judgment has not yet been reached, as with the creation of new institutions, validity is either weak or absent altogether. An absence of validity suggests an institutional environment in which the reference framework used to assess legitimacy is unstable. Consequently, legitimacy judgments are prone to change. However, the literature provides few indications about how to characterize SLs in this grey area.

At the collective level, research has highlighted a number of legitimacy-conferring actors, such as trade and professional associations, investors, social movement groups, the government and judiciary, the media, and public opinion (Deephouse et al., 2017). Some of these actors have either the (legitimate) authority (Dornbusch & Scott, 1975) to enforce their judgments (e.g., legislators in nation states, CEOs in organizations), or the (illegitimate) power to coerce subjects into compliance (e.g., the Mafia in Italy). Other legitimacy-conferring actors (e.g., celebrities, high-profile entrepreneurs, or



thought leaders) lack the power to enforce their judgments but can rally endorsement from individual evaluators and even from other legitimacy-conferring actors so that they can influence both other evaluators and SLs (Dornbusch & Scott, 1975; Walker & Zelditch Jr, 1993).

Another stream of research has focused on legitimation strategies (e.g., Ashforth & Gibbs, 1990; Oliver, 1991; Suchman, 1995; Suddaby & Greenwood, 2005; Vaara & Tienari, 2008). Oliver (1991) classified SLs' strategic responses to institutional pressures, highlighting conformity and resistance to the environment. Suchman (1995) related legitimation strategies to different types of legitimacy (pragmatic, moral, and cognitive), arguing that each type of legitimacy rests on a different logic and emphasizing discourses between SLs and evaluators. A number of studies have highlighted how the discursive aspects of legitimation affect evaluators' perceptions (e.g., Joutsenvirta & Vaara, 2015; Lok & Willmott, 2006; Phillips, Lawrence, & Hardy, 2006; Vaara & Monin, 2010; Vaara & Tienari, 2008) – in particular, discursive strategies that SLs can use to legitimate organizational and institutional change (Bitektine & Haack, 2015; Hofer & Green Jr, 2016; Suddaby & Greenwood, 2005).

Despite important advances in the understanding of how legitimacy judgments are formed, studies remain vague about the specific outcomes of the judgments that are cast (i.e., where they are positioned on the legitimacy-illegitimacy continuum). Yet, it is the understanding of where the SL is positioned on that continuum that defines the nature of the legitimation strategies that SLs adopt. Thus, while the end point of the legitimation strategies is generally clear, the starting point is not. The legitimacy states that we propose in this paper bridge legitimacy judgment formation and legitimation literature by providing end/starting points to these processes. Our paper theorizes the characteristics of each state and the dynamics that affect them. In doing so, the states enable a more precise determination of evaluators' perception about an SL allowing legitimation strategies to be better adapted to that SL.

### **LEGITIMACY STATES IN THE GREY AREA**

A 'legitimacy state' reflects the position of a subject of legitimacy on the legitimacy-illegitimacy continuum. Different legitimacy states emerge because of the nature of legitimacy itself. Dowling and Pfeffer (1975) regard legitimacy as a dynamic constraint on the SL and point out that legitimacy

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fluctuates as the SL's actions, behaviors, or characteristics (ABCs) change and as social values that delineate legitimacy evolve. The SL is evaluated based on an issue-specific reference framework comprising the socially constructed system of norms, values, beliefs, and definitions relevant to the issue in the institutional environment. Following this, the SL is either judged to be in line with what evaluators deem acceptable, desirable, or appropriate, and is perceived legitimate, or it is not and is perceived as lacking legitimacy. However, a conclusion that the SL lacks legitimacy equates to concluding that it is at risk but without specifying the magnitude and nature of that risk. Like physicians, who need to know the exact state of a patient's wellbeing before they can establish a correct diagnosis and prescribe the most appropriate treatment, SLs need clarity about their state of legitimacy to be able to take an informed course of action towards improving their legitimacy.

When lacking legitimacy, most SLs will either have to change their ABCs to bring them in line with the social expectations, or seek to change evaluators' judgment by challenging their interpretation of the reference framework, or opt for a blend of both<sup>1</sup>. An important factor when considering changing evaluators' judgments and related legitimacy states is the (in)stability of the reference framework. The greater the extent to which the reference framework is prone to change and thus unstable, the greater the likelihood that evaluators may be influenced to change their perceptions from one legitimacy state to another.

From the literature, we draw three core determinants that explain the instability of the reference framework: evolving NVBs, emerging conflicts in legitimacy types, and burgeoning pockets of opposition formed by the congregation of dissenting evaluators. These three determinants affect and are affected by each other and explain the (in)stability of the reference framework used to (re)assess the SL in different states of legitimacy.

*Evolving NVBs.* Changes in an SL's perceived legitimacy state are driven by changes in prevailing NVBs – in particular, when evaluators differ in their intensities of adherence to the same norms or when they differ in the norms to which they subscribe (Alvarez, Newman, Barney, & Plomaritis, 2021; Rossi & Berk, 1985). And, of course, change in an SL's ABCs may require (re)evaluating its congruence with prevailing or alternative NVBs (Aldrich & Fiol, 1994; Greenwood,

Suddaby, & Hinings, 2002). Scholars assert that legitimacy can be assessed by examining the NVBs prevalent in a society (Bascle, 2016; Dowling & Pfeffer, 1975).

*Conflicts between legitimacy types.* Researchers agree that there are four main legitimacy types: regulatory, normative, pragmatic, and cognitive (Deephouse et al., 2017). However, even if the different types coexist and, at times, strengthen each other, they can also clash because they appeal to different underlying logics (Bascle, 2016; Reay & Hinings, 2009; Thornton, Ocasio, & Lounsbury, 2012) – for example when regulatory and normative legitimacy are at odds (Webb, Tihanyi, Ireland, & Sirmon, 2009). When different evaluators appeal to different types to judge the same SL, potentially conflicting judgments obstruct the formation of a generalized agreement at macro level, decreasing the stability of the reference framework in the institutional environment (De Castro, Khavul, & Bruton, 2014; Kistruck, Webb, Sutter, & Bailey, 2015). Suchman (1995) contends that these conflicts are likely to occur when legitimacy-conferring actors either are not well aligned with one another or are undergoing transitions.

*Opposition by dissenting evaluators.* A minimal level of opposition against the prevailing legitimacy judgment exists in most institutional environments but acknowledging the claims of pockets of opposition is neither always possible nor necessarily desirable (Ashforth & Gibbs, 1990; Suchman, 1995). We characterize pockets of opposition as having the following characteristics: (1) they are composed of a variety of ‘deviant voices’ in the collective that are out of line with the established perception of the SL (Bitektine & Haack, 2015; Dornbusch & Scott, 1975), (2) they are not in a position to upset the established judgment (Mouw & Sobel, 2001), and (3) they lack the influence or coordination to consolidate into a recognized opposition (Zald, 2004). Emerging pockets of opposition are often an early sign of evaluators at individual level congregating around positions deviating from the prevalent perception about the SL. Such pockets of opposition represent a form of passive resistance, as they do not have the endorsement of other evaluators or legitimacy-conferring actors. However, when such institutions validate their claims, opposition shifts from passive to active resistance capable of challenging the SL’s legitimacy state at macro level.

In what follows, we briefly reiterate the states of legitimacy and illegitimacy and then theorize the grey area that lies between them. Table I summarizes the key characteristics of the five states of legitimacy.

- INSERT TABLE I ABOUT HERE -

### **Legitimacy**

Legitimacy is the state in which evaluators judge an SL to have social desirability, properness, and appropriateness within a socially constructed system of norms, values, and beliefs (Suchman, 1995). Under this scenario, society and the SL are aligned, and uncertainty levels for the SL are low. Being considered legitimate implies neither that the SL is without flaws nor that *all* evaluators are fully in line with the dominant perception (Bascle, 2016). Rather, it suggests that the SL complies ‘sufficiently’ with the prevalent NVBs and that evaluators agree that it is desirable, proper, and appropriate, even though some disagree (Dornbusch & Scott, 1975). Pockets of opposition, however, may arise around contingencies that are not considered in the prevalent NVBs (Dowling & Pfeffer, 1975). Such contingencies may be rooted in different interpretations of the same NVBs or in alternative NVBs (Rossi & Berk, 1985). Deephouse et al. (2017) recognize this when they refer to ‘debated legitimacy’, which is explained as ‘the presence of active disagreement within the social system, often among different stakeholders or between dissident stakeholders and the organization’ (p. 10). In contrast to these authors, we do not consider the mere presence of debate to be a factor distinguishing between legitimacy outcomes. Rather, we argue that legitimacy can exist even in the presence of pockets of opposition. As long as the claims expressed in the pockets of opposition lack validity – that is, they do not reflect a sufficiently significant argument validated by legitimacy-conferring actors – they cannot be imposed onto the SL.

### **Illegitimacy**

In this state, evaluators express an unfavorable judgment about the SL (Deephouse et al., 2017; Hudson, 2008). As such, illegitimacy is the true opposite of legitimacy. Being considered illegitimate,

however, implies neither that the SL is entirely without merits nor that all evaluators agree with the dominant perception (McVeigh, Welch, & Bjarnason, 2003). Rather it suggests that the SL complies ‘insufficiently’ with the prevalent NVBs. Hence, like legitimacy, illegitimacy can exist despite pockets of opposition arguing against that state. Unless an SL addresses this negative evaluation, it may face considerable threats to survival. For example, regulators (public policymakers and governments) may intervene to make the disapproved activity illegal – though, of course, many illegal activities persist over time (Baker & Zhang, 2006). Consider the case of foie gras, a product obtained by force-feeding ducks or geese to fatten their livers. Following intensive debates about animal welfare, governmental authorities have banned the production of foie gras in Israel, California (US), and several countries of the European Union (Baker & Zhang, 2006). At other times, despite maintaining the legality of the activity, the regulator may try to increase perceptions of its illegitimacy, as in the case of tobacco in the US (Ashforth & Gibbs, 1990). The same process occurred in many European countries, such as the United Kingdom and France, where governments and regulators have actively worked to increase perceptions of illegitimacy by proscribing tobacco indoors and in public places, as well as regulating its packaging to include explicit statements of the dangers of tobacco consumption, and even pictures of the consequences (Mackey, Liang, & Novotny, 2013).

*Commonalities and differences.* The states of legitimacy and illegitimacy have in common that these are the states in which the ABCs of the SL are congruent with the prevailing NVBs, there a little or no conflict between legitimacy types, and pockets of opposition are weak. Of course, while legitimate SLs will seek to preserve taken-for-grantedness to maintain positive evaluations, illegitimate SLs will seek to challenge the judgment and to trigger active evaluations in an attempt to reduce negative evaluations to reach a more favorable outcome.

### **Conditional legitimacy**

Conditional legitimacy is the state in which evaluators, in principle, cast a positive legitimacy judgment but explicitly impose one or more constraints on the SL (Mouw & Sobel, 2001). As long as

the SL demonstrates that it complies with the stated condition(s), it maintains its legitimacy; otherwise, its legitimacy will be questioned up to the point that it may even be considered illegitimate. Conditions arise when challenges to judgments of legitimacy gain momentum. Challenges emerge after sudden environmental jolts (Greenwood et al., 2002; Sine & David, 2003), successful institutional entrepreneurship (Maguire, Hardy, & Lawrence, 2004; Überbacher, 2014), emergence of new information about the SL (Shepherd & Zacharakis, 2003), or more gradually evolving arguments in pockets of opposition (Rodrigues & Child, 2008). Alternatively, conditions may arise when conflicts occur between legitimacy types – for instance when an SL obtains regulatory legitimacy (it acts within a given set of explicit rules such as the law) but will be perceived as having normative or pragmatic legitimacy only so long as it demonstrates that it complies with one or several expectations (the conditions).

However, for those expectations to become recognized conditions, they must have gained validity, either through the endorsement of legitimacy-conferring actors or, in their absence, through that of a substantial number of individual evaluators aggregated in some form of collective (Bitektine & Haack, 2015). It is the *validity of the conditions* that distinguish them from objections expressed by evaluators in pockets of opposition. Take, for example, the uproar in the Netherlands about the legitimacy of meat from *Plofkippen* or ‘exploding chickens’, fast-growing breeds whose accelerated growth causes animal health and welfare issues (Morris, 2009). While retailing meat from broiler chickens has regulatory legitimacy, its normative legitimacy is challenged by animal welfare NGOs. Following successful campaigns, the values and beliefs of these NGOs regarding the rearing of this type of broiler chicken gained validity in Dutch society. While retailing chicken meat remains, in principle, legitimate, retailers have now encountered a condition – that it should not be meat from this specific type of broiler chicken – and many of them have complied voluntarily by removing this particular type of meat from their shelves even if they were not required to do so by law.

Conditions arise either when alternative NVBs gain traction and validity or when the SL’s actions, behaviors, and characteristics cannot be fully (re)assessed using the prevailing NVBs, putting in question the appropriateness of the otherwise legitimate or illegitimate judgment. Conditions can be

voluntary, as in the case of *Plofkippen*, or regulated, as in the case of freedom of speech, a key value in many democratic countries that is often restricted by law (e.g., disallowing speech advocating neo-Nazi ideas) in order to protect people against possible discrimination and prevent inciting hate, which are also key values (Weiss, 1994). Other examples of emerging conditions on legitimacy include limitations on the use of wild animals in circus performances (Bell, 2015), the use of trans-fats in Oreo cookies (Unnevehr & Jagmanaite, 2008), and the use of GMOs in food products (Hiatt & Sangchan, 2013). Thus, changes in NVBs allow conditions to emerge.

### Conditional illegitimacy

Conditional illegitimacy is the state in which an SL is, in principle, deemed illegitimate but gains a certain level of acceptance in the light of some mitigating factors (Mouw & Sobel, 2001). For these factors to be recognized as conditions that outweigh the presumption of illegitimacy, they need to be specific and have validity from a regulatory, pragmatic, or normative perspective. We distinguish three variants of conditional illegitimacy:

1. *Authorized exceptions* are instances in which the regulator makes an explicit exception for an otherwise illegitimate SL to accommodate a particular pocket of opposition with alternative NVBs that merit protection. For example, whaling is internationally considered mostly illegitimate because it harms the environment and animals. However, the International Whaling Committee grants exceptions for cultural and historical reasons, as in the case of certain Inuit communities in the Canadian Arctic, Iceland, Norway, and the Faroe Islands (Davies, 2011; Gambell, 1993). Another trade that can be considered conditionally illegitimate is the production, selling, and consumption of cannabis. While cannabis is still considered illegitimate and is even illegal in many parts of the world, increasing scientific evidence about its potential health benefits motivates a growing number of evaluators to endorse its controlled use for medical purposes (Washburn & Klein, 2016). Both examples involve contradictions in NVBs. In the case of cannabis, different interpretations of human welfare drive different evaluators to judge it as fully illegitimate or to account for exceptions.
2. *Unauthorized exceptions* are instances in which the regulator has classified the SL as illegitimate,

but other legitimacy-conferring actors tacitly deem it legitimate. Unauthorized exceptions are particularly common in the informal economy (Webb et al., 2009). De Castro et al. (2014) find that legitimacy-conferring actors such as banks, suppliers, and customers accept and disregard street vendors' informal status, judging them normatively and pragmatically legitimate even when they lack regulatory legitimacy.

3. *Exceptions driven by a higher social good* are instances in which an SL, while deemed illegitimate, acts in such a way that enforcing the penalties of illegitimacy would go against a higher purpose endorsed by a majority of evaluators with the tacit support of some legitimacy-conferring actors. In cases where the pursuit of a higher social good or a just cause justifies tolerance of an otherwise illegitimate activity, the exception becomes a sufficient moral justification for curbing the illegitimacy presumption [as in 'just war' theory in international law (McMahan, 2005)]. For example, the hacker organization 'Anonymous' lacks regulatory legitimacy and is repeatedly condemned by some legitimacy-conferring actors such as governments or the judiciary. But since it publicly declared a cyber war against the so-called Islamic State terrorist group, ISIS (Colarik & Ball, 2016), individual evaluators seem to have judged that Anonymous is engaging in 'ethical' hacking (Rezazadehsaber, 2015) for the greater social good. This collective judgment is attested by social media platforms and, to a certain extent, by the media (Brooking, 2015).

*Commonalities and differences.* Conditional legitimacy and conditional illegitimacy have in common that (1) evaluators are not undecided but remain unwilling or unable to award an unreserved judgment about the (il)legitimacy of the SL, (2) this unwillingness is linked to explicit and verifiable conditions, and (3) the number of conditions is limited. The latter is important because a conditional legitimacy judgment with too many constraining conditions could ultimately turn into a conditional illegitimacy judgment with a limited number of mitigating factors and *vice versa*. Because of the presence of these conditions, evaluators can no longer take SLs for granted (as they would in the cases of (il)legitimacy) and will have to engage in active evaluations when driven by the stated condition. Conditional legitimacy and conditional illegitimacy differ in that the conditions on legitimacy represent constraints on particular SLs, whereas conditions on illegitimacy represent latitudes for otherwise



illegitimate SLs. Lastly, the conditional states differ from the states of legitimacy and illegitimacy in that in the latter two, the prevailing NVBs and the actions, behaviors, and characteristics of the SL are clear, and pockets of opposition are weak. In contrast, the conditional states are generally indicative of conflicts between legitimacy types (e.g., pragmatic vs normative) based on alternative NVBs gaining traction and more active opposition. When the condition is validated, evaluators agree on the appropriateness of the constraint or latitude triggered by the alternative NVBs, or ABCs of the SL. Over time, the condition is taken for granted, acquires cognitive legitimacy as it is used, and is fully assimilated into the prevailing NVBs.

### Unknown Legitimacy

Until an SL's legitimacy is assessed – whether cognitively in a passive process or actively through conscious evaluation – it remains *undetermined* (Bitektine, 2011; Haack et al., 2014) and therefore unknown (Bitektine & Haack, 2015; Tost, 2011). But even when scrutiny of any kind takes place, there are various reasons why evaluators may be unable to reach a collective judgment: information constraints make it impossible to decide on legitimacy, or because different evaluators subscribe to different NVBs or differ in their intensities of adherence to the same NVBs (Rossi & Berk, 1985). We call these undecided legitimacy and polarized legitimacy, respectively.

*Undecided legitimacy.* This type of legitimacy is characterized by a significant degree of ambiguity about the information available (Cappellaro, Compagni, & Vaara, forthcoming). In some cases, evaluators perceive a lack of (credible) information on which to base an adequate judgment. New ventures' liability of newness is a typical example (Singh, Tucker, & House, 1986). Take the case of Airbnb (originally known as airbedandbreakfast.com). In its early stages, this SL struggled to acquire resources, as investors and customers, lacking information about it or its business model, remained cautious (Aydin, 2016; Bascle, 2016). A perceived excess of information may be equally unsettling and prevent a common agreement from emerging, as cognitive overload makes it harder to identify and assess the arguments in favor of or against the SL (Ariely & Norton, 2011; Fox, Park, & Lang, 2007). For example, evaluators 'Google-ing' information about a particular SL may be 'flooded' with

thousands of conflicting search results (Bawden & Robinson, 2009). Information may also be outdated: the SL's actions or characteristics may change so that its congruence with prevailing or alternative NVBs cannot be assessed. Some evaluators overcome information scarcity or excess by using cognitive shortcuts and heuristics to cast a judgment by analogy (i.e., by relating the SL to its closest familiar proxy) (Bitektine, 2011). For evaluators who are more affected by the SL (Mitchell, Agle, & Wood, 1997), and more generally, when the reference framework tends towards instability (Bitektine & Haack, 2015), this passive evaluation mode may no longer be sufficient, satisfying, or relevant (Kahneman & Tversky, 1979). In those cases, evaluators are likely to enter an active evaluation mode dedicating more time and resources to gather and process information (Tost, 2011). In the meantime, they are likely to express undecidedness about the legitimacy of the SL. For example, legitimacy-conferring actors are currently assessing the appropriateness of 'body-hacking' (a technique that pushes the boundaries of implantable technology to improve the human body). This new practice brings up ethical and safety concerns as well as justifications appealing to freedom of choice and life improvement (Duarte, 2014), and no outcome has yet been reached.

*Polarized legitimacy.* Lastly, legitimacy can also remain unknown when no generalized agreement can be established about the legitimacy of an SL at macro level. The latter may be indicative of polarization in the collective, where two or more (groups of) evaluators with equivalent authority reach opposing judgments — a variant that we term *polarized legitimacy*. We argue that *polarized legitimacy* is the purest form of what Deephouse et al. (2017) refer to as 'debated legitimacy', the instance in which the disagreement in the collective does not allow for the formation of a commonly agreed legitimacy outcome. Disagreement between legitimacy-conferring actors may occur when their judgments are based on different sets of NVBs, or when their judgments are increasingly challenged by vocal and organized groups, such as NGOs (DiMaggio, Evans, & Bryson, 1996; Mouw & Sobel, 2001). Polarized legitimacy is characterized, first, by an approximately equal and significant split between positive and negative legitimacy judgments; second, by significant heterogeneity between opposing groups of evaluators; and third, by significant homogeneity within each group of evaluators (DiMaggio et al., 1996).

Polarized legitimacy is distinct from the other variants of unknown legitimacy in that evaluators have made up their minds about the SL's legitimacy, but in the process, two sub-collectives (Bitektine & Haack, 2015) with opposing views have emerged on abortion in the United States (with arguments relating to freedom of choice or sanctity of life) (Mouw & Sobel, 2001). As such, polarized legitimacy is not characterized by validity but rather by weak validity, as two (or more) conflicting validities have emerged in different sub-collectives (Hoffman, 1999).

*Commonalities and differences.* Unknown legitimacy differs from (i) legitimacy and conditional (ii) legitimacy in that (1) no generalized agreement about the ABCs of the SL exists among evaluators at macro level (either because there are opposing views, as in polarization – or lack of clarity about the SL), (2) the prevailing reference framework is largely unstable and hence provides insufficient foundation to guide an unequivocal assessment, or (3) too many validated conditions have arisen, such that evaluators are unsure which condition has primacy.

## DYNAMICS OF LEGITIMACY STATE ASSESSMENTS

A legitimacy assessment is triggered when an SL comes into existence in an environment that is affected by its presence. For example, when MIT Professor Rudolph Jaenisch created the first genetically modified mouse in 1974 (Jaenisch, 1988), it triggered a debate about the legitimacy of GMOs which has since been ongoing. Evaluators assess SLs like GMOs using an issue-specific reference framework comprising the socially constructed system of NVBs of that context. Because both the ABCs of the SL and evaluators' reference framework are prone to change once the initial legitimacy state has been established, legitimacy reassessments occur until the SL ceases to exist. Figure 1 illustrates the mechanism of the legitimacy assessment cycle.

- INSERT FIGURE 1 ABOUT HERE -

The initial evaluation cast upon the SL – the state of legitimacy in which it is judged – triggers three potential courses of action (or a blend thereof). First, maintaining and reinforcing the judgment.

Second, acknowledging the judgment and changing its ABCs to (re)align with the reference framework. Third, challenging the judgment by seeking a reinterpretation or change in the reference framework. Here, rather than changing itself, the SL seeks to change the reference framework. The course of action informs the SL's choice of legitimation strategies aimed at prompting either a reaffirmation or reassessment of the state of legitimacy. This (re)assessment and (re)action process continues until the SL ceases to exist. Moreover, irrespective of the SL's legitimation strategies, exogenous factors (e.g.: shocks, market changes, innovations, socio-political developments) also affect the legitimacy assessment cycle. These factors cause changes in the SL's ABCs or in the reference framework triggering a (re)assessment potentially leading to changes of its legitimacy state.

*The (in)stability of the reference framework.* As argued previously, the stability of the reference framework is highly affected by three determinants: evolving NVBs, conflicting legitimacy types, and opposition by dissenting evaluators. Evolving NVBs challenge the established perception about the SL. Increasing conflicts in legitimacy types indicate that different benchmarks and evaluating processes are being used, which may lead to deviating judgments among evaluators. Lastly, when the claims of pockets of opposition gain validity, the resulting conditions trigger a reassessment of the SL's legitimacy. When evaluators (re)assess an SL in the light of a changing reference framework, it increases the likelihood of a change in the legitimacy state of the SL. Figures 2 and 3 illustrate the dynamic between the three determinants, the legitimacy states, and the increasing (in)stability of the reference framework.

- INSERT FIGURES 2 AND 3 ABOUT HERE -

In Region 1, the reference framework is the most stable. A dominant set of NVBs provides evaluators consistent benchmarks to evaluate the SL. There is little or no conflict between different legitimacy types. Weak pockets of opposition may make counterclaims, but their voices are not strong enough to affect the judgment formation process of other evaluators. Therefore, a consistent generalized legitimacy perception is formed. In Regions 2, 3, and 4, the guidance that the reference framework

provides evaluators in their judgment formation is increasingly challenged by deviating or conflicting cues emerging from the three determinants. The stronger the effect of these determinants, the higher the likelihood that evaluators take note of them in their (re)assessment of the SL, and, consequently, the higher the likelihood that they judge it in a different state than previously judged following the reference framework used before.

Typically, the effects of the three determinants of instability become notable through the micro-meso-macro judgment formation process described by Bitektine and Haack (2015) and Haack, Schilke, and Zucker (2021). The evolution of NVBs accelerates when the number and/or the influence of individual evaluators endorse alternative NVBs, such as the President of a country, digital media, or social movements like Black Lives Matter (Wang, Reger, & Pfarrer, 2021). Conflicts in legitimacy types push evaluators to deal with the contradiction in order to be able to cast a judgment. Successful pockets of opposition progressively convince individual evaluators of the validity of their claims or stimulate previously silent evaluators to speak up, provoking (re)assessments and ultimately a change in the SL's state of legitimacy. In Regions 2 and 3, the opinions of individual evaluators coalesce into a macro level judgment of conditional (il)legitimacy. Region 4 depicts unknown legitimacy. In this region, the arguments from pockets of opposition have gained traction and credibility, and evaluators have coalesced into opposing sub-collectives of matching strengths. Moreover, alternative NVBs are entrenched, and conflicts in legitimacy types are prevalent. Consequently, the reference framework is the least stable. Evaluators either align themselves with one of the sub-collectives (polarized legitimacy) or remain wedged between them, unable to cast a judgment (undecided legitimacy). Depending on the direction to which the determinants of instability are gearing, the legitimation strategies adopted by the SL will either be aimed at strengthening the effects of the three determinants of instability or aimed at curbing them.

Consider the case of abortion, whose legitimacy is in constant flux around the world as the reference framework in society changes. Proponents advocate that abortion is a woman's right that should not be limited by authorities. Opponents contend that abortion violates the sanctity of life, which begins at conception. Abortion remains illegitimate under any circumstances, including rape/incest or

even a threat to the woman's life, in countries such as Egypt or the Dominican Republic. Abortion can be conditionally illegitimate when conditions allowing abortion to take place in restricted circumstances are validated. For example, some countries allow abortion to preserve the woman's life (e.g., Brazil, Iran) or health (e.g., Poland, Saudi Arabia). In such cases, the NVBs about sanctity of life of the unborn fetus is balanced with the sanctity of life of the woman.

NVBs in many countries have evolved, for example, when the prominence of religious entities as legitimacy-conferring actors decreased and the legitimacy of abortion shifted towards more acceptance (e.g., France legalized abortion in 1975, Ireland in 2018). In such countries, abortion is typically conditionally legitimate, subject to time limits since conception (e.g., up to 14 weeks in South Africa or Spain, 21 weeks in The Netherlands, and 24 weeks in the UK). However, the time limit condition may be waived when there are major malformations of the fetus or when there are severe threats to the woman's health. Feasible time limits are important to allow women to effectively get access to legal and legitimate abortions. In the United States, the legitimacy of abortion has been at the forefront of the public debate for decades. The reference framework at macro (federal) level has been unstable, and the legitimacy of abortion polarized. In 1973, the Supreme Court established the regulatory legitimacy of abortion in the "Roe vs Wade" ruling, affirming that the practice should be allowed and decriminalized. Owing to the inability of Congress to agree upon constitutional amendments or congressional law in favor or against abortion, the US Supreme Court's ruling holds the highest legal authority at federal level. Despite this, normative legitimacy in the form of public opinion remains polarized between pro-choice and pro-life advocates. The resulting clash between regulatory and normative legitimacy further contributes to the instability of the reference framework used by evaluators.

While access to abortion is generally legal in some US states that do not restrict it up to about 24 weeks of pregnancy, laws in other states have sought to restrict access in various ways. States with large pro-life pockets of opposition have adopted strict laws that redefine the conditions for legal abortion. For example, Texas has reduced the timeframe to 6 weeks since conception (even before many women realize they are pregnant). Alabama bans it altogether including after rape or incest, only permitting it

where necessary to prevent a serious health risk to the woman. In 2022, the Supreme Court overturned the Roe vs. Wade ruling, making the restrictive State laws enforceable. Consequently, regulatory legitimacy of abortion will no longer be decided at macro (federal) level but is left to individual States. Nevertheless, the normative legitimacy at macro level is likely to remain polarized (PewResearchCentre, 2022).

To fully capture and appreciate the complexity of legitimacy perceptions and the dynamics that explain shifts from one state to other, it is imperative to define the grey area between legitimacy and illegitimacy. It would be impossible to explain the polarized nature of the legitimacy state of abortion using a dichotomy. The insights generated from characterizing an SL on the legitimacy-illegitimacy continuum and the dynamics of legitimacy assessments provide directions for the choice of legitimation strategies.

### IMPLICATIONS FOR DISCURSIVE LEGITIMATION

A robust understanding of the positioning of the SL on the legitimacy-illegitimacy continuum is imperative for formulating strategies that (re)align the SL with the issue-specific reference framework<sup>ii</sup>. Legitimation rests heavily on discourses between the SL and its evaluators since ‘most challenges ultimately rest on failures of meaning’ (Suchman, 1995, p. 597; Van Leeuwen, 2007). Consequently, the SL needs to convey meaning to evaluators<sup>iii</sup> about its ABCs, exhibit its alignment with the prevailing NVBs, address conflicts of legitimacy types as well as claims arising from pockets of opposition. Meaning arises through verbal or non-verbal ‘language’, e.g., text, speech, symbol, image, and sounds (Berger & Luckmann, 1991; Phillips, Lawrence, & Hardy, 2004). To devise an appropriate legitimation strategy, the SL will have to establish, verify, or change the meaning associated with its actions. In the following sections, we discuss appropriate legitimation strategies for each state.

**Strategies for legitimacy.** When the SL is congruent with the reference framework, legitimacy is often taken for granted and no longer questioned (Suchman, 1995). Consequently, the SL’s focus lies on maintaining this state. Table II illustrates strategies pertinent to the legitimacy state.

- INSERT TABLE II ABOUT HERE -

The institutional environment in which an SL operates can be shaken by sudden jolts affecting the reference framework and evaluators' perception. It is, therefore, important that SLs proactively maintain or even increase their legitimacy buffer to withstand periods of instability and mitigate the risk of being judged into less favorable states. However, not all strategies are equally appropriate. When legitimacy is cognitive, 'any overt attention – including supportive attention – may have the detrimental side effect of problematizing comprehensibility and disrupting taken-for-grantedness' (Suchman, 1995: 596). Preserving legitimacy is thus best achieved by strategies that maintain identification with audiences and/or maintain taken-for-grantedness (see Table II), without triggering active evaluations related to pragmatic or normative dimensions (Ashforth & Gibbs, 1990). Upholding the SLs' perceived alignment with the reference framework enhances evaluators' shared meaning, goodwill, and feeling of relatedness to SLs (Cornelissen, Haslam, & Balmer, 2007). This preserves or even increases favorable judgments (Fisher, Kotha, & Lahiri, 2016).

Taken-for-grantedness can be maintained by enhancing conformity. Glynn and Abzug (2002) find that 'isomorphic organizational names (e.g., 'First National Bank') are more understandable, less ambiguous, more taken-for-granted, and thus more legitimate as identities' (Glynn & Marquis, 2007: 6). Appealing to a common historical past and tradition emphasizes congruence with the reference framework. Nevertheless, SLs must remain vigilant about emerging pockets of opposition and evolving NVBs that may change the evaluators' perceptions.

**Strategies for illegitimacy.** An SL incongruent with the reference framework is judged illegitimate. In this stable reference framework, illegitimacy is also taken for granted unless the SL acts. Table III illustrates discursive strategies pertinent to the state of illegitimacy.

- INSERT TABLE III ABOUT HERE -

SLs may focus on repairing legitimacy, or *a minima*, preventing the disapproval from increasing.



Appealing to non-cognitive legitimacy types may trigger reassessments into more favorable states (Tost, 2011). Directly defying the basis of illegitimacy may not be an optimal strategy. Because negative perceptions tend to be stickier than positive perceptions, moving from illegitimacy to legitimacy is likely to be more difficult (Baumeister, Bratslavsky, Finkenauer, & Vohs, 2001). SLs should frame their discourses in terms of potential gains and draw attention away from contentious actions and characteristics (Ashforth & Gibbs, 1990; Elsbach, 1994). For example, arguments about cannabis for pain alleviation could help validate claims of pockets of opposition, strengthening them to create a condition to the product's illegitimacy or even form opposing sub-collectives leading to unknown legitimacy (Carter, Javaher, Nguyen, Garret, & Carlini, 2015).

When SLs consider that illegitimacy is unduly based on a particular set of NVBs, it may challenge the stability of the reference framework by emphasizing the validity of alternative NVBs. For example, arguments for same-sex marriage could stay within a normalization discourse but appeal to justice, fairness, or equality instead of religion or morality (Hagai & Crosby, 2016). The arguments shift attention to positive aspects of the SL (Elsbach & Sutton, 1992; Suchman, 1995). To increase regulatory legitimacy, SLs can use justification and manipulation tactics emphasizing that their contentious attributes have been validated by authoritative evaluators (Oliver, 1991). Such strategies avoid an increase in disapproval and may even trigger more positive (re)assessments (Vaara & Monin, 2010).

**Strategies for conditional legitimacy.** Conditions on legitimacy arise when the reference framework loses stability, for example, due to claims from pockets of opposition or alternative NVBs gaining traction. Table IV illustrates discursive strategies pertinent to the state of conditional legitimacy.

- INSERT TABLE IV ABOUT HERE -

Once conditions are validated, the SL is expected to adhere to them. Otherwise, it risks losing legitimacy and being reassessed in a less favorable state. If the SL is unable (or unwilling) to comply with the condition, it can seek to (1) actively counter the claim of pockets of opposition to invalidate the condition or (2) redefine it to minimize its implications. For example, if the SL maintains regulatory

legitimacy while challenges emerge from normative arguments, its discourse should emphasize authorization. By emphasizing unconditional regulatory approval and stressing that it operates according to the letter and spirit of the law, the SL can argue that it is a ‘good citizen’ (Hiatt & Sangchan, 2013; Vaara & Monin, 2010). The SL will need to keep challenging the validity of the condition until it weakens the claim of the pocket of opposition or the emerging NVBs to achieve legitimacy (Oliver, 1991). However, if it fails and persists in challenging the condition without fulfilling it, the SL risks losing its conditional legitimacy.

Alternatively, the SL can reframe the condition by using compromise and avoidance tactics. Compromise mitigates the aggravating factor to redefine the condition in a way that makes it more manageable; avoidance causes it to be perceived as more consistent with the SL’s existing actions and characteristics (Ashforth & Gibbs, 1990; Oliver, 1991; Suchman, 1995). The SL can rationalize the condition by emphasizing its utility and seeking to maintain legitimacy while making minimal yet necessary adjustments to its ABCs imposed by the condition (Joutsenvirta, 2011; Vaara et al., 2006). For example, a circus may argue its congruence with the prevailing NVBs in the reference framework by highlighting that keeping wild animals also helps protect and conserve endangered species (Bell, 2015).

SLs that proactively shield their legitimacy by explicitly recognizing and incorporating the condition(s) in their discourse restore the stability of the reference framework and gain legitimacy. In doing so, they turn constraints into opportunities and boost their legitimacy by self-regulation (Short & Toffel, 2010). For example, alcohol sellers have used commitment narratives by launching and leading ‘responsible drinking’ campaigns (Haack, Schoeneborn, & Wickert, 2012; Smith, Cukier, & Jernigan, 2014).

When SLs conform to condition(s) over time, these become institutionalized and taken for granted. The condition(s) are then incorporated in the dominant NVBs of the reference framework and cease to exist. SLs embracing the condition will be considered legitimate; those that have not will be perceived as illegitimate or, at best, as having unknown legitimacy.

**Strategies for conditional illegitimacy.** In conditional illegitimacy, conditions give the SL ‘some chance’ of obtaining some legitimacy. To take advantage of this opportunity, the SL can demonstrate its adherence to the condition and uphold the condition as justified and valid. Table V illustrates discursive strategies pertinent to the state of conditional illegitimacy.

- INSERT TABLE V ABOUT HERE -

To reduce the breadth of the illegitimacy or even to question its principal basis, the SL will have to expand the condition or create additional ones (Ashforth & Gibbs, 1990). While conditionally legitimate SLs are likely to challenge the validity of the claims of pockets of opposition, conditionally illegitimate SLs benefit from strengthening and supporting these claims.

When conditions reflect authorized exceptions, SLs demonstrate compliance by underscoring alignment with the regulatory arguments underlying the exception through ‘authorization’ discourses. Doing so signals to other evaluators that the condition is deemed appropriate by legitimacy-conferring actors whose judgment about what ought to be right is respected. As in the case of bullfighting in Spain, SLs can also appeal to history and tradition (historical theorization) (Suddaby & Greenwood, 2005) or refer to the utility or function of specific actions/practices to point out that the exception’s limited scope renders it acceptable - a discourse referred to as ‘rationalization’ (Joutsenvirta, 2011).

In unauthorized exceptions, the regulator classifies the SL as illegitimate, while other legitimacy-conferring actors deem it normatively or pragmatically legitimate. Transcending regulatory illegitimacy requires evaluators to be driven by a certain rightfulness to go against legal requirements. Therefore, the SL must demonstrate that it does the right thing or what ought to be done (Webb et al., 2009). It can emphasize its alignment with normative or pragmatic rightness by appealing to logos, pathos, ethos, or a combination thereof (Hofer & Green Jr, 2016). Appeals to logos usually involve the methodical calculation of means and ends to achieve efficiency or effectiveness; appeals to pathos evoke evaluators’ emotions, such as fear, greed, empathy, etc.; and appeals to ethos mention beliefs or ideals that guide a community, nation, or ideology. For example, SLs in the informal economy appeal to pathos

by highlighting the challenging work environment of informal workers and their lack of access to regular employment; to logos on the grounds that informality provides a livelihood to individuals who lack alternatives; and to ethos by acknowledging the contribution of informal workers to economic development.

Exceptions driven by higher social good occur when an SL, while deemed illegitimate, acts in a context where imposing the illegitimacy judgment would go against a higher purpose. In such instances, evaluators regard the SL as the ‘lesser of two evils’. To justify the appropriateness of the conditions, the SL emphasizes that its ABCs result in a greater good for society (Suddaby & Greenwood, 2005). For example, while ‘unlimited espionage’ violates certain privacy rights, it prevents acts of terrorism (teleological theorization).

**Strategies for unknown legitimacy.** Unknown legitimacy generally prevails in situations in which the reference framework is unstable. This state is characterized by disengagement, a perceived lack of clarity preventing an unequivocal outcome, or disagreement about a collective outcome. Table VI illustrates discursive strategies pertinent to the state of unknown legitimacy.

- INSERT TABLE VI ABOUT HERE -

In the first case, evaluators have not scrutinized the SL for lack of interest. Because judgments are formed not only on the basis of content information but also on the basis of cognitive and affective feelings (Greifeneder, Bless, & Pham, 2011), SLs can push disengaged evaluators to make a judgment by stimulating interest or provoking emotional reactions – for example, by using shocking images or unusual statements (Barberá-Tomás, Castelló, De Bakker, & Zietsma, 2019). At the same time, they can stimulate silent evaluators to voice their opinions by establishing trustful communication (Scott, 2008), providing reassurance that speaking up will not provoke a backlash (Cornwall, 2003) by ensuring the anonymization of evaluators who voice their opinions (Nissenbaum, 1999). Through framing strategies, SLs can incite different emotional responses, such as enthusiasm or fear (Brader, 2005).

Information shortages or excesses hinder engaged evaluators’ ability to reach an outcome. By

manipulating the available information, SLs can facilitate a favorable outcome, analogous to strategies for reducing or maintaining ambiguity (Cappellaro, Compagni, & Vaara, 2021; Cappellaro et al., forthcoming). In cases of scarcity, SLs can increase the comprehensibility or credibility of information by framing the unknown or hard-to-understand elements to make them familiar to evaluators by using media and advertisements (Kostova & Zaheer, 1999; Patriotta & Siegel, 2019). Information that is readily available, understandable, and easy to relate to supports favorable judgments (Aldrich & Fiol, 1994). Familiarity and comprehensibility increase cognitive legitimacy by reducing evaluators' uncertainty. Higher levels of cognitive legitimacy stabilize the reference framework providing clearer directions for a change in the legitimacy state.

In cases of information excess or ambiguity, SLs can simplify information by promoting the primacy of one argument over another by using experts, role models, power-invested intermediaries, or other legitimacy-conferring actors to convey what is acceptable (Elsbach & Sutton, 1992; Hiatt & Sangchan, 2013). Emphasizing the primacy of an argument constrains the basis from which pockets of opposition develop claims.

Because a multitude of arguments increases the likelihood of evaluators using incompatible benchmarks that appeal to different legitimacy types, SLs can align symbols, messages, procedures, or behaviors to appear more consistent across different audiences (Castelló, Morsing, & Schultz, 2013). This reduces conflicts between legitimacy types. Reducing the mental effort for evaluators to overcome information overload makes it easier for them to cast a judgment. Enhancing the ease-of-retrieval of information and reinforcing familiarity increases the likelihood of a more favorable reassessment (Jacoby & Dallas, 1981; Tversky & Kahneman, 1973).

Managing polarized legitimacy is more complex because it entails addressing opposing judgments. It forces SLs to choose between persuading opponents at the risk of losing proponents' support and persisting in their present orientation to retain proponents without the certainty that their arguments will prevail (Mouw & Sobel, 2001). Because implementing legitimation strategies require resources, and because legitimacy is important for SLs' survival, it is crucial to gauge to which side of the legitimacy argument evaluators are leaning but also how unanimous the evaluators are. The SL

could choose between:

1. Finding a compromise or adjusting itself to fit both parties' claims. Nuanced discourses can demonstrate that the opposing parties have more in common than they think, thereby increasing the likelihood of agreement about the SL's state of legitimacy (Harmon, Green, & Goodnight, 2015).
2. Dividing the opposition through arguments that lead some opposing evaluators to perceive the SL more favorably. SLs seek to confirm their legitimacy to proponents while trying to sway opponents, for example, through ontological theorization strategies – that is, accounts based on logical assumptions about the SL's attributes that can co-exist (Suddaby & Greenwood, 2005). Consider arguments about fracking: among opponents perceiving it as illegitimate, some may reconsider the activity as conditionally illegitimate if there is a selective distribution of jobs and other benefits that serve them and the community they live in (Verweijen & Dunlap, 2021).
3. Focusing on confirming the SL's legitimacy with proponents. This is particularly indicated for 'belief polarization', which occurs when similar information or arguments strengthen convictions on both sides of a divide (Iyengar, Sood, & Lelkes, 2012). In such cases, strategies to sway opponents' beliefs are rarely effective and may even deepen the divide; instead, SLs should protect their support base, for instance, through 'us' versus 'them' narratives (Reisigl & Wodak, 2015).
4. Influencing policymakers through manipulation tactics to assure a favorable macro environment. By seeking to change the regulatory environment, SLs can weaken their opponents' base of validity through lobbying, campaign contributions, sponsoring, and so on (Henisz & Zelner, 2012).

While these strategies may not sway all critics towards full legitimacy, they nevertheless help the SL move enough of them to provide conditional support. For example, same-sex marriage in the United States has shifted over time from illegitimacy to polarized legitimacy (Hackl, Boyer, & Galupo, 2013). When polarization starts to fade, it is unlikely that an SL will be deemed fully legitimate. Rather, evaluators will likely attach conditions based on the reference framework of the 'weakening' faction resulting in conditional (il)legitimacy.

## DISCUSSION

### Theoretical Implications

*Clarifying the grey area on the legitimacy-illegitimacy continuum.* Previous research has categorized SLs as either legitimate or illegitimate (e.g.: Deephouse & Suchman, 2008), implying that evaluators' perceptions shift from one extreme to another. While this may happen sporadically, generalized legitimacy perceptions typically shift more gradually. By introducing three novel states of legitimacy, conditional legitimacy, unknown legitimacy, and conditional illegitimacy, our paper makes a major step towards clarifying the grey area on the legitimacy-illegitimacy continuum at collective level (Deephouse et al., 2017; Haack et al., 2014). Our theorization of the legitimacy states emphasizes that each state is qualitatively distinct beyond a mere difference in degrees. The implications of these distinctions are profound. Strategizing for legitimacy or illegitimacy when an SL is, in fact, conditionally (il)legitimate or in a state of unknown legitimacy may lead to anger, confusion or disappointment on the part of evaluators, resulting in the SL losing legitimacy rather than gaining it (Greenwood et al., 2002). Conversely, when a legitimacy-conferring actor does not recognize the nuances between legitimacy states, it may cast an incongruent judgment and risk damaging its own credibility as legitimacy-conferring actor. For example, by overturning *Roe vs Wade* in 2022, the US Supreme Court may have insufficiently recognized that abortion is perceived as normatively conditionally legitimate by a majority of Americans. Consequently, it destabilizes the reference framework and risks causing the judiciary institution to face a crisis of legitimacy itself. Clarifying the legitimacy-illegitimacy continuum and acknowledging that the intricacies of the grey area are more complex and nuanced is fundamental for all actors in the institutional environment.

By incorporating the important roles of conditional (il)legitimacy and unknown legitimacy, our paper contributes to the efforts of organizational scholars to clarify the state and the legitimation processes of controversial SLs such as gambling, some pharmaceuticals, or fracking (Baumann-Pauly, Scherer, & Palazzo, 2016; Durand & Vergne, 2015; Patriotta, Gond, & Schultz, 2011) that before would be considered as illegitimate, or as having debated legitimacy at best (Deephouse et al., 2017; Finch, Deephouse, & Varella, 2015). Our theorization of how and why the five legitimacy states differ

contributes to a more robust understanding of how legitimacy states can be analyzed in future research.

*Moving forward the scholarly conversation on legitimacy judgment change.* The conceptual clarity provided by our five legitimacy states facilitates a more structured discussion about legitimacy judgment change. Bitektine and Haack (2015) describe the ‘vertical dynamic’ of the formation of legitimacy judgments from micro level to macro level. Although an important leap forward, their theorization does not elaborate on the nature of the outcome (i.e., the extent to which an SL has legitimacy). Our paper adds a fundamental element to this theorization in that it provides insight into the outcome and the direction in which the vertical micro-macro level dynamic has evolved regarding the positioning of the SL on the legitimacy-illegitimacy continuum. We theorize the ‘horizontal dynamic’ that underlies how judgments shift on that continuum. The identification of these two directional dynamics is a fundamental step forward for legitimacy research. Concomitantly considering vertical and horizontal dynamics will provide scholars with more profound insights into the underpinnings of legitimacy perceptions and how SL and stakeholders can manage them to their best interest.

The stability of the reference framework used to assess the SL is an important indicator of the likelihood of legitimacy state change. The issue-specific reference frameworks vary, yet how they are affected by the three determinants of instability (evolving NVBs, conflicts of legitimacy types, and claims emerging from pockets of opposition) is generalizable. While these determinants have been discussed separately in the extant literature, their simultaneous effects have not been considered drivers for change to an SL legitimacy state (Dowling & Pfeffer, 1975; Mouw & Sobel, 2001; Suchman, 1995). The stronger the effect of these determinants, the higher the likelihood that evaluators take note of them in their (re)assessment of the SL, and, consequently, the higher the likelihood that they judge it in a different state than previously judged following the reference framework used before. Collective judgments based upon unstable reference frameworks will be less robust, as the basis on which validity is established is weaker and challenges abundant. Thus, our theorization enriches the ongoing discussions among institutional theorists and sociologists about how strong or weak validity affects social evaluations (Bitektine & Haack, 2015; Haack et al., 2021; Zelditch & Floyd, 1998).



*Bridging and extending two important bodies of literature.* Third, our paper bridges and extends two important bodies of literature: the literature conceptualizing legitimacy judgment formation on one side and studies of legitimacy judgment change through legitimation strategies on the other. We extend the work of Bitektine and Haack (2015) by providing specific end points to the legitimacy judgment formation process and thus open investigation into whether and how judgment formation differs for specific states of legitimacy. Simultaneously, our work extends the literature on legitimation strategies (e.g.: Castelló et al., 2016; Vaara & Tienari, 2008). This literature assumes that the SL's aspired outcome is reaching the legitimacy state, yet it is not specific about the starting point on the legitimacy-illegitimacy continuum. And by pointing out that SLs facing polarized legitimacy require a different set of legitimation strategies than conditionally (il)legitimate SLs, we enable a more refined analysis of legitimation discourses and a way to classify strategies suitable to SLs' specific struggles. In sum, our theorization creates explicit end points for legitimacy judgment formation and explicit starting points for legitimacy judgment change.

### **Practical Implications**

By clarifying the legitimacy-illegitimacy continuum, we provide a blueprint for managers and public policy makers to better understand legitimacy perceptions and their implications. This allows them to effectively implement suitable legitimation strategies and mitigate the risks of adopting misguided decisions that could harm the SL's survival and growth (Kibler, Mandl, Kautonen, & Berger, 2017). Even when the SL is congruent with the reference framework, claims by pockets of opposition should not be ignored. Monitoring them gives an SL the chance to take preemptive measures to counter or integrate their demands while giving policymakers an opportunity to adapt regulations to societal changes, as in the cases of the cannabis trade or same-sex marriage. For example, in Canada, the parliament legalized cannabis in 2018 at federal level, whereas in the US, cannabis is still illegal under federal law even if some States have legalized it. Hence, an enhanced understanding of the different legitimacy states and of the effects that determinants of stability have on the reference framework will allow both managers and public policymakers to engage more effectively with their stakeholders or

constituents. Moreover, this would allow a better allocation of resources to preserve/change the SL's legitimacy state and more accurately assess the degree to which this is achieved. It can also help opponents of the SL (e.g., competitors, pressure groups) develop discourses aimed at delegitimizing it by convincing evaluators of the validity of their claims or by stimulating silent evaluators holding similar perceptions to speak up.

### **Limitations and Future Research Directions**

Empirical research should build on our work by investigating how the key determinants lead evaluators to reassess legitimacy, by jointly considering the vertical micro-macro dynamics of legitimacy judgment formation proposed by Bitektine and Haack (2015), our legitimacy states and the horizontal dynamic that drive their change, and the legitimation strategies proposed by authors such as Vaara and Tienari (2008) that affect both dynamics. Such an integrative approach would produce a truly holistic view of legitimacy. Further research opportunities lie in the theoretical and empirical investigation of each state of legitimacy. For instance, while conditional (il)legitimacy may be related to dimensions of the subject under scrutiny, undecided legitimacy may be more related to the salience of information available, to the type of ambiguity in question, or how much pressure is put on the evaluator to decide. Future research could also examine empirically how conditions affect changes in perceived legitimacy. In particular, negative perceptions might be stickier than positive perceptions (Baumeister et al., 2001), so the move from illegitimacy towards legitimacy might be harder than the other way round. Furthermore, the type of ambiguity in question might have a major impact on how unknown legitimacy can be made sense of or given sense to (Cappellaro et al., forthcoming).

We urge researchers to delve deeper into the understanding of the effects that determinants of instability have on the reference framework, individually and jointly. For instance, elucidating whether or to what extent the prominence of a single type of legitimacy (cognitive, pragmatic, regulatory, or normative) would enhance or reduce conflicts between types and affect evaluators' assessment. Better understanding normative/moral legitimacy evaluations could add to the discussions about whether legitimacy and stigma are closely associated (Hampel & Tracey, 2017) or whether they are distinctively

different phenomena and concepts (Helms, Patterson, & Hudson, 2019). Investigating how the evolution of NVBs, along with concepts of conformity and intermediate conformity proposed by authors such as Basche (2016), could inform us about the temporality of legitimacy changes. This could be carried out through longitudinal studies using historical data about industries such as automobile, from Henry Ford's T-model to Elon Musk's Tesla. How pockets of opposition influence other evaluators to change their perceptions and which validity cues dominate in the judgment formation is also a fruitful avenue to understand evaluators' cognitive processes. Experimental research through conjoint experiments is particularly indicated as it allows uncovering the relative weight of each cue in the judgment and integrates multilevel considerations pertaining to evaluators that could facilitate the investigation of how judgments coalesce (Shepherd & Patzelt, 2015; Siraz, Claes, & Castro, 2019). Moreover, future work should investigate the existence of other determinants beyond the ones we derived from theory.

Legitimation involves discursive and other struggles that reflect ideological differences (Reisigl & Wodak, 2015; Vaara & Tienari, 2008). Power is discursively exerted not only by grammatical forms but also by a person's control of the social occasion by means of the genre of a text or by the regulation of access to certain public spheres. This is particularly important in today's media landscape, in which an increasing number of opinions are expressed by an increasing number of (often self-proclaimed) legitimacy-conferring actors. This makes it more challenging for SL and dissenting evaluators alike to effectively convey a meaningful message (Barnett, Henriques, & Husted, 2020; Illia, Colleoni, Etter, & Meggiorin, 2022). Future research could focus on how legitimation and power struggles result in moving from one legitimacy state to another.

Lastly, by drawing from the literature about judgment formation, scholars could assess each of the legitimacy states and investigate how judgments may change. For example, is it likely for an SL to move directly from illegitimacy to legitimacy? Alternatively, does a move between the two necessarily involve going through intermediate states? Our theorizing suggests that the transitions from legitimacy to illegitimacy (or vice versa) will tend to occur gradually and might entail stops in one or more of the intermediate states. Further research should explore in more depth the nature of those changes and their

implications for legitimation strategies. Moreover, some SL may never be perceived as more than conditionally legitimate. For such SL, dedicating valuable resources to gain full legitimacy may be arguable, as it would be more effective to manage the conditions.

While our study provides interesting insights, it is not without limitations. We take an explicit macro level perspective in our theorization of the legitimacy states and the related dynamics. Thus, when we discuss agreement around a particular legitimacy state, we assume a generalized perception that reflects the coalescence of the perceptions expressed by all evaluators. The presence of silent evaluators implies that the observed generalized perception does not reflect the perceptions of such evaluators. Unless those evaluators become vocal or do not follow the majority opinion, such instances do not affect the conceptualization of the five legitimacy states nor that of the dynamics explaining legitimacy changes. Legitimation strategies aimed at stimulating silent evaluations to express their opinion may result in a faster (or more likely) change of state, they do not alter the dynamic of legitimacy change. While the strategies that we propose are not explicitly geared towards formal SL (rather they are unspecific about the formality of the SL), we recognize that they may be easier to implement for SL who have a clear structure, organized information corridors and lines authority than for less formal SL who often lack such structures (e.g., temporary groups of individuals in social media). These limitations open opportunities for further research, for example, regarding discursive strategies in digital social media and informal SL (Etter & Albu, 2021; Glozer, Caruana, & Hibbert, 2019).

Finally, to make the appropriate inferences, it is important to delineate precisely who or what the SL is and in which context it is assessed. If a specific industry is judged illegitimate, it cannot be inferred that every CEO or firm in that industry is also illegitimate. Rather, these CEOs or firms would need to be assessed as SL in their own right. For example, the fracking industry in the UK is generally perceived as illegitimate, but the firm Octopus Completions Ltd is perceived as legitimate. It received financial grants from the European Union to further its drilling technologies that reduce the negative environmental impact of fracking (EU Commission, 2019).

## Conclusion

Our paper contributes to the theoretical and practical understanding of legitimacy by explicitly clarifying the legitimacy-illegitimacy continuum. First, our conceptual framework pins down three specific legitimacy states in the grey area between legitimacy and illegitimacy and elaborates on their key characteristics. Second, we offer a model of the dynamics of legitimacy judgment change and discuss three determinants that affect the stability of the issue-specific reference framework used to judge an SL: evolving NVBs, conflicts of legitimacy types, and pockets of opposition. Third, we bridge research on legitimacy judgment formation and legitimation strategies. The latter is not only important to clarify the construct of legitimacy at macro level but also advances the integration of these relatively separate research streams more broadly. While much is left to be done to better understand these states and legitimation strategies that can be employed to change or preserve them, this paper provides a blueprint others can follow to extend and develop that understanding.

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Table I. Characteristics of legitimacy states

	<b>Legitimacy</b>	<b>Conditional legitimacy</b>	<b>Unknown legitimacy</b>	<b>Conditional illegitimacy</b>	<b>Illegitimacy</b>
<b>Description of the state</b>	The state in which evaluators express favorable judgments about the desirability, properness, and appropriateness of an SL within a socially constructed system of NVBs.	The state in which evaluators, in principle, deem an SL legitimate, but do so in the explicit presence of one or more constraining factors (conditions).	The state in which <ul style="list-style-type: none"> <li>• The legitimacy of an SL remains unassessed (undetermined legitimacy), or</li> <li>• Information-related constraints make it impossible to judge legitimacy (undecided legitimacy), or</li> <li>• There is no agreement on the SL's legitimacy because of opposing judgments in the collective (polarized legitimacy).</li> </ul>	The state in which evaluators, in principle, deem an SL illegitimate but the SL gains a certain level of acceptance in light of some mitigating factors (conditions).	The state in which evaluators express unfavorable judgments about the desirability, properness, and appropriateness of an SL within a socially constructed system of NVBs.
<b>Congruence between the SL and norms, values, and beliefs</b>	The actions, behaviors, or characteristics of the SL are congruent with the prevailing NVBs in the collective, so that legitimacy is conferred.	Congruence between SL and NVBs can occur only when the SL complies with validated conditions. Conditions arise when alternative NVBs gain traction, or when the SL's actions, behaviors, and characteristics cannot be fully assessed using the prevailing NVBs, putting in question the appropriateness of a judgment that it is legitimate.	Congruence between the SL and prevalent NVBs has not emerged, because <ul style="list-style-type: none"> <li>• There is no evaluation because the evaluators are disengaged, or</li> <li>• Information-related constraints make a clear assessment problematic, or</li> <li>• There are opposing NVBs, with no dominant NVBs.</li> </ul>	Congruence between SL and NVBs can occur only when the SL operates within the validated conditions. Conditions arise when alternative NVBs gain traction, or when the actions, behaviors, and characteristics of the SL cannot be fully assessed using the prevailing NVBs, or when the implications of the judgment lead to undesirable consequences.	The SL's actions, behaviors, and characteristics are incongruent with prevailing NVBs in the collective, so that illegitimacy is conferred.
<b>Opposition by dissenting evaluators</b>	Pockets of opposition exist that are not in a position to bring forward any validated challenges to the SL's legitimacy. Passive resistance.	Opposition is capable of bringing forward a validated counterpoint that challenges the SL's legitimacy. Opposition shifts from passive to a more active form of resistance.	<ul style="list-style-type: none"> <li>• There is no clear opposition because evaluators have not cast a judgment, or</li> <li>• There is no clear opposition because information-related constraints make assessment impossible, or</li> <li>• There is an approximately equal and significant split between positive and negative legitimacy judgments cast by at least two actively opposing sub-collectives.</li> </ul>	The opposition is capable of bringing forward a validated counterpoint that challenges the SL's illegitimacy. Opposition shifts from passive to more active resistance	Pockets of opposition exist that are not in a position to bring forward any validated challenges to the SL's illegitimacy. Passive resistance.
<b>Conflict of legitimacy types</b>	Little or no conflict. Harmony between legitimacy types. Cognitive legitimacy is high, giving rise to taken-for-grantedness and a passive evaluation mode once legitimacy is established.	Conflicts of legitimacy types between regulatory, normative, or pragmatic legitimacy. Therefore, the evaluation mode is active and cognitive legitimacy is low.	<ul style="list-style-type: none"> <li>• No conflict of legitimacy types for lack of engagement, or</li> <li>• Possible conflicts of legitimacy types due to information-related constraints, or</li> <li>• Little or no conflict of legitimacy types within sub-collectives, conflicts of legitimacy types between sub-collectives.</li> </ul>	Conflicts of legitimacy types between regulatory, normative, or pragmatic legitimacy. Therefore, the evaluation mode is active and cognitive legitimacy is low.	Little or no conflict. Harmony between legitimacy types. Cognitive legitimacy is high, giving rise to taken-for-grantedness and a passive evaluation mode once illegitimacy is established.
<b>Indicated strategies</b>	Acquiesce/conform: Maintain or increase taken-for-grantedness, Maintain identification with audiences.	Challenge the condition: Address the condition by claiming its inappropriateness using regulatory arguments. Reframe the condition: Mitigate the aggravating factor. Embrace the condition: Proactively shield the SL's legitimacy by recognizing the condition and incorporating it in the SL's discourse.	Provoke engagement: Elicit interest/emotional reactions to foster engagement/Trustful communication Increase ease of information retrieval: Decrease shortage of information. Increase comprehensibility, credibility, familiarity of information. Focus on proponents: Comfort belief polarization Reduce opposition: Convince opponents, or divide the opposition from within. Build consensus: Manage the legal and regulatory environment to influence policy makers.	Authorized exception: Emphasize alignment with the regulatory exception by underscoring the arguments that underlie that judgment. Unauthorized exception: Emphasize alignment with the normative and pragmatic legitimacy judgments by underscoring the arguments that underlie those judgments. Exception of higher social good: Emphasize the SL's moral value and higher good for society.	Challenge/incite (re)assessment: Emphasize that the SL is mandated by an entity exercising authority, thus challenging the perceived illegitimacy. Defend/justify: Explain and manipulate negative and positive attributes. Conceal/manipulate: Draw attention away from contentious behavior but emphasize legitimate activities or goals.



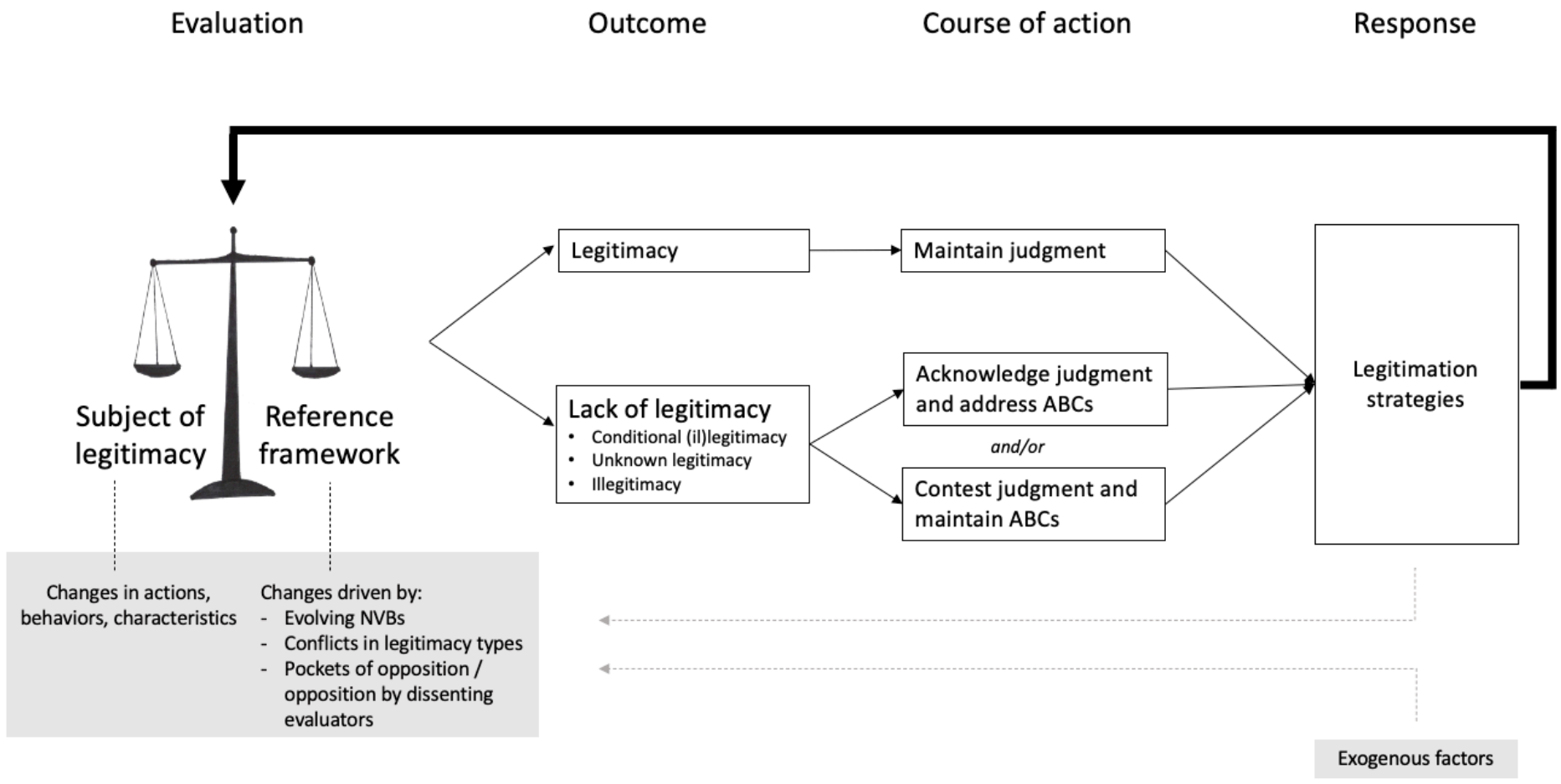


Figure 1. The legitimacy assessment cycle

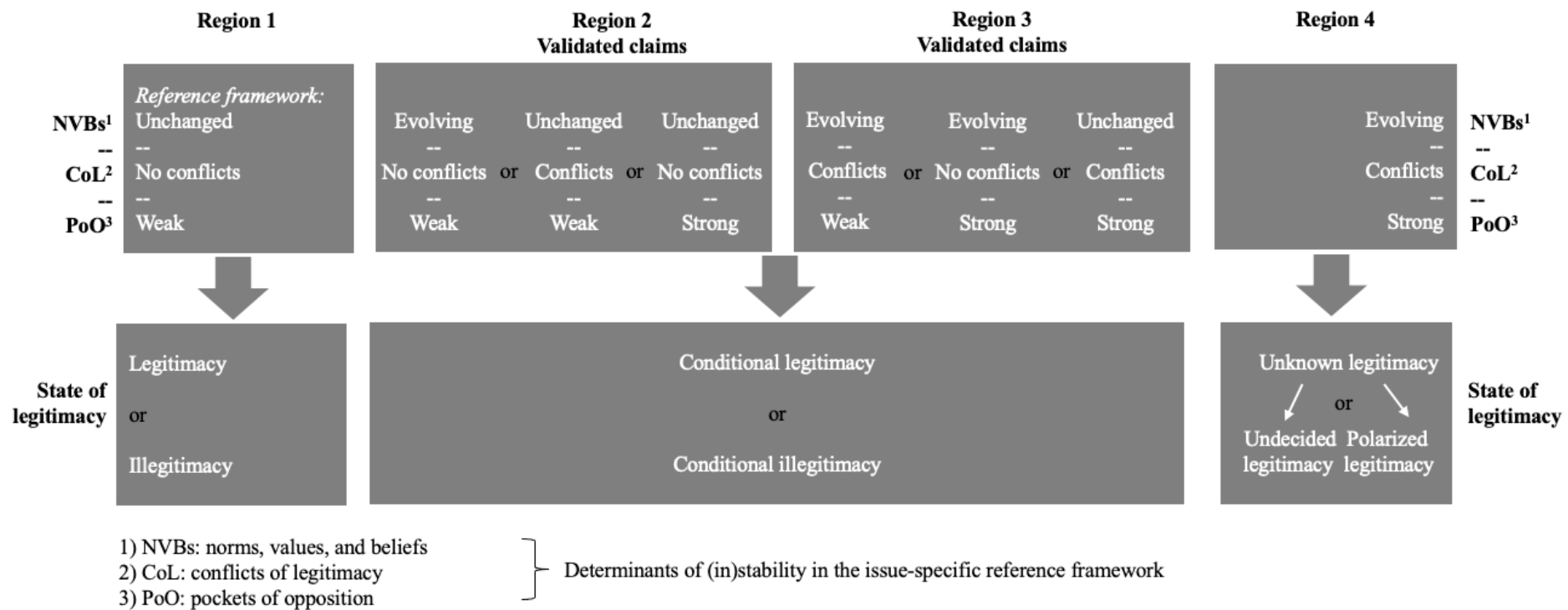


Figure 2. Determinants of (In)stability and Legitimacy States



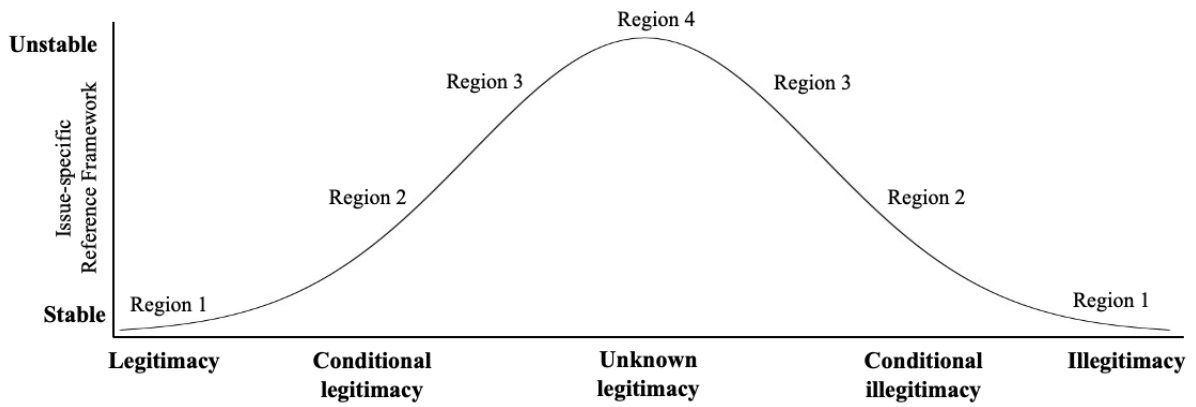


Figure 3. The (in)stability of the Issue-specific Reference Framework and the legitimacy-illegitimacy continuum

Table II. Discursive strategies pertinent to the state of legitimacy

Discursive legitimation strategies for legitimacy	Examples
Maintaining identification with audiences	<ul style="list-style-type: none"> <li>• <i>Framing</i>: shaping the discourse regarding legitimacy evaluation factors of audiences and of the organization's life cycle to maintain a legitimacy buffer and adapt to varying legitimacy thresholds (Fisher et al., 2016)</li> </ul>
Maintaining or increasing taken-for-grantedness	<ul style="list-style-type: none"> <li>• <i>Narrativization or mythopoesis</i>: using isomorphic vocabularies to provide prudent, rational, and legitimate accounts (Meyer &amp; Rowan, 1977); telling stories to emphasize the persuasiveness and the taken-for-granted structure of the SL's discourse (Golant &amp; Sillince, 2007; Vaara et al., 2006)</li> <li>• <i>Normalization</i>: rendering something legitimate by exemplarity and establishing conformity and continuity (Vaara et al., 2006), e.g., adopting and publicizing standards. (Westphal, Gulati, &amp; Shortell, 1997) find that conformity to TQM practices enhanced the likelihood that a hospital would earn endorsement from the JCAHO, a major legitimacy-conferring actor in the US healthcare sector; Glynn and Abzug (2002) find that conformity in organizational names increased their understandability to a wide range of business and non-business audiences.</li> <li>• <i>Historical theorization</i>: appeal to history and tradition by providing a sense of continuity between the past and future behaviors. Suddaby and Greenwood (2005) study multidisciplinary practices and find that references to 'tradition' and to names of prominent and successful historical figures who were also lawyers seek to legitimate a claim. It also tries to evoke an emotional response, relating the history of the profession to nationalistic sentiment through liberal references to 'Americans'.</li> </ul>

Table III. Discursive strategies pertinent to the state of illegitimacy

Discursive legitimation strategies for illegitimacy	Examples
Drawing attention away from contentious behavior/ activities but emphasizing legitimate activities or goals	<ul style="list-style-type: none"> <li>• <i>Impression management</i>: using verbal accounts to defend, excuse, or justify the SL's behaviors or actions. These tactics can alter the audience's perception of the SL by magnifying the positive aspects of the issue and attenuating the negative aspects (Bansal &amp; Clelland, 2004; Elsbach, 1994; McDonnell &amp; King, 2013).</li> <li>• <i>Decoupling</i>: separating legitimate structures and practices from the SL's illegitimate actions (Ashforth &amp; Gibbs, 1990; Elsbach &amp; Sutton, 1992; Fiss &amp; Zajac, 2006). Elsbach and Sutton (1992) investigate how radical social movement organizations shifted attention away from controversial actions towards socially desirable goals that were endorsed by broader constituencies.</li> </ul>
Emphasizing that the SL is mandated by an entity exercising authority, thus challenging the perceived illegitimacy	<ul style="list-style-type: none"> <li>• <i>Authorization</i>: drawing attention to approval of the SL by the law, the regulator, or a legitimacy-conferring actor (Hiatt &amp; Sangchan, 2013; Vaara &amp; Monin, 2010; Vaara &amp; Tienari, 2008; Vaara et al., 2006)</li> </ul>
Explaining and manipulating negative and positive attributes	<ul style="list-style-type: none"> <li>• <i>Argumentation</i>: justifying or questioning claims of truth and normative rightness using topoi and fallacies (Kwon, Clarke, &amp; Wodak, 2014; Reisingl &amp; Wodak, 2015)</li> <li>• <i>Normalization accounts</i>: formulating a normalizing account that separates the threatening revelation from larger assessments of the SL as a whole through denials, excuses, explanations, and justifications (Suchman, 1995)</li> </ul>

Table IV. Discursive strategies pertinent to the state of conditional legitimacy

Discursive legitimation strategies for conditional legitimacy	Examples
Addressing the condition by claiming its inappropriateness using regulatory arguments	<ul style="list-style-type: none"> <li>• <i>Authorization</i>: drawing attention to approval of the SL by the law, the regulator, or a legitimacy-conferring actor (Elsbach, 1994; Hiatt &amp; Sangchan, 2013; Vaara &amp; Monin, 2010; Vaara &amp; Tienari, 2008; Vaara et al., 2006)</li> </ul>
Mitigating the aggravating factor	<ul style="list-style-type: none"> <li>• <i>Rationalization</i>: referring to the utility or function of specific actions or practices (Joutsenvirta, 2011; Vaara &amp; Tienari, 2008; Vaara et al., 2006)</li> <li>• <i>Redefining means and ends</i>: recasting the meaning of the SL's ends or means (Ashforth &amp; Gibbs, 1990)</li> </ul>
Proactively shielding the SL's legitimacy by recognizing the objection and incorporating it in the SL's discourse.	<ul style="list-style-type: none"> <li>• <i>Self-regulation</i>: self-regulating actions to avoid a common threat or to provide a common good by establishing a standard code of conduct (Barnett &amp; King, 2008; King &amp; Lenox, 2000; Short &amp; Toffel, 2010). These actions may counter threats of increased regulation or confine normative expectations by setting standards proactively.</li> <li>• <i>Commitment narrative</i>: emphasizing evaluators' strong support of the SL when it commits fully to address the condition, e.g., banks' promises to fully implement formal prescriptions (Haack et al., 2012)</li> </ul>

Table V. Discursive strategies pertinent to the state of conditional illegitimacy

Discursive legitimization strategies for conditional illegitimacy	Examples
<p><i>Authorized exception:</i> Emphasizing alignment with the regulatory exception by underscoring the arguments that underlie that judgment</p>	<ul style="list-style-type: none"> <li>• <i>Authorization:</i> drawing attention to approval of the SL by the law, the regulator, or a legitimacy-conferring actor (Hiatt &amp; Sangchan, 2013; Vaara &amp; Monin, 2010; Vaara &amp; Tienari, 2008; Vaara et al., 2006), thereby accentuating the rightness of the regulative exception</li> <li>• <i>Historical theorization:</i> referring to history and traditions as a foundational source for the authorized exception (Suddaby &amp; Greenwood, 2005)</li> <li>• <i>Rationalization:</i> referring to the utility or function of specific actions or practices (Joutsenvirta, 2011; Vaara &amp; Tienari, 2008; Vaara et al., 2006), and pointing out that the exception's limited scope or specific purpose renders it acceptable</li> </ul>
<p><i>Unauthorized exception:</i> Emphasizing alignment with normative and pragmatic legitimacy judgments by underscoring the arguments that underlie those judgments</p>	<ul style="list-style-type: none"> <li>• <i>Framing:</i> making the conditions' interpretations congruent with acceptable attitudes (Webb et al., 2009) through reporting, description, narration, or quotation of events and utterances (Reisigl &amp; Wodak, 2015)</li> <li>• <i>Logos, pathos, and ethos:</i> a combination of these is used to shaping the strength of presumptions. Pathos is usually used to elicit judgments of pragmatic or emotional legitimacy; ethos to elicit judgments of normative or moral legitimacy; logos to elicit methodical calculation of means and ends leading to judgments of efficiency or effectiveness (Green, 2004; Hofer &amp; Green Jr, 2016).</li> <li>• <i>Rhetorical tropes:</i> Use of a range of tropes such as metaphors, synecdoches, metonymies, and personifications to establish the SL's legitimacy and to persuade evaluators by rooting the SL in the familiar (Reisigl &amp; Wodak, 2015)</li> <li>• <i>Mythopoesis/narrativization:</i> telling stories as evidence of acceptable, appropriate, or preferred behavior (Golant &amp; Sillince, 2007; Vaara et al., 2006; Van Leeuwen, 2007)</li> </ul>
<p><i>Exception of higher social good:</i> Emphasizing the SL's moral value and higher good for society</p>	<ul style="list-style-type: none"> <li>• <i>Moralization:</i> referring explicitly or implicitly to a higher purpose, presenting moral arguments to highlight the SL's appropriateness (Vaara &amp; Monin, 2010; Vaara et al., 2006)</li> <li>• <i>Teleological theorization:</i> arguing that some events must occur within a certain context for an ultimate higher end (Suddaby &amp; Greenwood, 2005)</li> </ul>

Table VI. Discursive strategies pertinent to the state of unknown legitimacy

Discursive legitimacy strategies for unknown legitimacy	Examples
<p><b>Engagement related (undetermined)</b> Eliciting interest/emotional reactions to foster engagement and provoke silent evaluators to voice their opinion</p>	<ul style="list-style-type: none"> <li>• Framing to provoke emotional responses (Gross &amp; D'Ambrosio, 2004) such as fear or enthusiasm (Brader, 2005) or interest (Bitektine &amp; Haack, 2015; Tost, 2011), to prompt engagement on the part of evaluators (Barberá-Tomás et al., 2019; Castelló et al., 2016; Jerit, 2008)</li> <li>• Trustful communication (Scott, 2008), providing reassurance that speaking up will not provoke a backlash (Cornwall, 2006), anonymization of the source of the stated opinion (Nissenbaum, 2006)</li> </ul>
<p><b>Information related (undecided)</b> Decreasing shortage of information/knowledge, increasing its comprehensibility or credibility</p>	<ul style="list-style-type: none"> <li>• Framing the unknown as familiar, for example through use of media and advertisement (Kostova &amp; Zaheer, 1999; Pollock &amp; Rindova, 2003) or symbolic language and behaviors (Aldrich &amp; Fiol, 1994)</li> </ul>
<p>Simplifying information, fashioning the coherence of the information, or promoting the primacy of one argument over the other to address information excess or ambiguity</p>	<ul style="list-style-type: none"> <li>• Integrated communications: aligning symbols, messages, procedures, and behaviors to appear consistent and coherent across different audiences and different media (Thøger Christensen &amp; Cornelissen, 2011)</li> <li>• Using communication and symbolic representations to interactively construct worlds, symbolic forms, narrations, myths, and ceremonies about the SL and its legitimacy (Castelló et al., 2013)</li> <li>• Using experts, 'role models', power-invested intermediaries, or other legitimacy-conferring actors to convey what is most acceptable or credible (Bitektine &amp; Haack, 2015; Bonardi &amp; Keim, 2005; Elsbach &amp; Sutton, 1992; Hiatt &amp; Sangchan, 2013)</li> </ul>
<p>Crafting evaluators' identification with the SL's preferred arguments</p>	<ul style="list-style-type: none"> <li>• Offering rational arguments to promote identification: arguments are based on inferential moves and deliberation, whereas narration works by suggestion and identification (Aldrich &amp; Fiol, 1994; Fisher et al., 2016)</li> <li>• Use of analogical reasoning to legitimate unknown SLs by connecting them to the familiar (Cornelissen &amp; Clarke, 2010; Suddaby &amp; Greenwood, 2005)</li> </ul>
<p><b>Polarization related (polarized)</b> Focusing on one side</p>	<ul style="list-style-type: none"> <li>• <i>Predication to foster polarization</i>: labeling proponents and opponents positively or negatively through stereotypical, evaluative attributions of negative or positive traits, or implicit and explicit predicates (Reisigl &amp; Wodak, 2015), to enhance belief polarization (DiFonzo et al., 2013; Lord, Ross, &amp; Lepper, 1979) and thus ensure a strong support base</li> </ul>
<p>Decreasing opposition by convincing opponents, or by dividing the opposition from within</p>	<ul style="list-style-type: none"> <li>• <i>Justifying legality/authorization</i>: explaining why opponents are 'wrong' using authority arguments stressing the presence of regulative legitimacy (Dornbusch &amp; Scott, 1975; Vaara et al., 2006)</li> <li>• <i>Ontological theorization</i>: emphasizing logical assumptions about the SLs attributes that can or cannot mutually co-exist (Suddaby &amp; Greenwood, 2005)</li> <li>• <i>Challenging the opponent's arguments</i>: using power mechanisms such as delegation (letting another entity or person engage in justification and speak in the name of the common good; see (Gond, Cruz, Raufflet, &amp; Charron, 2016)) and/or multiplication (enlisting actors from different segments of society who can extend the repertoire of normative orders of worth); using justification mechanisms (reshaping perceived uncertainty).</li> <li>• <i>Historical theorization</i>: referring to history and traditions as a foundational source to appeal to opponents or proponents (Suddaby &amp; Greenwood, 2005)</li> <li>• <i>Divide-and-conquer tactics</i> to undermine coalitions within opponent groups as well as between them (Fairclough, 2001; Greene, 2009; Thomas &amp; Turnbull, 2017)</li> </ul>
<p>Introducing nuances allowing different messages to opponents and proponents</p>	<ul style="list-style-type: none"> <li>• <i>Intensification or mitigation</i>: modifying the epistemic status of the 'for or against' arguments by intensifying/mitigating the illocutionary force of utterances (Reisigl &amp; Wodak, 2015)</li> <li>• <i>Democratizing opponents and valorizing proponents</i> (Lawrence &amp; Suddaby, 2006), e.g., rumor clustering (DiFonzo et al., 2013); presenting us-versus-them narratives (Reisigl &amp; Wodak, 2015)</li> </ul>
<p>Building multiple identities by addressing multiple audiences</p>	<ul style="list-style-type: none"> <li>• <i>Intra-field and inter-field discourses</i>: Using intra-field rhetoric to argue about ideas and issues within an agreed-upon argument field or backing, and using inter-field rhetoric to argue between argument fields or backings, to determine which shared understanding of the context should apply in the present case (Hamon et al., 2015)</li> <li>• <i>Metaphor</i>: Using language in which a 'target' term or idea is compared to a 'source' term that originates in a field or domain of discursive practice not typically associated with the target (Kwon et al., 2014)</li> </ul>
<p>Managing the legal and regulatory environment to influence policy makers</p>	<ul style="list-style-type: none"> <li>• <i>Non-market strategies</i>: Shifting or maintaining a favorable balance through lobbying, campaign contributions, sponsoring (Doh, Lawton, &amp; Rajwani, 2012; Henisz &amp; Zelner, 2012)</li> </ul>

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Endnotes:

<sup>i</sup> In the context of this paper, we assume that SLs will seek further legitimacy whenever they are judged in a state other than legitimacy.

<sup>ii</sup> The underlying assumption for the legitimation strategies that we indicate is that they are focused on SL gaining, maintain and repairing legitimacy and not on delegitimation. We acknowledge that some actors in the institutional environment such as pockets of opposition actively pursue delegitimation strategies.

<sup>iii</sup> Legitimation typically takes place through shifting perceptions of individual and collective evaluators (see Bitektine & Haack, 2015). Our strategies are applicable to both.