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King John's Christmas cards: self-legitimation

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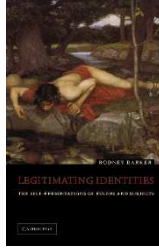
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Legitimizing Identities

The Self-Presentations of Rulers and Subjects

Rodney Barker

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CHAPTER 3

King John's Christmas cards: self-legitimation

King John was not a good man,
And no good friends had he.
He stayed in every afternoon . . .
But no one came to tea.
And, round about December,
The cards upon his shelf
Which wished him lots of Christmas cheer,
And fortune in the coming year,
Were never from his near and dear,
But only from himself.¹

A. A. Milne's King John provides a metaphor, if an exaggerated one, for the self-legitimation of government. In addition to the picture of legitimation frequently presented, as the means whereby subjects and, ideally, subjects in a democracy, authorise government, or rulers gain the consent of the ruled, legitimation is also an activity carried on by rulers for their own benefit, by the state for and from itself. Legitimation is not only a circus for the mass of subjects, but also a private theatre for rulers, where they see their own identity portrayed, confirmed, and justified. The near and dear, inasmuch as they are part of the community of rulers, will send cards, but nobody else will. The larger part of the population will not even know that the ceremonies are occurring. Rulers appear to need to legitimate their power, to demonstrate constantly by rituals both spiritual and secular their unique prestige, as persons authorised in a manner that ordinary subjects are not, as persons set apart to exercise the powers and privileges of government. This attribution of apparent need rests neither on a deductive view of what

¹ A. A. Milne, *Now We Are Six* (London, Methuen, 1927, 1989 edn) p. 2.

rulers require, nor on an empirical psychology of rulers. Rather, as with Weber, it is a matter of observing the regularity with which rulers, of all kinds and in all kinds of regimes, engage in legitimation. The attribution of need is therefore a hypothetical explanation of observed behaviour, not a theory about governmental behaviour with predictive aspirations. It depends upon the assumption that if a group of people consistently behave in a certain way, that behaviour can reasonably be described as arising from need rather than whim or contingency. It could, alternatively, be seen as a constitutive need in the same way that animals need warm blood in order to be mammals – without it they would not be mammals, and the need is a need for certain characteristics or functions in order to be one thing rather than another.

THREE GROUPS OF ACTORS

In the drama of legitimation there are three groups: custodians – rulers, kings, presidents, prime ministers – all those engaged in governing; cousins, the ‘near and dear’ – those who stand in a privileged position in relation to the custodians without themselves actually governing; and subjects – the ordinary citizens, voters, and people. Different identities are formed and operate within the world of custodians, within the world of cousins, and within the world of citizens. The world of cousins forms a mediating one between custodians and citizens, influencing both and drawing on the strengths of both. But a drama is acted out by the custodians, in which ordinary citizens and subjects play no part, and where the plot is constructed within a structure composed of the needs, satisfactions and conventions of the private world of government.

DEMOCRATIC AND MOST POST-WEBER THEORY ASSUMES THAT LEGITIMATION IS ENGAGED IN BY CUSTODIANS AS AN INSTRUMENT OF RULE

This attention to the world of rulers stands at some remove from most recent political science. The prevailing use of the terms legitimation and legitimacy is to indicate the conferring of authority on

government by citizens, or the acceptance by citizens of the right of government to rule because the appropriate criteria of efficiency, or fairness, or probity, or representativeness have been met. The activity described is of government as the recipient or beneficiary of acts or beliefs of subjects, rather than an active and initiating agent. And in so far as government does act, its actions are seen not as part of the business of legitimation, but as the evidence upon which the court of public opinion will make its judgement about the acceptability of the regime. Legitimation is the school report which the electorate issues on the governmental term rather than one of the distinguishing features of government itself.² When legitimation is seen to be a problem, it is a problem because government has failed to fulfil the expectations of citizens, whether in the case of conventional states,³ or in the case of international institutions of governance such as the European Union.⁴

There is both a theoretical and a methodological or practical reason for the direction of attention away from the self-legitimation of government. Political science, for much of the twentieth century, and since the reaction against the elitism of the late nineteenth and early twentieth centuries, has been a democratic discipline. Normatively government has been justified by its representation of the views, and protection and promotion of the interests, of citizens. To give an account of normative activity within government which seemed to owe little directly to public consent could seem to confer approval on elites and to free them from the qualifying test of public approval or consent.⁵ For the purposes of research, it has been far easier to study the actions and opinions of citizens

² T. R. Gurr, *Why Men Rebel* (Princeton, Princeton University Press, 1970), p. 186; Rodney Barker, *Political Legitimacy and the State* (Oxford, Clarendon, 1990), pp. 66–83, 107–28; and chapter 6 below.

³ “‘legitimacy’ is just a suspension of withdrawal of consent’ and it ‘will no longer be granted if it does not find real corollaries in material interests’, Adam Przeworski, *Capitalism and Social Democracy* (Cambridge, Cambridge University Press, 1985), p. 146.

⁴ See, for instance, Simon Hix, ‘The Study of the European Union II: the “new governance” agenda and its rival’, *Journal of European Public Policy* 5, 1 (1998), 38–65.

⁵ This objection is raised specifically in the case of the analysis of the state by Geoffrey Marshall who argues that the concept of a coherent state has consequences for the potential of such an institution to flourish, and the ability of republicans to resist it: ‘for Republicans the struggle to subject the executive to law begins with a conceptual struggle to separate and clarify what the term “State” confuses’, Geoffrey Marshall, *Constitutional Theory* (Oxford, Oxford University Press, 1971), p. 34.

than the internal behaviour of government. The closer the centre of power is approached, the more practice, convention, etiquette, ideology and law narrow and impede the view. When government has been seen therefore as itself engaged in legitimation, this activity has been perceived predominantly or exclusively, as it was by Marx, as part of the ruling strategy of manipulating the people.⁶ The 'rites of rulers',⁷ as analysed by Robert Goodin, are the circuses which government adds to the bread of welfare in order to cultivate popular support. Goodin's examination of these rites or rituals significantly slips from referring to them as rituals of rulers to calling them political rituals, rituals which serve, in other words, a persuasive function in the world of citizens and subjects. But the rituals of rulers are also governmental rituals and may, like the more esoteric religious rituals, be carried out away from the public gaze. Goodin's discussion of the medieval European priesthood draws attention to the way in which the withdrawal of the priest beyond the rood screen to celebrate mass was a ritual expression of the subordinate position of the peasantry, who were visibly excluded from the ceremony.⁸ But were that all that was happening, and were this simply or solely a means of expressing and reinforcing the subordination of the laity, once the priest was removed from the sight of the congregation he would need to do no more, but wait for a time before reappearing. In fact, of course he did a very great deal more, and the witness to the ceremony, if others were there at all, was provided by other members of the priesthood and immediate servants of the altar. The 'secret' ceremony was only secret if one assumes that it was solely for public consumption. As Peter Berger long ago pointed out, for legitimation to work, it has to be more than a device to fool the masses. The practitioners have to believe just as much as everyone else does; the 'children must be convinced, but so must be their teachers'.⁹

⁶ Barker, *Political Legitimacy and the State*, pp. 85–6.

⁷ Robert E. Goodin, 'Rites of Rulers' in Goodin, *Manipulatory Politics* (New Haven and London, Yale University Press, 1980).

⁸ *Ibid.*, p. 179.

⁹ Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (Garden City, NY, Doubleday, 1967), p. 31. This is the opposite of the view taken by Jeremy Rayner, who argues that in order to succeed, the leaders of belief have to encourage views which they do not themselves hold: Jeremy Rayner, 'Philosophy into Dogma: The Revival of Cultural Conservatism', *British Journal of Political Science* 16, 4 (October 1986), 455–74.

LEGITIMATION OF RULERS, BY RULERS, FOR RULERS

What has frequently been ignored is that, as Weber pointed out, legitimacy functions as self-justification for the administrative personnel of government. It may well be, though he did not argue this, that this is the most important function and location of legitimation.¹⁰ No party, faction, class or group, Weber suggested, is ever content to control simply the coercive and administrative means of government. There is in fact some ambiguity in Weber's own account here. One part of his argument certainly suggests that legitimation is carried on because 'custom, personal advantage, purely affectual or ideal motives of solidarity, do not form a sufficiently reliable basis for a given domination'.¹¹ This utilitarian function exists because 'the basis of every authority, and correspondingly of every kind of willingness to obey, is a *belief*, a belief by virtue of which persons exercising authority are lent prestige'.¹² But two aspects of the argument are often neglected. First, that Weber is here describing the relations between 'the chief and his administrative staff',¹³ not those between rulers and ruled. Second, that he elsewhere suggests that the activity of legitimation, whatever its function in sustaining the solidarity of immediate subordinates, also functions to sustain the ruler himself: 'he who is more favoured feels the never ceasing need to look upon his position as in some way "legitimate"'.¹⁴ Some commentators have elided these various points, so that even the passage quoted above is presented as an account of a purely instrumental function whereby rulers

¹⁰ Beetham and Lord suggest that 'Analysts of political legitimacy from Max Weber onwards have argued about whether the recognition or acknowledgement of a regime's legitimacy is only important to the behaviour of its elites or administrative staff, rather than of subjects more widely', David Beetham and Christopher Lord, *Legitimacy and the European Union* (London, Longman, 1998), p. 10. But they do not develop the point, nor do they sustain it with citation or discussion of work which has paid attention to legitimation within elites. Beetham's and Lord's use of the words 'recognition or acknowledgement' is interesting. The main focus of their argument, as of Beetham's own earlier argument, is that legitimacy is an objective status earned by regimes, and earned principally though not exclusively through their fulfilment of democratic criteria of representativeness and procedure. To speak of 'recognition or acknowledgement' is not inconsistent with this, but it does focus on the regime, rather than on the procedures, context, or history which in Beetham's and Lord's terms, justifies it.

¹¹ Max Weber, *Economy and Society*, Guenther Roth and Claus Wittich (eds.), 2 vols. (London, University of California Press, 1978), vol. 1, p. 213.

¹² *Ibid.*, p. 263. ¹³ *Ibid.*, p. 213. ¹⁴ *Ibid.*, p. 953.

sustain the obedience of the mass of their subjects. Joseph Berger and Morris Zelditch write that

The supposedly most powerful actor in society is, in fact, dependent on the subordinates who actually control the facilities of force. Their loyalty might be bought with side payments, and the larger population bought with promises of benefits, but inducements are also unstable in the long run. The value of inducements depends on the preferences of the subordinates, which vary over actors and across time. Hence, every system of domination attempts to cultivate a belief in its legitimacy.

Weber's point is glossed by the incorporation of his words into Berger's and Zelditch's own text, but with the addition of the word 'hence'.¹⁵ But the seemingly ubiquitous priority given to this activity, the activity of legitimization, deserves attention. Equal attention, and by way of compensation for relative neglect even greater attention, needs to be given to one other vital feature of Weber's original comments. Weber wrote of 'the claims of obedience made by the master against the "officials" and of both against the ruled'.¹⁶ Legitimation is an activity, in other words, carried on within government. And not only is legitimization carried out by government, it is frequently carried out for government, and for the private satisfaction of government rather than for its public acclaim. There is an observable and universal need to justify the possession of government by claiming legitimacy. 'The fortunate is seldom satisfied with the fact of being fortunate. Beyond this, he needs to know that he has a *right* to his good fortune . . . Good fortune thus wants to be "legitimate" fortune.'¹⁷ 'Simple observation shows that in every such situation he who is more favored feels the never ceasing need to look upon his position as in some way "legitimate", upon his advantage as "deserved", and the other's disadvantage as being brought about by the latter's "fault".'¹⁸ Drawing on Weber amongst others, Dolf Sternberg appeared to have no doubts on the matter. 'Legitimacy is the foundation of such governmental power as is

¹⁵ Joseph Berger and Morris Zelditch, *Status, Power and Legitimacy* (London, Transaction Books, 1996), p. 267.

¹⁶ Weber, *Economy and Society*, p. 953.

¹⁷ Weber in H. H. Gerth and C. W. Mills (eds.), *From Max Weber: Essays in Sociology* (London, 1948), p. 271.

¹⁸ Weber, *Economy and Society*, p. 953.

exercised both with a consciousness on the government's part that it has a right to govern and with some recognition by the governed of that right.¹⁹ The word 'some' is of greater significance than the ranking of the parties. Applying this observation to the rulers of imperial Rome, Paul Veyne comments that this 'tendency of the sovereign's to express his majesty is no more rational than his need to justify himself: the means are not proportionate to the ends. Justification and expression lend themselves secondarily to ideological use or to "machievellian" rationalisations, but they are not primarily weapons' . . . 'the king wants to satisfy himself and has little notion of the effects his ostentation produces on the spectator'.²⁰ As David Kertzer comments, 'In order to invest a person with authority over others, there must be an effective means for changing the way other people view that person, as well as for changing the person's conception of his right to impose his will on others.'²¹ His own conception of himself appears to be an essential element in the business. Veyne's comparison of non-rational legitimation with "'machievellian" rationalisations' is illuminatingly inappropriate. Machiavelli's own account of the aims of rulers places just such apparently non-rational or non-utilitarian goals to the fore. Rulers seek not wealth or material comfort, but prestige, greatness, and honour.²² Some of the actions of rulers can be explained in terms of the desire for tangible goods. But that does not give a sufficient explanation. And whilst it may provide important clues to marginal changes – which may be of great significance in their consequences – it cannot explain the choice of rule, as against the choice of banking or ballet. The analysis of power must share dissatisfactions with mere or narrow utilitarianism which are analogous to those felt by John Stuart Mill.

The need for self-justification amongst rulers seems universal. When Henry III spent the equivalent of two entire years' royal income on creating Westminster Abbey as a declaration of both the

¹⁹ Dolf Sternberg, 'Legitimacy' in *The International Encyclopaedia of the Social Sciences*, vol. ix, pp. 244–8 (New York, 1968), p. 244.

²⁰ Paul Veyne, *Bread and Circuses: Historical Sociology and Political Pluralism*, trans. Brian Pearce (London, Penguin, 1992), p. 380.

²¹ David L. Kertzer, *Ritual, Politics, and Power* (New Haven and London, Yale University Press, 1988), p. 24.

²² Niccolò Machiavelli, *The Prince* ([1532] Cambridge, Cambridge University Press, 1988).

sanctity of Edward the Confessor and the legitimation by association of his own kingship,²³ the likely audience was a tiny fragment of the population. As Paul Binski comments on the architectural and iconographic demonstration of royal legitimation which the abbey constituted, the manifestation was ‘not to some notional “public”, but rather to the community which produced it in the first place’.²⁴ And the most important receiver of the sacramental royal message was perhaps the king himself. Even when such religious construction or ritual was publicly displayed, as when Henry V spent almost as much on the reburial of Richard II as he had spent on the funeral of his own father who had usurped Richard,²⁵ the public was limited, and the most privileged observer was Henry himself. As Paul Strohm comments, ‘Well might a Lancastrian, besieged by apparitions and rumors, hope to close the troubled space of their origin by returning Richard to his proper grave. Henry V’s decision to effect this return is here treated not as an isolated act of piety but as a positive political stratagem – a form of symbolic struggle which addressed (though it could not settle) continuing problems of Lancastrian legitimation.’²⁶ But problems for whom? Such endogenous, regnal self-legitimation is not an activity peculiar to either monarchy or the European middle ages. At the end of the twentieth century, the Iraqi President Saddam Hussein possessed many presidential palaces. But the only occasion on which they were entered by the people of Iraq was during 1998 when those ordinary subjects were brought in to deter American and British air raids. Presidential palaces are to impress presidents, not subjects. Nor is the seclusion of palaces and their reservation for the ruler and his immediate entourage a feature peculiar to despotic or undemocratic regimes. The degree of seclusion will differ markedly, but even the rulers of the most politically egalitarian regimes will have their distinctiveness marked by the buildings which they use. Harold Lasswell and Merritt Fox contrast autocratic separation, the Forbidden City or the Kremlin

²³ Paul Binski, *Westminster Abbey and the Plantagenets* (New Haven, Yale University Press, 1995), p. 1.

²⁴ *Ibid.*, p. 9.

²⁵ Paul Strohm, *England’s Empty Throne: Usurpation and the Language of Legitimation, 1399–1422* (London, Yale University Press, 1998), pp. 115–16.

²⁶ *Ibid.*, p. 103.

under both tzars and communism, with popular government in the United States:

The sharpest contrast to despotism and autocracy is a well-established popular government. The official meets the citizen on a common level and the chief of state lives with an insignificant physical barrier separating him from his fellows. The White House in Washington expresses the basic relationship that connects the transitory holder of the presidential office and the rank and file of the nation. The White House is neither remote nor exalted; it has the approachability of a private home.²⁷

But the White House is clearly far more 'exalted' than the average American home, and significantly less approachable. The citizens of the United States may visit and be impressed by the White House once or even several times in a lifetime,²⁸ but the president can be impressed by it, and what it says about the incumbent of the presidential office, every day. According to Edelman, 'That a man meets with his aides in the Oval Office of the White House reminds him and them and the public to whom the meeting is reported of his status and authority as President, just as it exalts the status of the aides and defines the mass public as nonparticipants who never enter the Office.'²⁹

There is a substantial literature in political psychology on the internal or personal satisfactions of power, which I have not touched upon, and whose concerns, though relevant to the wider discussion of power and legitimation, lie on the borders of what I deal with here.³⁰ Harold Lasswell saw leadership as arising from the need to work out private problems in public places, Erik Erikson considered leadership as a conjunction of personal history and social situation.³¹ But it is possible to speculate about the nature of any

²⁷ Harold D. Lasswell and Merritt B. Fox, *The Signature of Power: Buildings, Communication, and Policy* (New Brunswick, NJ, Transaction Books, 1979), p. 16.

²⁸ They can now visit a virtual White House whenever they wish, and tour its public spaces. www.whitehouse.gov/. Circuses have been replaced by vdus.

²⁹ Murray Edelman, 'Space and the Social Order', *Journal of Architectural Education* 32, 3 (November 1978), 2-7, p. 2.

³⁰ See, for instance, Robert E. Lane, 'Experiencing Money and Experiencing Power', in Ian Shapiro and Grant Reeher (eds.), *Power, Inequality, and Democratic Politics: Essays in Honour of Robert A. Dahl* (Boulder and London, Westview Press, 1988); David C. McClelland, *Power: the Inner Experience* (New York, Irvington Publishers, 1975).

³¹ Dankwart A. Rustow (ed.), *Philosophers and Kings: Studies in Leadership* (New York, George Braziller, 1970).

'need' for self-legitimizing identity cultivation without crossing into psychology. Rulers can be depicted as seeking ethical or perceptual coherence, a fit between their account of themselves, and their other actions. This search for coherence, whilst it might be investigated in terms of its psychological dimension, can be described also as a feature of the actions of rulers. Inis Claude remarks illuminatingly that 'power holders are burdened, like other human beings, by the necessity of satisfying their own consciences. By and large, they cannot comfortably regard themselves as usurpers or tyrants but require some basis for convincing themselves of the rightness of their position.'³² It can be suggested that such legitimation serves to consolidate ruling groups,³³ providing the self-justification that enables elites to function, not with the consent of their subjects, but with the consent of their own conception of themselves and their social and governmental identities.

The effort devoted to legitimation within the community of governors is a feature of the effort to cultivate an appropriate identity. Because the identity of rulers is of greatest importance to rulers themselves, the cultivation of governing identity, the legitimation of rule, becomes more important the further up the governmental tree one climbs. Legitimation is the legitimation of an activity by describing, cultivating, and identifying it and its actor in a particular way: the more that people engage in the activity, the more legitimation they are likely to engage in. This account of legitimation and its location is consonant with Weber's conception of elective affinity: the legitimating ideas and concepts are adopted, refined, and cultivated with a vigour relative to the extent to which the person or group is engaged in the activity of governing, and has therefore the interests which go with that occupation. But one can also observe that the more demanding the activity, the more

³² Inis L. Claude, Jr, 'Collective Legitimization as a Political Function of the United Nations', *International Organization* 20 (1966), 367–79, p. 368.

³³ *Ibid.*: 'How was system integration sustained in imperial societies? Three sets of factors seem most important: the use of coercive sanctions, based on military power; the legitimation of authority *within ruling elites*, making possible the establishment of an administrative apparatus of government; and the formation of economic ties of interdependence'; Anthony Giddens, *A Contemporary Critique of Historical Materialism* (London, Macmillan, 1981), p. 103: 'This is not to say that the legitimation of power was unimportant in the system integration of imperial societies; but its significance is to be found primarily in terms of how far it helped to consolidate the ruling apparatus itself.'

necessary the legitimation. And governing is a far more time-consuming (though not necessarily more onerous) activity than being governed. Amongst the various forms of political legitimation, the legitimation carried out by rulers is the most important – and it is accorded by them to themselves.

This endogenous regnal self-legitimation of rulers in their own eyes and for their own consumption is a major feature of government, and a minor feature of politics. It is, in an amendment of the Gettysburg phrases, legitimation of government, by government, and for government. To ignore this is to ignore a major feature of all government. The proper and desirable wish of political scientists to establish normative criteria for assessing government, to do so in conjunction with the procedures of democracy, and hence to present legitimation as a public communication between rulers and ruled has been accompanied by a neglect of another world of legitimation. This diversion of attention is sustained, or not challenged, by the behaviour of government itself. The way in which government sets about legitimating itself contributes to this lacuna in political science, since legitimation, however much it may have a public face, is in the first place carried on relatively privately. It is in the first place for the benefit of rulers, not of subjects, and is pursued in the sight of rulers, not in the sight of the ruled. It can be argued that legitimation is necessary to subjects not to cause them to obey, but to enable them to obey. But it may be equally necessary to enable rulers to issue commands by confirming them in their belief that they have the authority to do so, that they act in a way which confirms and cultivates their particular legitimating identity as rulers.

LEGITIMATION OF RULERS IN THEIR OWN EYES

For the legitimation which is carried out, initiated, and directed by rulers, the rulers themselves are the principal audience. Even when recognition is cultivated in others, it is most actively sought from the rulers' own immediate associates, institution, or community. The principal focus of the activity of legitimation is the rulers themselves. It is for their own self-definition, rather than for their justification in the eyes of their subjects, that legitimation is principally

conducted. A royal marriage may be, as Bagehot put it, the brilliant edition of a universal fact,³⁴ but rulers may seek a confirmation of this distinctiveness out of the public gaze as well as in it. It is not only Pharisees who thank God that they are not as other men.³⁵ Peter Burke, in his account of the legitimation of Louis XIV, comments that one of the audiences was posterity.³⁶ It could be argued in development of this point that a concern for posterity is a concern for one's own survival, an attempt to reassure oneself that mortality can be transcended. Certainly, impressing posterity does not contribute to the grip on power of the living. As Burke elsewhere observes, the effects of legitimation need to be considered, 'not least on the king himself'³⁷ who, after all, amidst the wealth of iconography, 'saw himself everywhere, even on the ceiling'.³⁸ The function of ceremony in confirming the sense of the principal actor of his or her authority can be detected as readily in twentieth-century France as under the monarchy of the seventeenth and eighteenth centuries. François Mitterand consulted experts on the rituals and symbols of the revolution of 1789 when planning his own presidential inauguration in 1981.³⁹ However many or few might appreciate the significance of the resulting ceremonial detail, the new president would do so. The difference was in this respect not great between a president, and a king for whom the 'panegyrics in prose and verse were addressed in the first place to an audience of one, the king himself'.⁴⁰ Paul Veyne comments of the justificatory displays of imperial Rome that the ruler 'is ready to proclaim his own glory even if nobody is listening'.⁴¹ Sometimes even the presidents and princes may have difficulty gaining effective sight or experience of the artefacts of legitimation. But they know they are there, whereas

³⁴ Quoted in David Cannadine, 'Introduction: Divine Rites of Kings' in David Cannadine and Simon Price (eds.), *Rituals of Royalty: Power and Ceremonial in Traditional Societies* (Cambridge, Cambridge University Press, 1987), p. 16.

³⁵ Luke 18, 11.

³⁶ Peter Burke, *The Fabrication of Louis XIV* (New Haven, Yale University Press, 1992), p. 153.

³⁷ *Ibid.*, p. 7.

³⁸ *Ibid.*, p. 17.

³⁹ Sean Wilentz, 'Introduction: Teufelsdröckh's Dilemma: On Symbolism, Politics, and History' in Sean Wilentz (ed.), *Rites of Power: Symbolism, Ritual and Politics Since the Middle Ages* (Philadelphia, University of Pennsylvania Press, 1985), p. 5.

⁴⁰ Burke, *The Fabrication of Louis XIV*, p. 152.

⁴¹ Veyne, *Bread and Circuses*, p. 380.

for the population as a whole they may be, by their location or their very character, inaccessible. Veyne writes of the effectively invisible frieze celebrating, on Trajan's column, the emperor's military triumphs in Dacia, 'Archaeologists examine this frieze with binoculars. We may doubt whether Trajan's subjects paid much more attention to it.'⁴²

One of the ways in which rulers legitimate themselves is by the construction or development of physical environments which express and confirm their governing identity. Leaders surround themselves with objects which 'acknowledge' their importance. Louis XIV was frequently portrayed in the midst of 'a whole cluster of dignified or dignity-bestowing properties such as orbs, sceptres, swords, thunderbolts, chariots and various kinds of military trophy'.⁴³ The juxtaposition of people with objects 'proclaims' authority. It might seem that such activity is invalid unless carried out in the public gaze, and that privacy negates the exercise. The reverse is the case. It follows from the logic of such legitimation that other people should not be in juxtaposition with the legitimating objects, or at least not at the same time as the leader. It is the objects which announce authority, and if the leaders shared that juxtaposition with others, the announcement would either be shared with them, or be evaporated and meaningless. The very bath water of the West African kings of Akuapem is specially disposed of, to prevent mere ordinary humans using it and hence acquiring something of the distinctiveness of royalty.⁴⁴ Only if the leaders can be seen in exclusive proximity to the authority acknowledging objects can the magic still work. So when kings of Akuapem were enthroned, or enstooled, the ritual took place beyond the public view. The articulation and enactment of their special character was conducted in private.⁴⁵ English kings and queens, though crowned before witnesses, were similarly anointed in the view of God alone.

What is the peculiar contribution of objects and the manufactured world to legitimation? Cannot people, subjects, acknowledge

⁴² Ibid., p. 381.

⁴³ Burke, *The Fabrication of Louis XIV*, p. 33.

⁴⁴ Michelle Gilbert, 'The Person of the King: Ritual and Power in a Ghanaian State' in Cannadine and Price (eds.), *Rituals of Royalty*, p. 328.

⁴⁵ Ibid.

authority? They can, but they are neither so malleable nor so reliable as objects, nor so permanently on call. The Wilton Diptych, the devotional painting which formed part of the portable possessions of Richard II, ‘served to focus Richard’s own meditation, to re-enact his devotion, whether he was present or not, to proclaim to himself the certainty of his prospective welcome in Heaven, and finally, to reinforce his idea of earthly kingship under heavenly protection’.⁴⁶ The diptych was for private, not public display, but was an assertion for the king of his authority and his unique status in relation to God and man. Paul Binski comments on Richard’s devotion to the royal shrine which Westminster Abbey had become, that it reflected ‘the peculiar anxieties of an insecure, fastidious and hypersensitive young king’.⁴⁷ The assuaging of royal anxieties was for the king alone. It was his doubts that were calmed, his sense of authority that was confirmed. His consciousness, not that of his subjects, was the focus. The rituals of power, from Versailles to Nuremberg, from Delhi to Washington, however much they may impress the subjects and citizens of their regimes, impress the rulers at least as much. A triumphal entry into Rome may have been accompanied by a whispered reminder, ‘Remember you are mortal’,⁴⁸ but the triumphal quotidian life of rulers is accompanied by the far louder statement, ‘Remember you are not like others.’⁴⁹

The secret garden of government

The public, though they may be an audience, have never been the principal audience in the theatre of endogenous legitimation, of the ‘courtly rituals which are unknown to or unobserved by the majority of the population’⁵⁰ and which coexist with public displays. The

⁴⁶ Lucy Freeman Sandler, ‘The Wilton Diptych and Images of Devotion in Illuminated Manuscripts’ in Gillian Gordon, Lisa Monnas, and Caroline Elam (eds.), *The Royal Image of Richard II and the Wilton Diptych* (London, Harvey Miller Publishers, 1998), p. 154.

⁴⁷ Binski, *Westminster Abbey and the Plantagenets*, p. 200.

⁴⁸ Ernst H. Kantorowicz, *The King’s Two Bodies* (Princeton, Princeton University Press, 1957), p. 496.

⁴⁹ *Ibid.*, Kantorowicz quotes Francis Bacon on this point, to the effect that the two precepts ‘*Memento quod es homo*’ and ‘*Memento quod es deus, or vice Dei*’ between them check the power and the will of kings, p. 496. But the checks imposed by the first are balanced by the power which comes from the authorising identification of oneself as unique.

⁵⁰ Cannadine, ‘Introduction: Divine Rites of Kings’, p. 13.

'theatre state' of Bali described by Clifford Geertz, with its massive emphasis on spectacle and ceremony, where 'Power served pomp, not pomp power',⁵¹ was not an exotic oddity, but simply an extravagant point on a single continuum.⁵² Sydney Anglo comments on the arrival of Henry VII in London after the Battle of Bosworth, that it was 'for the great majority of ordinary folk who made up the cheering roadside throng on the way to the capital, probably the last time that they ever saw their monarch in the flesh'.⁵³ Hence 'One of the greatest obstacles barring the way to a sensible appreciation of the ways in which Renaissance rulers were perceived by their contemporaries is that we know a great deal more about these kings and queens than did even the best informed of their subjects. It is true that we cannot hear their voices, interview them or see them in the flesh: but in these respects we are no worse off than all but their tiny circle of intimates.'⁵⁴ This was not an accidental or random effect. Government is a secret garden, and its ceremonies, rituals, and life both exceptional and mundane serve to mark off even its most egalitarian practitioners from those whom they rule. The message is an externally directed one but, even more importantly, an internally directed one, confirming the legitimating identity of the ruling group. Terence Ranger and Olufemi Vaughan comment that the 'need for rulers to be confident in their own legitimacy and to define their relations with other members of the ruling group underlies those "secret" rituals of kingship of which the general population of African states often seem to be ignorant'.⁵⁵ The

⁵¹ Clifford Geertz, *Negara: The Theatre State in Nineteenth Century Bali* (Princeton, Princeton University Press, 1980), p. 13. Though Gordon Kipling has drawn on Geertz's conceptions to draw conclusions with a different emphasis for medieval Europe: 'The pageants may, indeed, "flatter and cajole" the prince, but their primary purpose lay in celebrating and renewing the communal political bond which united the sovereign and his people', Gordon Kipling, *Enter the King: Theatre, Liturgy and Ritual in the Medieval Civic Triumph* (Oxford, Oxford University Press, 1986), p. 47.

⁵² It is one, too, which received fictional depiction over a quarter of a century before Geertz employed it as a means of anthropological explanation. The world described by Mervyn Peak in his first two Gormenghast novels is precisely driven by the need to continue and enact ceremony. Mervyn Peake, *Titus Groan* (London, Eyre and Spottiswood, 1946); *Gormenghast* (London, Eyre and Spottiswood, 1950).

⁵³ Sydney Anglo, *Images of Tudor Kingship* (London, B.A. Seaby, 1992), p. 98.

⁵⁴ *Ibid.*, p. 1.

⁵⁵ Terence Ranger and Olufemi Vaughan, 'Introduction' in Terence Ranger and Olufemi Vaughan (eds.), *Legitimacy and the State in Twentieth-Century Africa: Essays in Honour of A. H. M. Kirk-Greene* (London, Macmillan, 1993), p. 8.

message of ritual and ceremony can be disseminated not just by formal, institutional distinctions, but by the entire culture of rule. As Benedict Anderson observes of pre-colonial Java, 'Although the ruling class of traditional Java could be defined in structural terms as the hierarchy of officials and their extended families, like any other ruling class they were also marked off – indeed marked themselves off – from the rest of the population by their style of life and self-consciously espoused system of values.'⁵⁶ The use of expert languages, for instance, whether Mandarin or managerial strategic military jargon, serves both to exclude the bulk of the population from the exchange, and to indicate to the users of the language their special status, their particular identity and justification. The elaborate ritual codes of the T'ang dynasty in China were the key to ceremonial events which, though they might on occasion have public spectators, were in the first place the preserve of a ruling elite.⁵⁷ In a society as apparently open and public as nineteenth-century Britain, its royal rituals could still have an essentially private character: 'great royal ceremonials were not so much shared, corporate events as remote, inaccessible group rites, performed for the benefit of the few rather than the edification of the many'.⁵⁸ Even when the legitimating message is ostensibly public, the manner of its transmission, and the limited nature of the public, can make it an almost private communication. The audience of 'privy councillors, court hangers-on, continental observers, university scholars, and British clerics' described by Lori Ferrell for the sermons emanating from the court of James I & VI was quite select.⁵⁹ Even funerals could be occasions for such enactments, as Jennifer Woodward comments

⁵⁶ Benedict R. O'G. Anderson, 'The Idea of Power in Javanese Culture' in Claire Holt (ed.), with the assistance of Benedict R. O'G. Anderson and James Siegel, *Culture and Politics in Indonesia*, 1–69 (Ithaca, Cornell University Press, 1972), p. 38.

⁵⁷ David McMullen, 'Bureaucrats and Cosmology: The Ritual Code of T'ang China' in Cannadine and Price (eds.), *Rituals of Royalty*.

⁵⁸ David Cannadine, 'The Context, Performance and Meaning of Ritual: The British Monarchy and the "Invention of Tradition", c. 1820–1977' in Eric Hobsbawm and Terence Ranger (eds.), *The Invention of Tradition*, pp. 101–64 (Cambridge, Cambridge University Press, 1983), p. 111. Interestingly, the illustration on the cover of the paperback edition of *The Invention of Tradition* shows just such an 'inaccessible group rite', the presentation of a dead stag by Albert to Victoria and her children, by flaming torch light, at a door to Balmoral.

⁵⁹ Lori Anne Ferrell, *Government by Polemic: James I, the King's Preachers, and the Rhetorics of Conformity, 1603–1625* (Stanford, Stanford University Press, 1998), p. 11.

of the royal obsequies of Renaissance England: 'By taking part in the procession each individual acknowledged and enacted his relative status in society.'⁶⁰ Pierre Bourdieu, discussing the educational recruitment, and selection, of the twentieth-century French elite, argues that ceremonies and procedures of initiation transform 'the representation that the invested person has of himself, and the behaviour he feels obliged to adopt in order to conform to that representation'.⁶¹ But it is not only in the entry into an elite, but in the entire subsequent life of its members, that their identity is legitimated, and their identification legitimates their position.

Writing of the Soviet Union before 1989, Joseph Schull comments on the importance of ideology not as a means of communicating with or persuading the mass of the population, but as a means of legitimating governing elites in their own eyes:

The masses were simply not the audience to whom political claims were legitimated. In these societies, ideology was essentially the language of political elites who constrained *each other* to obey its conventions. When the leaders of these societies used ideology to legitimate some claim, they were speaking to their colleagues as the co-tenants of ideological orthodoxy, not to the population at large. This is not to say that Marxism-Leninism was not propagated to the masses in such societies. Of course it was, but this was not the arena in which *ideological discourse* (as opposed to propaganda) was taking place.⁶²

Schull could equally well have been writing of Louis XIV, of whose copiously produced iconography Peter Burke commented that it was 'unlikely that it was intended for the mass of Louis' subjects'.⁶³ As Norbert Elias commented on the court of Louis, and on courts in general, 'The practice of etiquette is, in other words, an exhibition of court society to itself. Each participant, above all the king, has his prestige and his relative power position confirmed by others . . . The immense value attached to the demonstration of prestige and the observance of etiquette does not

⁶⁰ Jennifer Woodward, *The Theatre of Death: The Ritual Management of Royal Funerals in Renaissance England, 1570–1625* (Woodbridge, Boydell Press, 1997), p. 24.

⁶¹ Pierre Bourdieu, *Language and Symbolic Power*, ed. John B. Thompson, trans. Gino Raymond and Matthew Adamson (Cambridge, Polity, 1991), p. 119.

⁶² Joseph Schull, 'What is Ideology? Theoretical Problems and Lessons from Soviet-Type Societies', *Political Studies* 40, 4 (December 1992), 728–41, p. 737.

⁶³ Burke, *The Fabrication of Louis XIV*, p. 151.

betray an attachment to externals, but to what was vitally important to individual identity.⁶⁴ Many of the rituals of kingship and its creation have been in this way, as David Cannadine remarks, ‘unknown to or unobserved by the majority of the population’.⁶⁵

Architecture can be a powerful expression of such political facts and political aspirations. The character of capital cities, the style of their buildings and the construction of the spaces which link them, can forcefully express the claims of government. Chandigarh, the state capital of the Indian Punjab, despite being part of a formal democracy, said more about the independent authority of rulers than about the rights or participation of citizens, with ‘pedestrian resistant’ expanses of plaza.⁶⁶ Brasilia, similarly, was constructed in a way which ‘effectively discouraged mass involvement’.⁶⁷ As Murray Edelman put it, ‘Settings not only condition political acts. They mold the very personalities of the actors.’⁶⁸ Space, and the guarding and marking of space, pronounced to those who could enter or occupy the forbidden cities of government that they were marked off from ordinary people. The very difficulty and complication of reaching the king, or the president, or the prime minister, the layers of courts and courtiers through which it was necessary to pass, proclaimed to those who were in the inner sanctum or who were given access to it, how exceptional they were.

LEADERS AND IMMEDIATE FOLLOWERS

The persons exercising governing power can be variously described: as ruler or rulers, as governing elite, as the entire personnel of the state. A frequent and useful distinction is that between the relatively small number of people who either directly or indirectly command the system of government, and the mass of the population. Weber, for instance, speaks of ‘the chief and his administrative

⁶⁴ Norbert Elias, *The Court Society*, trans. Edmund Jephcott (Oxford, Blackwell, 1983), p. 101.

⁶⁵ Cannadine, ‘Introduction: Divine Rites of Kings’, p. 13.

⁶⁶ Lawrence J. Vale, *Architecture, Power and National Identity* (New Haven: Yale University Press, 1992), p. 113.

⁶⁷ *Ibid.*, p. 127.

⁶⁸ Murray Edelman, *The Symbolic Uses of Politics* (London, University of Illinois Press, 1964), p. 108; ‘We should expect, then, that a person’s values, style of life and of political action, and expectation of others’ roles would be shaped by his social setting, symbolic and nonsymbolic’, p. 109.

staff', and contrasts them with 'subjects', and though his examples are military – 'bodyguards, Pretorians, "red" or "white" guards'⁶⁹ – the concept can apply equally to an administrative or bureaucratic elite. But a distinction can be made within a distinction, not only between the ruling group and the ruled, but within the ruling group between leader and immediate supporters and staff. In autocratic regimes where there are no settled mechanisms for changing rulers, and where such change will occur only through coup or rebellion, the boundaries between ruler and staff will blur. In representative electoral systems with distinctive bureaucracies the distinction within the governing elite will be clearer. Whilst the officials may, particularly at the most senior levels, be partisan appointments who change when governments change in response to electoral choices, there will frequently be a larger or smaller relative number of officials whose tenure is not dependent on the results of elections, who display a degree of non-partisan neutrality, and whose loyalty is to an identity – professional, constitutional, national, professional, state – distinct from that of party.

But the distinction between ruler and immediate staff is equally valid for regimes formally governed by a single ruler. No one can rule alone, and government is in all cases an activity carried out by at least one hierarchy and frequently several overlapping hierarchies of governors who, whatever their ostensible status as leaders, administrative staff, soldiers, or advisers, are all engaged in a common enterprise. Whether the regime is representative and democratic, monarchic, or a one-party autocracy, rulers need to legitimate themselves not only in their own eyes, but in the eyes of their immediate staff, whilst ruler and staff collectively need to legitimate themselves to themselves. However the differentiation is applied, four aspects of legitimation are observable. Rulers are legitimating themselves in their own eyes; at the same time they are legitimating themselves in the sight of their immediate supporters – administrators, advisers, military leaders; the governing community is legitimating itself collectively in its own eyes; and the governing community is legitimating itself in the eyes of ordinary subjects. 'When legitimation comes from the top', Guiseppi di Palma argues, 'the decisive operative relationship is not that between rulers and people, but

⁶⁹ Weber, *Economy and Society*, p. 214.

that between rulers and Weber's administrative staff – in communist parlance, the *cadres*'.⁷⁰ The point is similar to one made by T. H. Rigby, also talking about communist European systems of government before 1989, when he writes that 'even in cases where the system of rule is so assured of dominance that its claim to legitimacy plays little or no part in the relationship between rulers and subjects, the mode of legitimation retains its significance as the basis for the relation of authority between rulers and administrative staff and for the structure of rule'.⁷¹ The observation can be applied equally to the case of China under Mao Xedong, of which Frederick Teiwes comments that 'the acceptance of the leader's legitimacy by his high-ranking colleagues is *the* crucial factor for survival in Leninist systems'.⁷² In regimes with 'princes' of one kind or another, the loyalty of courtiers is essential, and systematically cultivated, in a way that that of ordinary subjects may not be.⁷³ Nor are princes confined to monarchies. The method of addressing Mao Xedong bore strong similarities to the method of addressing emperors, as the prostrate prose of the defence minister addressing his leader in 1959 illustrates: 'I am a simple man . . . and indeed I am crude and have not tact at all. For this reason, whether this letter is of reference value or not is for you to decide. If what I say is wrong, please correct me.'⁷⁴

But whilst relations within the sphere of government may be of primary importance, distinctions within the sphere of government are conversely of far less significance than distinctions between the community of governors and the rest of the population. If rulers and those immediate followers and administrators who participate in their rule employ human mirrors for their self-creation, they provide those mirrors for each other as much as they seek them amongst the mass of citizens, voters, or subjects. The

⁷⁰ Guiseppe Di Palma, 'Legitimation From the Top to Civil Society: Politico-Cultural Change in Eastern Europe', *World Politics* 44, 1 (October 1991), 49–80, p. 57.

⁷¹ T. H. Rigby, 'Introduction: Political Legitimacy, Weber and Communist Mono-organisational Systems' in T. H. Rigby and Ferenc Féher (eds.), *Political Legitimacy in Communist States* (New York, St. Martin's Press, 1982), p. 15.

⁷² Frederick C. Teiwes, *Leadership, Legitimacy, and Conflict in China: From a Charismatic Mao to the Politics of Succession* (London, Macmillan, 1984), p. 45. Italics in the original.

⁷³ At the court of Louis XIV, 'for the courtiers, especially the higher nobility' attendance at court was 'virtually compulsory', Burke, *The Fabrication of Louis XIV*, p. 153.

⁷⁴ Teiwes, *Leadership, Legitimacy, and Conflict in China*, p. 66.

origins of the fusion of royal and saintly identities in a Westminster Abbey which celebrated both Edward the Confessor and the Plantagenets lay 'somewhere within the specific institutional circles which had nurtured the saint's reputation in the first place, namely the Benedictines of Westminster and, perhaps, the immediate circle of the king. There never was, and never would be, a popular cult.'⁷⁵

But just as autocratic rulers can be at least as dependent in their legitimation on their administrative staff as representative ones, so representative rulers, who because of their election might seem to have less need to justify themselves, legitimate themselves within the secret garden of government as energetically as do princes and despots. There may be less difference than at first appears between monarchical and other absolute institutions of governments, and democratic, liberal, representative and constitutional ones. It might appear that the leadership of the latter is collective, that of the former single or individual. But the solitary ruler is Alexander Selkirk or King Lear, not a reigning monarch. There is a necessary extension of even absolute rule beyond the immediate person of the king, president, or general, just as, by contrast, there is a contraction of democracy into the inner circle of the representative ruler. But, in each case, legitimation is both collective and social, and individually experienced.

LEADERS AND LED IN NATIONALISM

One instance which might seem seriously to qualify the claim that rulers justify themselves to themselves as much if not more so than they do to or in the sight of those whom they rule, is provided by nationalist regimes. The leadership it might be argued justifies itself continuously to its following, and its principal claim is that it represents that following. Legitimation is almost entirely exogenous rather than endogenous, there is little if any self-referential justification, and there is an overwhelming emphasis on the link between the people and their leaders. It is a claim which has been subject to severely sceptical review by, in different ways, Russell

⁷⁵ Binski, *Westminster Abbey and the Plantagenets*, p. 3.

Hardin who speaks of parasitic leaders, and Aijiz Ahmad, who argues that national and ethnic identity is a myth exploited by a few politicians and opportunists.⁷⁶ There are good initial reasons to be sceptical of the national or ethnic claim of leaders to speak for a community of equals. As a form of legitimation, nationalism familiarly presents the leader, party, soldier, or revolutionary as the representative of the nation, the culture of the community or patria politically expressed. Nationalism seeks exceptional representatives of its mundane virtues, and has a long history of fondness for heroes. Eric Hobsbawm comments on Miroslav Hroch's three-stage model of nationalism, where it is only in the third stage that the nationalist elite turns to and enlists the masses, that the 'official ideologies of states and movements are not guides to what is in the minds of even the most loyal citizens or supporters'.⁷⁷ But one might reply that that indicates not so much the importance of the neglected people, as their relative unimportance.

There are two dimensions of elitism involved in nationalism. First, it is the elite which most fully represents the nation, which expresses its distinctive character more fully than do ordinary people. At a time of national danger or crisis, the nation's interests are frequently invested in one outstanding individual, to whose judgements ordinary people must defer. When W. J. M. Mackenzie commented of the subtitle of a book by Lucien Pye, *Burma's Search for Identity*, that "'Burma" is in no position to search for an identity unless it already has one',⁷⁸ the point was not, at least potentially, simply negative. 'Burma' may not have been searching for an identity, but somebody must have been. Princes and potentates, or publicists and politicians, stand in for fictional communities on such occasions.

Second, not only do an elite or a leader normally possess the magic symbols of nationalism, but the national message is directed with especial force and articulacy to a minority. The greater the numbers involved in its reception, the less frequently is the message

⁷⁶ Aijaz Ahmad, *In Theory: Classes, Nations, Literatures* (London, Verso, 1992), pp. 287–318; Russell Hardin, *One for All: The Logic of Group Conflict* (Princeton, NJ, Princeton University Press, 1995).

⁷⁷ Eric Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality* (Cambridge, 1990), p. 11.

⁷⁸ W. J. M. Mackenzie, *Political Identity* (Harmondsworth: Penguin, 1978), p. 30.

transmitted and the less its articulacy and complexity. This means that many of the standard accounts miss the point: nationalism is not only expressive of the values of an elite, it expresses those values principally *to* an elite.

Is not this, however, simply an occasional feature of some nationalisms, rather than a regular characteristic of all? Do not twentieth-century totalitarian regimes represent a different use of nationalism, aimed principally at the masses? Is this not one of the ways in which they differ from simple despotisms? Totalitarian regimes have certainly directed a lot more propaganda at the masses than have other kinds of regime. But the employment of nationalist legitimation for and within the elite is also, correspondingly, increased. It is not, in other words, the relative distribution of nationalist messages of legitimacy which is changed in such regimes, but the overall volume or amount of those messages. The nationalist propaganda of Nazi Germany was considerable, and in some cases apparently specifically designed for mass consumption. Leni Reifenstahl's *Triumph of the Will* was not so much a film of a party rally, as a film for which the rally was specifically stage managed. The organisation of the rally was a part of the creation of the film, and the ritual for the party elite was subordinated to the creation of images for mass consumption. But the closer one went to the heart of the Nazi regime, the greater the amount of time and effort that was spent on legitimation. Members of the SS spent far more time on Nordic flummery than ever did the ordinary subject of Nazi Germany.⁷⁹ Totalitarian regimes were in this respect typical of a far wider spectrum of regimes. In even the most liberal and democratic regimes, presidents spend a greater proportion of their time at formal, and closed, occasions of one kind and another – banquets, receptions, ceremonies, ritual *tête-à-têtes* with visiting dignitaries – than ever they do on walkabouts in the street or the supermarket. Totalitarian or populist nationalism is in this respect not so different from democratic or constitutional versions. As the central symbol of English or British nationalism, the larger part of the rituals and ceremonials in which the queen participates are relatively or completely private. But since the queen is not a major political player,

⁷⁹ Kertzer, *Ritual, Politics, and Power*, pp. 163–7.

these activities are significant as legitimation, not for her, but for others on whom she confers, or mirrors, the dignity of office.

FORMS OF LEGITIMATION AND FORMS OF GOVERNMENT

One corrective to an impression of similarity in a ubiquitous self-legitimation by rulers is provided by Weber's suggestion about the relation between the manner in which rulers legitimate themselves and the manner of their rule. This frequently overlooked relationship is presented as organic rather than mechanical or evidently causal. It is of particular relevance at a time when worries are being expressed amongst political scientists about the legitimation of the European Union, and the governance of the European Union is considered by many to show serious flaws. Most such discussion has been of the ways in which those subject to the government of the European Union might be normatively persuaded to comply. The problem described has been how to legitimate subjecthood. What has not been considered is the importance of legitimation not for obedience or loyalty amongst citizens of the European Union, but in shaping, restraining, and sustaining the manner of governance. The question that is then raised is not, 'Is the European Union legitimate?' but 'What is associated with the particular ways in which it legitimates itself?' The European Union Commission in the period leading up to the mass resignation of commissioners in March 1999 was not endogenously *un*-legitimated. But it was legitimated in a way which sustained, and was sustained by, unaccountability, high self-regard which was not supported by any reference to polity, citizens, or representatives, secrecy and lack of publicity, and a largely inwardly referring referential framework. 'What is relevant is the image one has about oneself, and about the policy one is making . . . That is what public interest is. Outside influences do not weigh (very much).'⁸⁰ In other words, in terms of Weber's observed occurrence and function of legitimation, legitimation was in the

⁸⁰ 'Official 058', quoted in Liesbet Hooghe, 'Images of Europe', p. 364; cf. Helen Wallace, 'Deepening and Widening: Problems of Legitimacy for the EC', in Soledad Garcia (ed.), *European Identity and the Search for Legitimacy* (London, Pinter, 1993), p. 97: 'Reforms were made periodically to the EC and its institutions. These did add to the trappings of democratic form, but marginally so, leaving the patrician and technocratic processes predominant.'

first place internal to government, not external. It was part of how government was conducted, not part of the relations it had with those whom it governed.⁸¹ But the manner of legitimation and the character of government will be organically related.

THE FAILURE OF SELF-LEGITIMATION

Self-legitimation is necessary for rulers. The legitimation of the unique identity of governors, and the legitimation of governors by the enactment of their unique identity, is part of the continual rationalisation of rule. When this fails, government fails, it in fact ceases to be government. A range of instances of this can be found in studies of communist regimes in Eastern Europe both in and before 1989, which see the loss of confidence, the failure of self-justification of rulers, as the key element. Well before the collapse, in 1977, Joseph Rothschild argued that the importance of the self-legitimation of ruling elites had been ignored: 'Discussions of legitimacy and legitimation risk irrelevancy if they overlook this crucial dimension of a ruling elite's sense of its legitimacy and focus exclusively on the other dimension of the public's or the masses' perceptions of that elite's legitimacy.'⁸² Five years before the events of 1989, Paul Lewis was suggesting that 'it is elite disintegration and the failure of its internal mechanisms of authority that have engendered the more general collapse of legitimacy and the onset of political crises in communist Eastern Europe'.⁸³ In a discussion of East Germany in 1984, Martin McCauley wrote of 'the self-defined or self-ascriptive legitimacy based on the writings of Marx and Engels. If the umbilical cord linking the SED to Marx were cut, the party would wither away.'⁸⁴ A similar view was expressed at the same time by Jan Pakulski who argued that 'Doctrinal consensus and the sense of legitimacy play a crucial

⁸¹ I have left aside here the question of whether, or in what sense, institutions such as the European Union can be considered as governments.

⁸² J. Rothschild, 'Observations on Political Legitimacy in Contemporary Europe', *Political Science Quarterly* 92, 3 (1977), 487–501, p. 491.

⁸³ Paul G. Lewis (ed.), 'Legitimation and Political Crises: East European Developments in the Post-Stalin Period' in Paul G. Lewis (ed.), *Eastern Europe: Political Crisis and Legitimation*, pp. 1–41 (London, Croom Helm, 1984), p. 35.

⁸⁴ Martin McCauley (ed.), 'Legitimation in the German Democratic Republic' in Lewis (ed.), *Eastern Europe*, p. 63.

role in unifying elites and cementing the links between the leaders and the political-administrative apparatus.⁸⁵ With the collapse of communist regimes across Eastern Europe in 1989, Pakulski was able to apply the general point to the Polish example: ‘Ideological disintegration of the elite-apparatus and the loss of Soviet support heralded the collapse of the regime and started a massive social transformation.’⁸⁶ Such accounts presented the events of 1989 as an internal failure, rather than principally the result of external, popular pressure. Leslie Holmes summed up the argument in retrospect. ‘If the whole, or at least most of the key elements, of the elite loses faith in what it is doing and in the very system it is supposed to maintain – if there is near-universal collapse of self-legitimation – then the fourth form of legitimation crisis has occurred. In many ways, this concept provides one of the most important and persuasive explanations of the collapse of communism.’⁸⁷

Such an account of the collapse of communist regimes in Eastern Europe in 1989 departs from the democratic assumptions of much political science. There are two counter-narratives. The first, the relatively weaker response, argues that the loss of self-confidence in the ruling elite was vital, but that the elite lost confidence only because of popular protest. An interesting application of this insight can be found in the discussion, though not in the arguments, of Jan Kubik, who suggests that the development of counter-legitimisations by opposition groups in Poland before 1989 facilitated the change of policy by the communist ruling group.⁸⁸ The second and stronger response is that the elite’s loss of self-confidence was no more than a registering of a notice of dismissal that had already effectively been delivered by the people, so was of no consequence. A third, and subtle, variant is the argument that the elite’s loss of confidence can actually stimulate the development of counter-legitimisations.

⁸⁵ Jan Pakulski, ‘Ideology and Political Domination: A Critical Re-appraisal’, *International Journal of Comparative Sociology* 28, 3–4 (1987), 129–57, p. 150.

⁸⁶ Jan Pakulski, ‘Poland: Ideology, Legitimacy and Political Domination’ in Nicholas Abercrombie, Stephen Hill, and Bryan S. Turner (eds.), *Dominant Ideologies* (London, Unwin Hyman, 1990), p. 58; cf. Jan Pakulski, ‘East European Revolutions and “Legitimacy Crisis”’ in Janina Frenzel-Zagórska (ed.), *From a One-Party State to Democracy*, 67–87 (Amsterdam, Rodopi, 1993).

⁸⁷ Leslie Holmes, *Post-Communism: An Introduction* (Cambridge, Polity, 1997), p. 53.

⁸⁸ Jan Kubik, *The Power of Symbols against the Symbols of Power: The Rise of Solidarity and the Fall of State Socialism in Poland* (Pennsylvania, Pennsylvania State University Press, 1994).

Mancur Olson argues somewhat along these lines, not with respect to the mass of the population, but with respect to the middle and lower-range officials of the regime. If these arms and legs of the regime lose confidence in it, then the way is open for control to evaporate. 'Accordingly, when there is a successful insurrection against an autocratic regime, I hypothesize that it is normally due to the problems, divisions, irresolutions, or other weaknesses of the regime, not because of an increase in the animosity of the population.'⁸⁹

The implications of these arguments might seem to be discouraging for democrats, though advocates of a broadly democratic theory of legitimation such as David Beetham and Christopher Lord have given them guarded acknowledgement.⁹⁰ But the discouragement is more apparent than real. Democratic protests were clearly an element in the events of 1989, and Di Palma has offered consolation to democrats by arguing that regimes which are self-legitimizing, and which lack popular normative support, which are not democratically legitimated, are uniquely vulnerable.⁹¹ What Di Palma calls legitimation from the top is, he argues, a distinctive form of legitimation, found in regimes which cannot convincingly claim that they have emerged or been sustained as a result of democratic choice.⁹² But a different observation is that legitimation from the top is a feature of all regimes, not just of despotisms. There is then a gradient of legitimation and identification, and the confidence, and the crises of confidence, are more important the closer the heart of the activity of government is approached. If legitimacy is more important for rulers than for subjects and citizens, so is the collapse of legitimacy. The failure or weakening of legitimation becomes

⁸⁹ Mancur Olson, 'The Logic of Collective Action in Soviet-type Societies', *Journal of Soviet Nationalities* 1 (Summer 1990), 8–27, pp. 15–16.

⁹⁰ Beetham and Lord, *Legitimacy and the European Union*, p. 10: 'Analysts of political legitimacy from Max Weber onwards have argued about whether the recognition or acknowledgement of a regime's legitimacy is only important to the behaviour of its elites or administrative staff, rather than of subjects more widely. Naturally, any regime is particularly dependent on the co-operation of its own officials, and their acknowledgment of its authority is therefore especially important. Yet it is rare in the contemporary world for subjects to be so powerless that a regime can dispense with any wider claims to legitimacy.' The use of the word 'rare' is a small qualification through which a major qualification of the argument could intrude.

⁹¹ Di Palma, 'Legitimation from the Top to Civil Society', pp. 56–7.

⁹² *Ibid.*, pp. 56–7.

more important the further up the institutional tree one climbs. All regimes are characterised by legitimation from the top, and all rulers therefore suffer when top-down legitimation, endogenous self-legitimation, fails. Legitimation and the collapse of legitimation may affect the allegiance of subjects. It is crucial to the internal health and survival of ruling groups. The most serious legitimacy crisis for any group of rulers will be that which occurs, not amongst its subjects, but amongst its own ranks. Regimes can survive an absence, failure or collapse of legitimation amongst their subjects.⁹³ They cannot survive a collapse of legitimation within the personnel of government. When subjects lose faith in rulers, government becomes difficult. When rulers lose confidence in themselves, it becomes impossible.

IS LEGITIMATION A PRIVATE GAME?

If there is a form of legitimation carried on away from the public gaze, and for the satisfaction of rulers rather than of subjects, is this activity any more than a private game of government? Does it have any consequences for either the way in which government is conducted or its impact on those who are ruled by it? The question has been raised in a related context by David Cannadine, when he asks of his own jointly edited collection of studies of royal ritual, 'But to what end? To say of pomp and pageantry that there has always been a great deal of it about, and here are some more examples, albeit from unusually exotic locations, is not of itself particularly significant.'⁹⁴ There are two principal answers. The first is that any activity to which humans devote a regular and significant amount of attention is *prima facie* of importance for students of human society. Time, energy, and resources go on what, from a limited

⁹³ J. Pakulski, 'Legitimacy and Mass Compliance: Reflections on Max Weber and Soviet-Type Societies', *British Journal of Political Science*, 16, 1 (1986), 35–56; Pakulski, 'Poland'; J. Pakulski, 'Ideology and Political Domination: A Critical Re-appraisal', *International Journal of Comparative Sociology* 28, 3–4 (1987), 129–57; N. Abercrombie and B. S. Turner, 'The Dominant Ideology Thesis' in Anthony Giddens and David Held (eds.), *Classes, Power, and Conflict: Classical and Contemporary Debates* (London, 1982); Abercrombie, Hill, and Turner (eds.), *Dominant Ideologies*; J. Rothschild, 'Political Legitimacy in Contemporary Europe' in B. Denitch (ed.), *Legitimation of Regimes: International Frameworks for Analysis* (Beverly Hills, Sage, 1979).

⁹⁴ Cannadine, 'Introduction: Divine Rites of Kings', p. 12.

perspective, is a non-functional aspects of government. But the judgement of non-functionality is deductive not inductive. The raw material, in such an instance, sets the perimeters of the enquiry, and not vice versa. The second answer is that since government is a game with public consequences, it matters very much how it is carried on, with what justifications, self-descriptions, and hoped for or believed in identifications. Looking at government from the centre outwards by focusing on endogenous legitimation, the self-legitimation of rulers, will not give a 'correct' account, nor will it supersede 'incorrect' accounts, but it will add an extra dimension, and give a fuller, more rounded, description.

But however self-regarding the legitimation of rulers may be, they do not act alone. If they did so, they would not be rulers. The difference between a king in office and a king in exile is that the latter has no subjects. There are not only subjects, but mighty subjects who demand particular attention, and rebels who engage in a legitimation of their own, as well as ordinary subjects who are never entirely excluded. Their relation to the legitimation of rulers, and their own identifications and legitimations will be considered in the remaining chapters.