CHAPTER 1

Notion of Legitimacy

Political legitimacy is the belief by the governed in the ruler’s moral right to issue commands and the people’s corresponding obligation to obey such commands. In this chapter, an attempt has been made to present a framework of legitimacy by addressing the key issues of its meaning, nature and constituent elements. The highlight would be on two issues: first, to focus on legitimacy as a social practice which is an outcome of the interaction between the ruler and the ruled which must be framed while keeping in view the specificities of the society under review, and that, at a specified time; second, to view legitimacy as a multifaceted and a dynamic feature of a government and so its cultivation must be unending.

To ensure that there is a sense of continuity between this and the subsequent chapters, the issue of legitimacy in the Arab regimes has also been attended to briefly with some specific references to the political system in Kuwait.

That the right to rule is fundamental is not a topic of many debates. Since it is the core of political organisation, it affects all political activities. This is particularly true in the case of a modern state, which seeks to regulate the primary interests and actions of the citizens through commands, rules and laws.
backed by force, whenever required. This it does by claiming supreme and comprehensive authority within the area under its control. The basis on which legitimacy is claimed will influence the structure of domination. Thus, it is crucial to the understanding of politics in any political system.

The issue of democracy in any political system depends not only on economic development, even distribution of resources and availability of equal opportunity, but also upon the effectiveness and the legitimacy of its political system. Effectiveness here means actual performance, the extent to which the system satisfies the basic functions of the government, as most of the population and such powerful groups within it, as big business or the armed forces, see them. The extent to which contemporary democratic political systems are legitimate depends upon the ways in which the “key issues which have historically divided the society have been resolved.”

The desire for legitimacy is so deeply rooted in human communities that it is difficult to identify any sort of historical government that did not either enjoy widespread authentic recognition of its existence or try to win such recognition through the adaptation of the most plausible methods.

The central problem for all regimes and authorities is achieving and maintaining legitimacy. Classical and contemporary writers on government and

---

political systems believe that it is difficult for regimes and authorities to have the essential capability of coping with the problems and challenges of their domestic and international environments without, at least, a modicum of legitimacy for their political systems.²

Broadly, legitimacy can be categorised under: first, the numinous kind or the domination of a Godking as it existed in ancient Egypt; and second, the more politically correct civil legitimacy, which exists when a system of government is based on an agreement between fairly equal autonomous constituents who have combined to cooperate towards common good.³

Legitimacy, as it exists in a modern state, can be defined in three ways.⁴ First, legitimacy involves the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society.

Second, in the tradition of Max Weber, legitimacy has been defined as “the degree to which institutions are valued for themselves and considered right and proper.”


⁴ Lipset ed., n. 1, p. 100.
Third, political legitimacy can also be defined as the quality or "oughtness" that is perceived by the public to be inherent in a political regime. That government is legitimate which is viewed as morally proper for a society.⁵

While effectiveness is primarily instrumental, legitimacy can be quantified and is evaluative. Groups regard a political system as legitimate or otherwise according to the way in which its values fit with theirs. Whenever new groups become politically active, easy access to the legitimate political institutions tends to win the loyalty of the new groups to the system.⁶

A stable democracy cannot be categorised thus unless there exists relatively moderate tension among its contending political forces. And political moderation is facilitated by the system’s capacity to resolve key dividing issues before new ones arise.⁷

⁵ In view of the third definition, thus, legitimacy can be perceived as a matter of perception. To judge a regime as being legitimate or illegitimate or about the degree of legitimacy is purely a societal reaction.


⁷ In the Kuwaiti National Assembly there has always existed tension between the executive wing of the government and the Opposition led by the radicalism of the professionals and the nationalist intellectual factions which resulted in fierce debates in the National Assembly, and the tension arising therefrom has, sometimes, been indicated as the reason behind the dissolution of the Assembly by the Amir in 1976 and 1986. However, at times of threat to national security, all the forces have come together to rally behind the ruling family.
In the words of Max Weber: “The type of obedience, the kind of administrative staff developed to guarantee it, the mode of exercising authority,” all depend on the kind of legitimacy claimed. Apart from determining the structure of domination, legitimacy also frames the discourse among strategic groups and between these groups and the public in their effort to control the use of the state power machinery.

Legitimacy also shapes the effectiveness of governance, the scope, pace and the style of political change and the international agenda of the state. In maximising the political obligation, legitimacy greatly enhances the viability of the rulers. If acceptance of commands issued by authorities is based only on force, then the right to rule will be challenged and political change will be sought through resistance, rebellion and revolution. The government’s survival will utilise a major portion of its available resources and its performance will be greatly undermined. However, in case the government is considered legitimate, the socio-political-economic cost of governance will be considerably lower and the government’s capacity to promote its welfare goals will be furthered.

Looking at it from the standpoint of the ruling authority, legitimacy is not merely a means to ensure better control or seek permanence in office.

---

Self-justification in moral terms is crucial for most rulers. They need to understand, feel and believe that they are involved in serving the national interest or are performing a moral duty. Defending the government, even if it has to be done by the use of force against competitors, becomes easier, particularly in the act of convincing the public. This inherent strength, thus, induces all rulers, even the tyrannical, to secure the garb of legitimacy. Moreover, there is moral pressure from the people to convert power relations into relations of authority. This is important because of the perception that power is exercised on moral grounds in the interest of the people. Such a view cushions the existence of inequality and subordination, if any, and justifies obedience to the ruled. Thus, political legitimacy is the belief that the people have in the ruler’s moral right to issue commands and the people’s corresponding obligation to obey such commands.

According to Max Weber, “the basis of every system of authority, and correspondingly of every kind of willingness to obey, is a belief, by virtue of which persons exercising authority are lent prestige.”

Continuing on the same theme, he says that for authority to be confirmed, the claim to legitimacy should “to a significant degree and according to its type (be) treated as valid.” In other words, authority can exist only when the ruler “possesses an acknowledged right to command and the ruled have an

---

9 Ibid., p. 4.
10 Ibid., p. 11.
acknowledged obligation to obey.” 11 Thus, the idea of belief and the notion of acknowledgement by the governed are the key factors in Weber's idea of legitimacy.

Legitimacy has two forms — Subjective and Objective — and has two locations or sources — Internal and External. For Subjective Legitimacy, people's attitudes are determining. The members of a system judge and their expression of opinion is the empirical evidence of its legitimacy. Thus, the important thing is subjective, “responsive acceptance.” 12

Objective Legitimacy is not built on the premise of performance. On the other hand, what the system does and what kind of system (socialist, democratic or constitutional) it is determine legitimacy. 13

Outsiders or insiders, thereby indicating its source, may give judgement about legitimacy. The important thing here is that these views need not coincide. Members of a system may consider it legitimate while outside forces characterise it as illegitimate or vice-versa. However, not all outside forces may agree on the matter either. From such disagreements, alliances and wars are born. 14 A rigid adherence to only one of these two measures of legitimacy is not useful. Both

11 Ibid.


13 Ibid., p. 60.

14 Ibid., p. 62.
considerations are important to a political system's stability and capacity to develop.

It must also be kept in mind that legitimacy is not a constant. When a new state or government is formed, it is in a “prelegitimate” condition — newly established, neither rejected nor accepted, although if its stated purposes are known, judgements about them may be offered immediately.\(^\text{15}\) As it matures, if the level of political culture among its people is high, the system will acquire legitimacy and validate its objective claims; if not, it will be judged as illegitimate.\(^\text{16}\)

Legitimacy confers the necessary “grace” that turns power into authority.\(^\text{17}\) Power is also important, for without it legitimacy can do nothing and authority vanishes. Together, these allow the system to govern with less coercion and to provide whatever benefits are available. Difficult decisions are easier, since there is a base of support that does not have to be created afresh with every policy. At least, peaceful social change becomes possible. To maintain authority, both legitimacy and power must be conserved, if not increased.\(^\text{18}\)

\(^\text{15}\) Ibid., p. 63.

\(^\text{16}\) In Kuwait, legitimacy does not appear to be a constant. It has its periods of ups and downs and in that sense the process is one of great continuity among minor aberrations.

\(^\text{17}\) Barnes and others, n. 12, p. 64.

\(^\text{18}\) Ibid., p. 64.
Almond and Powell hold that the legitimacy of a regime declines or disappears when the existing structure and culture of a political system is unable to cope with problems or challenges. They see five types of challenges: State-building (penetration and integration); nation-building (loyalty and commitment); political participation; economic building; and the distribution of wealth.¹⁹ Almond and Powell contend that these challenges could be caused by internal and/or external forces. They argue that it took the West about four centuries to be able to cope with such challenges. During the time, the West passed through three stages of political development which lent themselves to certain political solutions to existing problems. The first stage, “the age of absolution,” was characterised by the establishment of political control which was based on the development of Cabinet, military and bureaucratic institutions. In the second stage, referred as “the age of democratisation,” political parties, interest groups and the mass media developed and became political actors in the process of policy-making and implementation. In turn, the needs of society were articulated and given importance by these parties, groups and the mass media. Thus, popular expectations of benefits from the social welfare programmes were raised and the governments were pressed to become involved in meeting these expectations. This led to the third stage, “the age of the welfare state.”²⁰


²⁰ Ibid., pp. 356-363.
Some writers, of whom Daniel Lerner is a representative, have said that unless a country has achieved high levels of development in urbanisation, industrialisation, education and wealth, it should not attempt to build democratic institutions. For Lerner, participation is the final stage in the evolution of the developed society.

The secular evolution of participant society appears to involve a regular sequence of three phases. Urbanisation comes first, for cities alone have developed the complex of skills and resources which characterise the modern industrial economy. Within this urban matrix develop both of the attributes which distinguish the next two phases — literacy and media growth. There is a close reciprocal relationship between these, for literature develops the media, which in turn spreads literacy. But, literacy performs the key function in the second phase. The capacity to read, at first acquired by relatively few people, equips them to perform the varied tasks required in the modernising society. Not until the third phase, when the elaborate technology of industrial development is fairly well advanced, does a society begin to produce newspapers, radio networks and motion pictures on a massive scale. This, in turn, accelerates the spread of literacy. Out of this interaction develop those institutions of participation (e.g., voting) which we find in all advanced modern societies.\(^{21}\)

It is important here to make a brief reference to the notions of “power” and “domination,” which are attributes of legitimacy with each having its own identity, but often construed as one. In Weber’s discourse on legitimacy, there are important and distinct references to the concepts of power and domination.

Power, according to him, is described as the probability that an actor will be able to realise his own objectives even against opposition from others with whom he is in a social relationship. The concept of domination specifically refers only to those cases of the exercise of power where an actor obeys a particular command issued by another. The acceptance of domination may rest upon several motives, ranging from sheer habit to the promotion of self-advantage. He, however, refers to the possibility of receiving material rewards and of securing social esteem as two of the most forceful forms of binding leaders and followers. But he also submits that the main plank linking domination and submission is the belief by the subordinate in the legitimacy of their subordination. Power is a relationship in which resources are used by one or more people to obtain the agreement and cooperation of the others. Conversely, those who have power will find their power more stable and useful if it is established as authority, which is “rightful power.”  

22 This means that power has a source or claim to justification, which is accepted by those who are affected by it. These justifications may be generally grouped as personal, sacred, inherited, legal and achieved.  

Legal claims, which Weber called rational-legal, refer to the possession of power by lawfully prescribed means — election, proper appointment, rotation,

22 Barnes and others, n. 12, pp. 54-55.

23 Though succession to the throne is a matter of inheritance for the Al-Sabahs in Kuwait, they have legalised the system through the Constitution by adopting a democratic governance to further strengthen that legality among the Kuwaiti people.
lottery or victory by war. Rules and procedures governing election, appointment or seniority are generally spelt out in statutes or in the Constitution.²⁴

However, Weber’s formulation has been criticised, first, because his idea of belief has equated legitimacy with emotion and popular opinion. By doing so, critics believe that the relationship between people’s belief and legitimacy has been misrepresented; legitimacy has been made a product of government manipulation; and for providing no objective criteria for evaluating legitimacy.

Foremost among Weber’s critics is Peter Stillman who attacks the former’s approach as not being objective and scientific. According to Stillman: “The legitimacy or illegitimacy of a government is a matter not of public opinion nor of belief about the appropriateness or good title to government,” but of “the objective compatibility between the value pattern of society and government output.” Stillman defines value pattern as “the generalised criteria of desirability, the standards for evaluations, and the normative priorities for the society.” His objective formulation is not substantially different from the Weberian formulations that emphasise shared beliefs between the ruler and the ruled. The problem in his approach is that it seeks to remove legitimacy from the domain of the belief of the governed.²⁵

²⁴ Barnes and others, n. 12, p. 56. There is probably a mix of these justifications in all systems.

²⁵ Alagappa, n. 8, p. 12.
Weber has also been criticised by David Beetham for making legitimacy primarily a matter of belief and ignoring other elements such as legal validity and consent that, according to him, have nothing to do with belief, but contribute to legitimacy. In the political realm, to give consent is to recognise the government’s right to issue commands and to assume a duty to obey them. Consent is crucial because without public recognition there can be no authority.  

Second, it has been criticised because of its orientation towards specific societal and temporal bounds. This, critics claim, ignores independent or universal values that are considered as more suitable in the legitimacy evaluation process. 

Third, the Weberian approach has been criticised on the grounds of being incomplete, particularly because it has been seen as ignoring several other elements that contribute to legitimacy of a regime, especially the importance of “performance.” Weber, unlike Rodney Barker, excludes “purely material interests and calculations of advantages” as a basis of authority because they “do not form a sufficiently reliable basis for a system of imperative coordination.”

For Barker, the substance of what governments do or what they wish to do is an important aspect of the definition of legitimacy. Effective performance, for him, can be deployed to generate moral authority. The enormous

---

26 Ibid., p. 22.

27 Ibid.
concentration of power in the state cannot be justified except in terms of its use in the pursuit of the collective interests of the political community. The success or failure in this endeavour affects the legitimacy of the government. It is actually the recognition of this potential, which has led most types of governments to claim the right to rule on the basis of their competence and achievements.

Weber, however, clearly states that legitimacy may “derive from a rational belief in the absolute validity of the order as an expression of ultimate values, whether they may be moral, aesthetic, or any other type.”  

Central to the issue of legitimacy is the established relationship between the ruler and the ruled at various levels. Thus, norms and values are important in the analysis of legitimacy, but only as part of the belief of the governed at the time under consideration.

Legitimation of power is an interactive and, therefore, dynamic process among the government, the elite and the politically significant: those in power seek to legitimate their control and exercise that power; the people seek to define their subordination by projections and counterprojections of legitimacy, by contesting meanings and by using coercion, negotiation and may be even suppression and elimination.  

While recognition of authority is one possible consequence, resistance, rebellion and revolution is also a possibility.

---

28 Ibid., p. 13.

29 Ibid.
The extreme possibility of revolts are essentially caused due to discontentment arising out of difficulties associated with the government’s incapacity to satisfy the ever increasing demands on it. The demands on the government have continued to proliferate over the years. Apart from its traditional functions like political identity, law and order, and external security, the government is also expected to undertake social and economic functions that forces it into the realm of meeting demands through the rationing of supplies. If a gap develops between the demand from the masses and the government’s capacity to satisfy it, there would be a crisis of governability leading to lack of support for the government and resulting in a revolt.\textsuperscript{30}

Revots may also occur due to difficulties linked to self-regulation in a sovereign state over matters of power-sharing, especially when most powers are concentrated in one or a few hands. If self-regulation is to be effective there needs to a commitment from the political leaders to democratic ideals and institutions. Further, the political, legal and socio-economic conditions must provide for the independence and equality of citizens.\textsuperscript{31}

Apart from the notions of belief and acknowledgement by the governed, which are the two key elements of Weber’s formulation of


\textsuperscript{31} Ibid., p. 396.
legitimacy, another — proper and effective use of power — is necessary to complete the structure of legitimacy. The last mentioned refers to the effective use of state power within accepted rules for the promotion of the collective interest and welfare of the political community. Distinguishing the use of power from the rules that govern its acquisition makes it possible, for example, to inquire into the legitimacy of a government in a less well established regime, where the rules for acquiring power do not matter much to examine the eroding legitimacy of a government that acquired power by conforming with accepted rules or to investigate the continued legitimacy of a government despite poor performance.32

According to David Easton: “What differentiates political interactions from all other kinds of social interactions is that they are predominantly oriented towards the authoritative allocation of values for society. An allocation is authoritative when the persons oriented to it consider that they are bound by it.”33

Similarly, Weber identifies three types of legitimacy: the traditional; the legal-rational; and the charismatic. In the first and second types, obligations and loyalty are to a person, the traditional chieftain or the heroic or messianic leader;


in the third type, obligation is to the legally established impersonal network of institutions and structures.

Traditional authority is based upon the belief in the “sanctity of age-old rules and powers.” This means that in traditional domination those who rule have no specialised administrative staff through which they exercise their authority, as is the case in most small rural communities. A second form of traditional domination is patriarchalism as is the case in a household where the head of the family possesses authority, which is transmitted from one generation to another by definite rules of inheritance. Finally, Weber also makes reference to patrimonialism where an administrative staff exists, subordinated by ties of personal allegiance to a master, as was the case in the traditional despotic Oriental governments as well as in the Near East and in mediaeval Europe.

In legal authority, an individual who holds authority does so by virtue of impersonal norms which are not a result of tradition, but those which have been consciously established within a context of either purposive or value rationality.

Thus, those subject to legal authority owe no personal allegiance to a superior,


35 Ibid.

36 Ibid., p. 157.
but follow his commands only within the restricted sphere in which his jurisdiction is clearly specified.

While elaborating on charismatic domination, Weber defines charisma as “a certain quality of an individual personality by virtue of which he is considered extraordinary and treated as endowed with supernatural, superhuman, or at least, specifically exceptional powers or qualities.”\footnote{Ibid., p. 160.} Whether or not a person actually possesses such qualities is less important than whether or not those extraordinary qualities are attributed to him by the followers.

Charismatic domination can arise in the most varied social and historical contexts and charismatic figures range from political leaders and religious prophets whose actions have influenced the course of development of whole civilisations. The claim to legitimacy in charismatic authority, in whatever context it is found, is, thus, always founded upon the belief of both the leader and the followers in the authenticity of the leader’s mission.\footnote{Max Weber, “On Charisma and Institution Building,” in S.N. Eisenstadt, ed., \textit{On Charisma and Institution Building} (Chicago: University of Chicago Press, 1968), pp. xvi-xvii.}

However, in all three types, legitimacy is defined in the context of people’s acceptance of their governments and of their leaders. Thus, in discussing charismatic legitimacy, Weber sees this as a relationship in which the people perceive qualities in an individual, which force them to follow him. Further, he
believes that “it is the duty of those to whom he addresses his mission to realise him as their legitimate and charismatically qualified leader.”

According to Herbert C. Kelman, a government is legitimate:

When it is perceived as having the right to exercise authority in a given domain and within specified limits. Thus, when the administration of a legitimate political system makes certain demands, citizens accept them, whether or not they like them. An individual citizen may or may not be convinced of the value of the action he is asked to take; he may or may not be enthusiastic about carrying it out; and he may, in fact, be very unhappy about it. If it is within the limits of legitimacy, however, he willingly meets the demand without feeling coerced, and considers it his duty to do so.

According to Stuart Hall, the issue of legitimacy covers the whole spectrum of what might be called sanctioned domination — of which physical force is only an extreme and special case. If the state regulates, directs, legislates and compels “legitimately,” it is because it can lay claim to the authority to do so. Authority is power which the state is licensed or “authorised” to exercise.

This relationship is institutionalised in Western political thought and practice through the creation of political institutions. By facilitating the participation of the citizen in the body politic, these institutions become the symbols of system legitimacy, and the means by which citizens show their


40 Ibid., p. 285-286.

acceptance of the political system. John Locke favoured a legislative power to run alongside, and independently of, executive power. Further, he was of the opinion that the legislative power should be superior to the executive, and that legislative institutions would be the means by which people participated actively, through representation, in the affairs of the state. To cite an example, he said that people's properties should not be taxed or confiscated from them except by their own consent or that of their representatives.

It is this tradition of representative democracy, which underpins the whole notion of legitimacy in Western societies. Legitimacy in this sense is invested not in the ruler but in the political system as a whole.

Taking all these into consideration means that legitimacy comprises of four key elements: shared norms and values; conformity with established rules for acquiring power; proper and effective use of power; and consent of the governed. Based on these elements, a more comprehensive definition of legitimacy is possible: A command-obedience relationship may be defined as legitimate if the political order in which it is rooted is based on shared norms and values, if the government in concern acquired power in conformity with established rules, if that power is exercised within prescribed limits for the promotion of the community's collective interest, and if the governed have given their consent to the incumbent government.\(^2\)

\(^{42}\) Alagappa, n. 8, p. 15.
For a better understanding of the concept of legitimacy it would be useful to consider each of these elements.

Shared norms and values

Norms and values are essentially belief systems that indicate how things ought to be. It decides about the type of political system and hence the structure of domination. Shared norms and values can be interpreted as normative regulation of society on the basis of universal consensus. As internalised moral values can exert a powerful impact on the determination of goals and the ways to achieve them, institutionalisation of such values in society through a central value system contributes to social cohesion.  

Conformity with established rules

The creation of norms and values contributes to the development of a well-established regime in which the rules for acquiring power are clearly stated, consensus evolved and practiced as well. A government that comes to power by conforming to such provisions will be viewed as legitimate and the one which strays away, otherwise. Though the situation is not always clear-cut, legitimacy of a government can be judged by broadly recognised rules and standards.

---

\[43\] Ibid., p. 15.
However, when norms and values are keenly contested, the regime and its acquisition of power is likely to be threatened. This is particularly true in the case of many developing countries where conformity with rules doesn’t necessarily mean granting of legitimacy. While developing countries desire to don the mantle of the modern state, traditional attitudes towards power still continue to inform governance in many. These countries can be described as traditional states in modern garb, states in which “relationships of a broadly patrimonial type pervade a political and administrative system, which is formally constructed on rational-legal lines.”

Power in such countries derives from official positions as well as intrinsic personal qualities, but it is exercised predominantly in traditional ways without distinction between private and public property. The gap between the formal system and the actual political system may be wide. When such a scenario comes into play, satisfying the formal requirements of the political system will not carry much weight in granting legitimacy. Rival challengers to power can contest the legitimacy of the incumbents on the basis of the traditional sources of power, especially at the local level. Further, arbitrary manipulation of the system to serve the interests of the power holders, a common practice in such situations, is likely to undermine public confidence and reduce the legitimating value of the system. Public recognition of the government’s claim to the right to rule in such cases is more likely to rest on its performance.

However, there are two occasions when the government is likely to enjoy initial legitimacy even when the regime is not well established. First, when the government assumes power in the wake of a politically defining moment. A politically defining moment is one of high political consciousness that can generate deep emotion and mobilise enormous support for a cause. The moment may be a single event or a culmination of many related events such as independence, revolution, civil war, holocaust and international warfare. These moments achieve a widely accepted political definition. Such a moment, by its very nature, carries moral authority, a revolutionary mandate, that can legitimise certain norms and values while delegitimating the previous system.

The second situation refers to charismatic authority, be it an individual leader or a group of rulers. Usually a politically defining moment is deployed to legitimise a government. However, the politically defining moment and charismatic authority can only be mobilised to gain initial legitimacy. In the long run, other resources, which are capable of creating more durable institutions and procedures, will have to be mobilised to sustain legitimacy.

\[45\] Ibid., p. 21.

\[46\] The Independence that Kuwait obtained from the British in 1961 and the developments that occurred as a consequence of Iraqi invasion of the country in 1990-91 are two prominent incidents which can be identified as politically defining moments.
Proper use of power

There are two aspects to the element of proper use of power: First, government operates within the law or other mutually agreed rules and procedures; second is the effective use of power to promote the collective interest of the community — performance. The government operating within the parameters of established law is a prerequisite for the continued legitimacy of governments. Further, such powers must be exercised only for the pursuit of the public good and not for selfish individual gains. Misuse of these powers for personal benefit will lead to undermining of the government even if it acquired power in accordance with established law.⁴⁷

Though the element of performance has been grossly underplayed in studying legitimacy, it is a fiercely determining factor in the rise and fall of a regime's legitimacy. The enormous concentration of power in the state cannot be justified except in terms of its use in the pursuit of the collective interests of the political community. Recognition of this strength has led all forms of governments to claim the right to rule on the basis of their competence and achievements.

⁴⁷ There has never been a criticism of the ruling family for misusing law to further their own interest unlike in the case of the ruling family in Saudi Arabia, wherein charges of amassing public wealth for personal gain and corruption were hurled upon by the general public and which picked up massive media attention. Since the 1991 Gulf War, several sites were established on the Internet wherein any interested Net surfer could call on for details of specific charges and for lodging complaints as well.
Further, the realisation of the fundamental political, civil and economic rights is also related to performance in guaranteeing the “collective will” of the community and enhancing the cultural and material welfare of the citizens.\(^4\) Thus, performance can be used as an effective input in the growth of legitimacy.

**Consent of the governed**

This element “is a way of binding oneself, of creating self-assumed commitments.”\(^4\) Consent is given by individuals. In the political realm, to give consent is to recognise the government’s right to issue commands and to assume a duty to obey them. Duty-bound obedience should be distinguished from instrumental acceptance. The commitment to obey is based on allegiance and instrumental acceptance is based on rewards.\(^5\)

Like in the case of performance, consent is crucial, for without public recognition there can be no authority. The nature, significance and the role of consent, however, depend on the type of regime. Participation in elections, while important, does not itself constitute consent. Such a participation must be grounded in a firm belief in the underlying principles and must be coupled with active participation in the related structures and procedures that constitute the system.

\(^4\) Alagappa, n. 8, p. 22.

\(^4\) Ibid., p. 23.

\(^5\) Kuwait is unique in having features of both.
Public consent relates more to the legitimation and execution of goals and policies than to the Constitution of the government. In theocratic and monarchical regimes, God’s will and divine right constitute the basis of authority. Consent in both these systems is passive. Obligation to obey is not incurred by agreement or participation but is presumed to exist unless withdrawn. In an Islamic state, the duty to obey originates from religious obligation. However, the follower is not required to obey the ruler who does not faithfully uphold the Islamic system. In this situation, consent can be withdrawn with substantial delegitimating potential.  

Thus, the four elements of legitimacy that have so far been considered can be termed as normative, procedural, performance and consent respectively. These elements are closely related to each other. The normative element, for example, affects the validity of the rules that govern access to power. Without institutionalisation, shared norms and values cannot have a practical impact. Likewise, the procedural element has an impact on the government’s exercise of power and its performance. The latter, in turn, can reinforce, mitigate or negate the legitimacy derived from conformity to rules. Consent is an integral part of the other three elements. A weakness in one may be compensated by the merits of another. Thus, it is imperative that all the elements must be considered in unison while evaluating the concept of legitimacy.

The satisfaction of all four elements ensures a high degree of legitimacy on the governments and those people who constitute them. In such instances, might is treated as right and obedience as duty. If, however, some elements are met with less than satisfactorily, legitimacy will be strained.

All these observations lead us to believe that the concept of legitimacy is indeed a complex and dynamic feature that is constantly changing and is a matter of degree rather than a simple differential between legitimacy and illegitimacy.

**International factor**

The realm of international politics has added a new dimension to the notion of legitimacy of regimes. With the decline of the ideological confrontation between the East and the West, there is growing international agreement on what constitutes an illegitimate regime. Such a regime would be one that engages in gross violations of human rights as enumerated in the Covenant on Civil and Political Rights or one which has come to power in total disregard of constitutional processes.52 Essentially, this theory has been propounded so that parameters could be laid down to justify the use of force to promote democratic

---

self determination and in case of any other violation of legitimate norms that have been laid down.\textsuperscript{53}

For Max Weber, the question of legitimacy is driven exclusively by domestic forces. However, in present day world politics, international presence in domestic scene is more than influential.\textsuperscript{54} The importance of this factor is clear from the efforts of the governments and the rival forces alike in trying to secure recognition for their causes. However, international dynamics are relevant only to the extent that they influence domestic discourse on the norms for legitimation and affect the power resources of the domestic challengers. The end of the Cold War, the commitment of the "lone superpower" to promote democratic values and the increasing economic interdependence and the penetrable nature of the

\textsuperscript{53} It is this principle that brought the United States and its allies to the defence of Kuwait when Iraq invaded and occupied the country in 1991. It is possible that the same principle was used as a mechanism to safeguard America's oil interests in the region.

\textsuperscript{54} This is particularly true in the case of the oil-rich small nations, like the Gulf countries, which have always been seen as strategic assets or partners by foreign powers, apart from being very productive for their economy, both as an arms buyer and for investment in their economies. Kuwait is no exception in this case.
state hinders the institutionalisation of regimes based on norms that are grossly at variance with those of the international community.\textsuperscript{55}

Political legitimation faces formidable challenges in almost all modern states. These problems originate from self-regulation in a sovereign state, the government's incapacity to satisfy the ever-increasing demands on it and the dynamic nature of legitimacy, which is so prone to change. Since political power is the key to the control of state resources and since it is concentrated in the state, competition for the control of state power is intense.

A legitimacy crisis is also a situation in which the basis on which the authority has been claimed or acknowledged is under such severe stress that there is a strong possibility of its destruction and transformation. It is essential here to note the difference between "legitimacy crisis of a regime" as against the "legitimacy crisis of a government or its leader." In the case of the former, the conflict is basically over the values that constitute the political and social order.

\textsuperscript{55} It is in the interest of the US that Kuwait does not become democratic in the true sense of the word. Such a situation would create a platform for the US to continue its hegemonic influence over Kuwait and through that, the entire region. Nascent democracy means very little domestic discontentment to policies pursued by the government even if it were influenced by external forces. Saudi Arabia has been very watchful of the developments in Kuwait, particularly in the realm of democracy because its rulers fear a duplication of demands in Saudi Arabia as in Kuwait and may result in erosion of the absolute powers that the ruling family now enjoys. The Saudis also fear its effect on other GCC states like Bahrain and Qatar.
But in the latter, the conflict is over the acquisition and exercise of power focused on specific institutions.  

Likewise, there is also a need to draw a distinction between “legitimacy crisis” and “strained legitimacy.” In the latter case, the commitment to underlying norms may be weak to begin with or the commitment has eroded due to some problems, but has not assumed crisis proportions.  

Legitimacy or the lack of it becomes more obvious during periods of crisis, making clear-cut determination of illegitimacy and legitimacy possible.

Among the relevant theories of legitimacy, the capitalist theory of legitimacy assumes great significance for this work.  

56 Kuwait is clearly a case that can be categorised under the “legitimacy crisis of a regime.” The merchant class has been particularly unhappy at the loss of their domination in the post-oil era which has led to a diminishing political role for them as reflected in their falling representation in the membership of the National Assembly.

57 Strained legitimacy is more appropriate for Kuwait. Every time the National Assembly is suspended there is a spectre of a major strain, which looms large enough to assume a crisis point, but with the restoration of the National Assembly after elections, the legitimacy of the government is back on the desired track. The same could also be said of the situation arising from the threat to the security of Kuwait from Iraq and its subsequent diffusion. Every time the National Assembly was suspended, there was demand for the earliest restoration of the democratic process and never a threat to the Al-Sabah regime. This also speaks of the political culture that had developed among the citizens who did not seize the opportunity provided by the political instability to try and seek an end to the ruling family’s regime. In fact, in the post-1990 Iraqi invasion, the citizens, both loyal and opposing groups, rallied behind the rulers to the extent that the Al-Sabahs were forced to yield to the merits of restarting the democratic process.

58 Alagappa, n. 8, p. 60.
development theory is that capitalist development promotes democracy. The significance of the theory lies in its assertion that capitalist development changes the power of groups, their interest and their alignments. This, in turn, affects the balance of power among the various classes, as well as the relationship between the state and society, and creates pressures for political change. If a group believes the rules of the game to be disadvantageous, its commitment to them will erode and set in motion demands to alter the rules in its favour. This contributes to the erosion of legitimacy. If the demands are strong enough and the power holder refuses to accommodate them, the resulting tension can lead to conflict and possibly a legitimacy crisis of the government or the regime itself.

**Legitimacy in Arab regimes**

Lacking legitimacy based on mass participation through political representation and realising how crucial legitimacy is for the stability of the political order, political leaders in the Arab world constantly endeavour to win the acceptance of their people, or at least their acceptance of their leadership. This is usually done through the leader's efforts to create, in the minds of the people, an image of himself as a meritorious and successful leader. However, when an Arab leader embarks on the hazardous mission of acquiring legitimacy through the success

---

59 With the decrease in the influence and clout of the merchant class due to the Al-Sabahs becoming direct determinants in the market, there was a subsequent increase in the political power and influence of the bedouins and the middle class, who naturally became a loyal force behind the ruling family.
and achievements, he begins with some preconceived notions that relate to the apparent susceptibility of the Arab people to the notion of centralised and authoritarian regimes.

In their study of the origins of factors that contribute to the emergence of legislatures, Abdo Baaklini and James Heaphey evaluate the existence or absence of legislative institutions in one developed country — Great Britain — and three underdeveloped or developing countries — Kuwait, Lebanon and Palestine. As regards Great Britain, they are persuaded by Bertrand deJouvenal’s argument:

Parliaments and Kings together formed sovereignty and that without Parliament, Kings could never have developed the vast scope and depth of power that was formulated by Kings and Parliaments working together.  

According to them, the emergence of legislatures in Great Britain, Kuwait and Lebanon contributed to the transformation of the community from a collection of groups to an organic entity, which they define as a geopolitical state. They say that the legislature was instrumental in such a transformation. Baaklini and Heaphey also conclude that the failure of the Palestinians — before the partition of Palestine in 1948 — might have inhibited the development of a sovereign Palestinian state.  

60 Abdo I. Baaklini and James J. Heaphey, “Legislatures: Their Origin and the Factors that Contribute to their Emergence,” Administration, 24:2, (Summer, 1976), p. 123.

61 Ibid., p. 129.
Their study on Lebanon shows that a significant role was assigned to the legislative institution in that country. They find that it played an important role as a symbol of the political entity and as the champion of the national liberation struggle. It has also had a part in integrating the elements of the society, in fostering the opposition, in providing linkage between the government and the people, and in regulating the political success.62

Pierre Randot holds that the infrastructure of a society is primarily responsible for the failure of the legislative institutions. He argues that the lack of homogeneity and the domination of denominational and tribal affiliations comprise the essential obstacles to the success of the legislative system in the Middle Eastern/West Asian countries.63

Scholars have debated the role of Arab and Islamic culture in the development of democracy in the region. Some opine that important aspects of Arab and Islamic political values are incompatible with, or at least in tension with the fundamental principles of democratic practice. For example, Islam's emphasis on divine rather than popular sovereignty puts many of the most important issues of public policy outside the realm of public, participatory decision-making. They point to a long tradition in Islamic Sunni political thought upholding the importance of maintaining order in the face of possible anarchy. A lack of

---

62 Ibid.
fundamental equality within Islam for various groups, notably women and religious minorities, is also a point of emphasis.  

Others provide a liberal interpretation by suggesting that Islam is a far more varied, changing and flexible religion. They argue that political culture has considerable utility as an explanatory variable. They believe that both authoritarian and participatory strands exist within the political culture of the region, with the latter expressed in the Islamic principles of *Shura* — the bond of obligation between the ruler and the ruled — and in the traditions of accountability and participation in tribal decision-making.  

Another argument responds to the charges of an anti-democratic bias in Arab or Islamic political culture by asserting that political culture should be seen as the prime variable in the process of regional democratisation. They believe that cultural attitudes not only influence political realities, but are also influenced by the political context. Hence, Arabs may be deferential to authoritarian rule not because of some cultural habit, but due to authoritarian repression. If a more

---


democratic system of governance was instituted, it would help in the emergence of a more democratic political culture.\textsuperscript{66}

Another opinion in this regard is that, whatever their authoritarian orientation, electoral competition and the expectations of electorates will force most political actors to behave in a democratic way once a system was fully democratised. Hence, some scholars believe, the danger is not that Islamic fundamentalists will use the electoral process to subvert democracy, but that the absence of democracy creates the conditions under which anti-democratic political forces thrive.\textsuperscript{67}

Prior to the birth of the modern Arab state, the core societal units in the Arab world were the tribe, village and the extended family. For a very long period, the pattern of political loyalty in the tribal and village communities was hierarchical, with authority focused on the Sheikh or the Rais.\textsuperscript{68} Although he was bound by tribal and village laws and customs, the Sheikh or the Rais, assisted by the elders and religious people, acted as the central authority, the final arbiter of power and the ultimate dispenser of justice. Similarly, the extended family has traditionally been hierarchically structured with authority resting in the hands of the oldest member. Deference to, and respect for, family elders creates a far

\textsuperscript{66} Brynen and others, n. 64, p. 7.

\textsuperscript{67} Ibid., p. 8.

\textsuperscript{68} Luciani, n. 33, p. 287.
greater conformity within an Arab family than is usually the case in a Western family, where intra-family relationships are less hierarchical.

According to Charles E. Butterworth, it is not any particular set of ideas in Arabic political thought, but rather its absence, which facilitates the acceptance of regimes based on rule by one or a few. According to him:

There is nothing within the history of Arabic political thought comparable to the radical break with the past effected by Machiavelli and Hobbes in the 16th and 17th centuries and then refined into a doctrine of liberal democracy in succeeding generations by Locke and Rousseau so that the notion of popular sovereignty became an unquestioned, perhaps even an unquestionable, principle. When these or similar ideas did start to gain sway in the Arab world in the latter part of the 19th and early part of the 20th centuries, more attention was paid to how such reasoning might justify self-determination than to how individual self-rule might be promoted. 69

But it is also untrue that democracy as a concept is something new and unfamiliar to the Arabs. The term “democracy,” in its Greek context was known, at least, to some Arab intellectuals in the early days of Islamic history, perhaps through the translations of Greek political works into Arabic. 70

The 10th century Arab philosopher, Alfarabi, said that those who rule the citizens of the democratic state “do so by the will of the ruled, and the rulers


follow the wishes of the ruled. Close investigation of their situation would reveal
that, in truth, there is no distinction between ruler and ruled among them.  

Democracy (dimuqratiyyah) in its modern European sense was introduced
to the Arab world about 200 years ago and has subsequently been the subject of
heated debate within important circles in the Arab world about the value of
importing and implementing Western concepts, including political ones and
above all, those related to the Western concept of democracy. There are
comprehensive debates on Islam and modernity, exploring the question of
whether the Muslim countries need to adopt, adapt, or reject the technological,
scientific and political achievements of the West.

However, not everyone in the Arab world is convinced that lack of
democracy is the cause of the Arab countries' social and political problems.
Instead, some believe that it is a reflection of these miseries. Such analysts believe
that democracy is a natural development of changing socio-economic conditions
and, therefore, not something that can be arbitrarily imposed on any given
society. Conditions such as prosperity, literacy, a well-developed middle class and
a mature leadership are viewed as necessary and even sufficient conditions for the
emergence of democratic forms of government.  

71 This statement goes to indicate that the concept of legitimacy was inherent in
the contract between the ruler and the ruled.

72 Kaufman and others, n. 70, p. 194.
Moreover, not every one in the Arab world agrees that Western-style democracy is even applicable to Arab countries. There are three approaches to this effect: unqualified acceptance; absolute rejection; and selective borrowing. First, there are those wanting sweeping and radical changes to transform Arab society into a modern society and seek adoption of the Western political system in all its details. Second, those outrightly rejecting all political concepts Western on the grounds that Islam has its own political system. The rejectionists believe that the Islamic system worked in the past and is capable of working at any time and in any place because it is a divinely inspired system. They believe that Islam is (in and of itself) liberal and democratic and, therefore, compatible with the ideas of the modern world. Finally, some, such as the reformists of the Arab renaissance (nahdah) movement, want to revise the system without too many drastic changes. This group wishes that the Arab societies amend their civilisation by introducing selected foreign elements to their politics and culture.

As mentioned, the role of Islam is very important here. As the religion of the overwhelming majority of the Arabs, Islam tends to pervade social custom and to dominate cultural and political attitudes. Till date, many of the values, norms of behaviour and attitudes of the Arabs emanate from the Islamic teachings. Accepting no separation between state and religion, Islam represents for the Muslim Arabs much more than a system of spiritual guidance. It is accepted as a comprehensive social, political, legal and cultural system. Even after

\textsuperscript{73} Ibid., p. 194.
the advent of the processes of modernisation and secularisation, Islam has continued as a powerful and all embracing force in the Arab world.

Islam has a tendency to confer legitimacy on the centralised structure of political authority in the Arab world. The first major decision that the first Muslim community had to make was the election of the first Khalifa (successor) after the death of Prophet Mohammad. The Khalifa was given religious and political authority. This was a decision based on the Sunna (the traditions of the Prophet) that the religious and the temporal powers are inseparable. Moreover, the centralisation of authority is embodied in Islamic political heritage through the pronouncements of renowned Muslim jurists, theologians and philosophers after the death of the Prophet. Thus, according to the 14th century history philosopher Ibn Khaldun: "It is in the nature of states that authority becomes concentrated in one person." 74

Some of the jurists prescribed almost total obedience to the ruler by fostering the belief that "rebellion was the most heinous crimes." According to Al-Ghazali, a 11th century theologian, "An unjust ruler should not be deposed if strife would follow." 75 Some theologians had indicated that if the ruler did not fulfil his functions, he should be removed from power, but they failed to indicate

74 Ibid., p. 287.

75 Ibid., p. 288.
the legal or constitutional ways to carry out that process. Some theologists, however, not only denied any right of popular revolution, but also emphasised the Caliph's full claim to obedience even if he had disregarded or violated his duties. This school of thought was extended after a long period of time by constitutional theorist Ibn Jama’ who argued that “self-investiture by armed force is lawful, and obedience is due to such a ruler.”

The last mentioned might explain the endurance of authoritarian rule in the Arab world. In most Arab states, the centralisation of power in the hands of one man has been a notable characteristic of Arab politics. Opposition parties and groups have hardly been allowed to come into effective play.

It is interesting to note that under the Islamic system, political parties were never recognised, and those that existed were not considered as loyal opposition. On the other hand, political parties were mostly representatives of heterodox sects and their norms were rejected as irreconcilable with the official orthodox line. The differences in doctrines intensified political conflicts, though the rule of

---

76 Ibid.

77 Lebanon is, however, a notable exception.

78 Kuwait has an official Opposition, though it has not got legal sanction to align with political parties which are banned. Egypt, Morocco and Sudan also have Opposition in varying degrees. Morocco, for example, had 11 political parties participating in the race to elect 212 members of the Parliament, along with about 200 independent candidates in the June 1993 parliamentary polls. See Kaufman and others, n. 70, p. 194.
social and economic aspects cannot be ruled out in the process. After a revolutionary course of action, heterodox religious-political groups were denounced as unbelievers by the religious groups and suppressed by the long arm of the state. This form of political opposition, a characteristic of political activities throughout the course of Islamic history, survives as a legacy in Islamic society till date.  

Institutions like the Parliament and Assembly are seldom created by the rulers to act as rubber stamps for the policies adopted by the government. These institutions are done away with when they have served their intended purpose or venture to act independently.  

Whatever, the regime, therefore, the power to decide and enact policies in the Arab world continues to stay with the man at the helm and it is he who dominates the decision-making process and determines the country’s policy orientations. Thus, unlike the pluralistic models of political behaviour, in which the chief executive derives his authority from the legitimacy of the political system, political theory and practice in the Arab world have tended to elevate the ruler to a position of dominance over the legal-institutional structure. This system

---


80 Kuwait provides a contrastingly different scenario, particularly with reference to the Arab Gulf states.
makes the legitimacy of the political system dependent on the authority of the ruler.\textsuperscript{81}

The present difficulties for the Arab authoritarian rulers are the impact of the process of modernisation on their traditional societies. With increasing urbanisation, improved educational system that moved at a rapid pace and the process of Westernisation, traditional values and attitudes were questioned. It was these very values and traditions which were earlier expected to maintain stability of the regimes. Tribal values were slowly being eroded by urban living and the expansion of economic life began to have a telling effect on the unity of the family by way of a loose family life. More importantly, Islam was beginning to see a challenge from Western secularism. All these led the Arabs of the 20th century to demand more of their rulers than ever before. Though traditional values still held sway over their minds, their exposure to new social and political realities led them to demand changes to their political trends.

But the process of modernisation dealt a double-edged blow, both to the rulers and the ruled. With modernisation came technological advancement, which was used by the rulers in their acts of social and coercive suppression, thereby rendering the earlier means of controlling the citizens insignificant. Realising, however, that more was needed to ensure the stability of the regimes, a two-

\textsuperscript{81} Khadduri, n. 79, p. 289.
pronged maxim was followed: put fear in people’s hearts, but also try to win their support, no matter what means were required to be adopted.  

At the receiving end, bitter experiences made the ruled realise quickly the futility of demanding genuine and full political participation. The least they could do was demand intelligent and worthy leaders. Once the demands of the ruled and the interests of the rulers converged, achievements became an important feature and these were used as sources of legitimising the regimes.

Whether the leader is successful or not, the process of acquiring legitimacy in the Arab world makes the ruler’s tenure a temporary phenomenon. Success or achievement in one field will satisfy people’s expectations and enthusiasm, but for a short while only. Sooner or later, the enthusiasm will grow thin and expectations rise again. The leader, then, will have to think of another avenue to provide for satisfying achievements. Given the level of democracy in the region, leaders need to have a career portfolio of continuous success stories in order to

---

82 Ibid., p. 290.
maintain popularity, retain and enhance legitimacy and ultimately the stability of
the political order. 83

It is interesting to note the political developments in the Arab world
during the post-Ottoman Empire period, which had been a thoroughly Islamic
regime. The secular alternative introduced by the Europeans was still foreign to
the East and could not adequately substitute for the loss of the Islamic basis for
managing the political and social affairs of the region. Though the new regimes in
many of the Arab countries did model themselves on European modes of
governance, it only appeared so externally. They often adopted some parts of the
European political model, but without many of the basic elements of democracy
such as, actual participation of the people and suitable socio-economic conditions.
The Arab rulers were either appointed by an external power or appointed
themselves through coups. In both cases, the role of the people in electing the
rulers was denied, contrary to the basic requirements of the most fundamental

83 Several analysts believe that leaders, like Saddam Hussein, make a deliberate bid
to ensure that there exists no permanent sense of peace and order in their
country. This, according to analysts, is done to further their reign in power. It is
in the interest of leaders, who do not permit elections to act as an indicator of the
ruler’s popularity levels, to live from one period of crisis to another rather than
ensure a lasting solution to their needling problems. Every time the citizens grow
restive towards the leaders, a hyped projection of threat to the security of the
nation is portrayed to whip up nationalist sentiments, like Iraq using the US
threat factor or claiming Kuwait as part of its territory over the years. A
temporary truce is then worked out as a way of solving the crisis and used as a
campaign of success by the leaders to improve their popularity and thereby,
enhance their legitimacy.
democratic system. This means that there is a legitimacy problem for these leaders.

The rulers in the Arab Gulf states had a relatively easy task of overcoming the problem of legitimacy because of the traditional structure of these societies, in which tribalism and religion are extremely strong. This factor meant that the rulers didn't need to justify their authority in the eyes of their people. The structure itself, was their legitimacy. Yet, the traditional structure of the Arab Gulf states is in general very strong and is likely to continue to resist, in varying degrees, any radical political or social changes for a long time.

This structure may have been much less immune to external influences and change were it not for the unlimited financial resources of these countries, which have made them welfare states able to satisfy the needs of a majority of citizens. Just as general prosperity is considered as a factor conducive to the development of democracy, it can also contribute to the support of an autocratic regime.

84 These details will come of use to understand why the system in Kuwait is considered unique, particularly in the context of the political milieu of the Arab Gulf states.

85 Kaufman and others, n. 70, p. 197.

86 The corresponding correlation between a high oil price regime and a low oil price regime to democratic norms in Kuwait and its effect on the legitimacy of the Al-Sabahs is discussed in Chapter Four.
Like many other developmental facets in the Arab world, the advance of civil society has been uneven and not kept up with the West. But the fact that civil formations existed in some form, led to demands for democratisation. Those countries which were subjected to periods of crises saw the difference that the presence or absence of civil formations can make in dealing with such situations. Lebanon and Kuwait are cases in point.

In both these countries, the “state” nearly vanished under trying circumstances. Lebanon went through a period of protracted civil strife compounded by regional and international factors. Kuwait faced a similar situation in the wake of the Iraqi invasion. Both countries had the presence of fairly well-developed civil formations. While several of these were totally paralysed, a substantial number of them remained active during the period of crisis. These associations provided material and moral support to many of their respective citizens, both at home and abroad.\(^7\)

There is also a weakness in the taxation system in the Arab world and extraordinary reliance on sources of revenue from outside their boundaries. Contrary to the “no taxation without representation” slogan, which came into

---

\(^7\) Saad Eddin Ibrahim, “Liberalisation and Democratisation in the Arab World: An Overview,” in Brynen and others, n. 64, p. 41.

\(^8\) In Kuwait the consumers’ cooperatives performed many of the functions previously provided by the state, such as food rationing, health, social welfare, education, mail and an informal communication network. Other civil organisations that could not function openly, because of the fear of the Iraqi forces, used food cooperatives and mosques to disguise their activities.
vogue during the American Revolution, the norm here is more towards “no taxation, no representation.” Thus, those states that are based on external sources of income, and are notably different from states based on domestic taxation, have come to be termed as “rentier states.” According to this concept, rentier states will display little tendency to evolve towards democratic institutions, while states needing to resort to taxation of domestic incomes or facing the need to cut down on subsidies and other economic benefits extended to their population will need to look for an alternative source of legitimacy, which may come from adoption of true democratic norms. Access to oil rent contributes to the explanation of stability and of the persistence in many Arab states of regimes based on a strong central figure, combined with more or less definite tendencies towards greater political debate and participation.

It is also important to note the impact of the Arab-Israeli conflict in the region’s democratisation process. The signing of the Camp David accord between Egypt and Israel in 1980 and, more recently and importantly, the peace accord between Israel and the Palestine Liberation Organisation are relevant in not only bringing peace and stability to the region, but also in promoting the process of

89 Brynen and others, n. 64, p. 15.
90 Luciani, n. 33, p. XXIV.
democratisation and development of civil society in the Arab world.\footnote{Ibrahim, n. 87, p. 53.} That the agreement stipulated the free and democratic election of the Palestinian Authority, and the strict adherence to the same, augurs well for democracy in the region. Substantial Arab resources and capacities were directed toward the liberation of occupied Arab lands.\footnote{Syria is one such example of suspension of democracy and basic human rights.} An end to the Arab-Israeli conflict will act as a catalyst for greater democratisation in those Arab countries in question, while also making an impact on other Arab countries and mark the culmination of all excuses to delay the growth of democracy.

During the 1990 Gulf crisis, it was predicted that more participatory governance in the Arab world would increasingly become real. This belief was based on the proposition that the crisis was as much an internal Arab political crisis as it was a regional international issue. In fact, elements of participatory governance did materialise in a number of Arab countries, but the trend had also set in before the crisis. In the years immediately preceding the crisis, several Arab regimes were made to feel their declining internal legitimacy. This was expressed in increasingly frequent violent confrontations between regimes and one or more of the socio-economic formations, particularly the rising middle class.

The importance of the crisis was in expediting the process. Popular expressions of support for one Arab side or the other in the crisis were not always
in accord with the official stand of the regimes. This had the effect of breaking the wall of fear between many Arabs and their ruling elites.\(^93\)

But, societies do not change unless there are compelling economic and ideological causes that force these changes. The wealthy traditional societies are satisfied with the Islamic ideology and certainly do not have economic problems, except those relating to fall in oil income, which may not always remain a constant. Their wealth, which is enough to be shared among its citizens without affecting the growth of the middle class, has killed any desire that might have existed for a change in ideology. With money readily available in the Arab Gulf states, the most advanced technological products can be obtained and there is very little attempt to encourage domestic productivity.\(^94\)

However, what is conveniently forgotten is that it is only through genuine participation in the political process by the people that the permanent legitimacy of the political order is guaranteed. But, there are not too many positive signs that the Arab leaders are ready for such a fundamental departure from the present order of things.

This chapter may be summarised thus: Legitimacy is the belief by the governed in the ruler’s moral right to issue commands and the people’s corresponding obligation to obey such commands. In the political sphere, it is an

\(^{93}\) Brynen, n. 64, pp. 42-44.

\(^{94}\) Kaufman and others, n. 70, p. 198.
interactive process between the ruler and the ruled. Since the command and obedience relationship is valid only if the political order in which it is rooted is based on shared norms and values, if the government acquired power in conformity with established rules, if it exercises that power within prescribed limits for the promotion of the community's collective interest, and if the governed have given their consent to the incumbent government, it is the endeavour of every government to perform in a manner that will enhance the legitimacy of the regime that the government is rooted in. Further, except in a well-established regime and during moments of political crisis, legitimacy is likely to be a matter of degree. But the crucial link between the government and its legitimacy or otherwise is through the allegiance of the administrative staff, strategic groups, and the elite if the political system is authoritarian, totalitarian or monarchical, and particularly, of the masses in the case of a democratic system.