

3 Reflections on Social and Psychological Processes of Legitimization and Delegitimization

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The concept of legitimacy has fascinated me for many years. Again and again, particularly over the course of the 1960s, I felt that the concepts of legitimacy and illegitimacy provided the organizing principles that helped explain various phenomena with which I was concerned. These included, among others, such broad phenomena as

- Power, authority, and influence, including destructive obedience;
- The relationship of the individual to the state and to other social systems (organizations or societies), as well as to the nation and other identity groups;
- Social movements, especially protest movements;
- Social change and the development and diffusion of new norms, attitudes, practices, and institutional forms;
- Social control and the social definition of deviance; and
- Egregious violations of human rights and established norms.

Eventually I came to use the concept of legitimacy more systematically in several domains. It is central to my collaborative work with Lee Hamilton on *Crimes of Obedience* (Kelman & Hamilton, 1989) and other writings on authority relations (Kelman, 1973, 1974, 1976, 1993b). This work starts with a basic distinction between influence in authority relationships and ordinary influence. The latter falls into the domain of *preference*: people accept influence if they decide – for one or more of a number of reasons – that the behavior offered by the influencing agent serves their own interests. Influencing agents' ability to exert influence depends on the resources available to them. Influence in authority situations, by contrast, falls into the domain of *obligation*: people accept influence insofar as they see the influencing agent as having the right to make certain demands or requests

and see themselves as having the obligation to adhere to them. The authority's ability to exert influence depends on his or her perceived legitimacy.

I have also used the concept of legitimacy in the analysis of nationalism and citizenship (Kelman, 1968, 1969, 1993a, 1997a), of social movements (Kelman, 1970, 1984), and of the ethics of social research (Kelman, 1972, 1982). In this context I have discussed the ultimate sources of legitimacy of a social system (briefly, the extent to which the system reflects the identity and meets the needs and interests of its members), the criteria by which the legitimacy of a particular set of authorities within the system is assessed, and the criteria for judging the legitimacy of a specific demand from these authorities. I have analyzed social movements – particularly movements protesting the violation of group rights (including the rights of subjects in social research) – in terms of the nature of the challenge they offer to the legitimacy of a system, its authorities, or its policies and practices.

Although the concept of legitimacy has served me well over the years, I still have some difficulty getting hold of it. I sometimes wonder whether, in trying to explain too much, it ends up explaining too little. I greatly value, therefore, the effort represented by this volume to bring together scholars who have found the concept useful in diverse endeavors. Juxtaposing these different uses of the concept can help us tease out the unique contribution of the concept of legitimacy to the analysis of social behavior.

Legitimacy as the Moral Basis of Social Interaction

What characterizes legitimacy at its core is that it refers to the *moral basis* of social interaction. For the sake of simplicity I shall speak of legitimacy as an issue that arises in an interaction or relationship between two individuals, or between one or more individuals and a group, organization, or larger social system, in which one party makes a certain *claim*, which the other may accept or reject. Acceptance or rejection depends on whether that claim is seen as just or rightful. Legitimacy can be evaluated at least on two levels. One level concerns the legitimacy of the claim itself, or of the action, policy, demand, or request that reflects that claim. The other concerns the legitimacy of the claimant – of the person, group, organization, or larger social system that makes the claim or provides the backing for it.

Behavior within the domain of legitimacy thus follows different rules from the behavior with which a great deal of social analysis is concerned. Major theoretical models in social science, such as social exchange or

rational choice, focus on interests and preferences of the actors rather than on the moral basis of their interaction. The concept of legitimacy reminds us that there are significant aspects of social behavior, and indeed of social structure, that are determined not so much by interests and preferences as by rights and obligations.

To illustrate the scope of the concept of legitimacy, let me take two simple examples from interpersonal situations, recognizing that legitimacy typically refers to an aspect of the larger social structure, going beyond the immediate situation. One example involves the request for a favor as an instance of legitimate influence. We usually think of legitimate influence in the context of authority relations, but the concept can also be applied to non-hierarchical relations. Thus, if you have done me a favor, you have a legitimate right – in keeping with the norm of reciprocity – to request a favor from me in turn, and I have an obligation to accede to your request to the best of my ability. Similarly, if we are friends, you have a legitimate right – in keeping with the norms of friendship – to ask me for a favor, and I have an obligation to try my best to meet your request. In the language used here, the request for a favor is a claim that you are making on me. As a friend, or as someone who has done me a favor in the past, you have a right to make such a claim; that is, you are a legitimate claimant. The claim itself may become illegitimate, however, if the favor or request is far out of proportion to what you have done for me, or if it goes well beyond the norms of what friends can expect from one another.

Perhaps an even simpler example can be drawn from the natural-language use of the term *legitimate*. People may be acting in ways that we find irritating (e.g., talking loud in a public place or taking a lot of time on a cafeteria line) but that we deem to be legitimate, in the sense of falling within the range permitted by the norms that apply to such situations. Under these circumstances, most of us will acknowledge that these people have a right to act that way, and we have an obligation to tolerate their behavior.

These modest examples illustrate the way in which rights and obligations may trump preferences and interests. To distinguish between these two domains of behavior, however, is not to say that they are completely separate from one another. I am not saying that interests and preferences become irrelevant when rights and obligations are at issue. The two domains are often intimately connected, as evidenced, for example, by the relationship of the individual to the nation-state. The state is entitled to make certain demands of its citizens, such as imposing taxes on them (by legitimate means), and citizens are obligated to accede to these demands. But one of the ultimate sources of the state's legitimacy, which underlies

citizens' implicit consent to its demands, is the extent to which the state reflects the identity and meets the needs and interests of its citizens (Kelman, 1969; Kelman & Hamilton, 1989).

Furthermore, legitimate demands by the state are typically reinforced by both coercive and persuasive means. Although state authorities could rely on legitimate influence, activating citizens' obligations to obey, they usually bolster their demands with "ordinary" influence attempts, in the form of appeals to citizens' personal interests and preferences. It is also the case that citizens' support for legitimate demands by the state is more rapid and more enthusiastic when these demands coincide with their personal preferences. Indeed, demands that coincide with personal preferences are more readily perceived as legitimate in the first place.

Reactions to legitimate claims, then, are not independent of personal interests and preferences, but they do have a significant degree of functional autonomy. People often act with disregard to their personal preferences or even against their own interests – at least in the short term – when their obligations are activated. Furthermore, people often refrain from acting on their preferences unless such actions have been authorized, that is, declared legitimate. Thus, the concept of legitimacy can account for actions that are not entirely reducible to interests and preferences.

Legitimacy and Major Shifts in Social Norms

The concept of legitimacy can also help to explain major shifts, whether sudden or gradual, in social norms within a society or within segments of a society. Such major shifts are exemplified by instances of significant social change, such as the change in attitudes toward racial segregation or toward smoking that took hold in American society at large in recent decades. They are also exemplified by radical changes in attitude within subgroups of a society, which enable them to justify egregious violations of widely respected social norms, such as political assassinations or the use of torture. I am proposing that such shifts in social norms can be analyzed usefully in terms of processes of legitimization and delegitimization.

Legitimization refers to the process of recategorizing an action, policy, or claim – or a system, group, or person – such that what was previously illegitimate now becomes legitimate, or what was previously optional now becomes obligatory. In other words, legitimization entails acceptance of a claim or a claimant into the domain of moral acceptability or moral obligation. *Delegitimization*, on the other hand, refers to the reverse process of recategorization, whereby what was previously legitimate now becomes

illegitimate, or what was previously obligatory now becomes optional. In other words, delegitimization entails removal of a claim or a claimant from the domain of moral acceptability or moral obligation. The kinds of claims that I particularly refer to may be claims of certain rights, including claims of protection and respect, or claims of certain powers, including claims of authority. Legitimization, then, refers to the acknowledgment of rights or powers that were not previously recognized, or the extension of certain rights or powers to claimants to whom they were not previously granted. Delegitimization refers to the denial of rights or powers that previously were recognized or the withdrawal of rights or powers from claimants to whom they were previously granted.

I shall offer four general observations about processes of legitimization and delegitimization before turning to a series of illustrations of these processes at work. My four observations are not yet entitled to the status of propositions, but perhaps they can serve as starting points for developing such propositions.

1. Processes of legitimization or delegitimization are societal phenomena, which are caused and propelled by forces operating throughout the society and spread through a variety of channels of communication and influence. However, they are generally set into motion – or at least accelerated – by the actions or pronouncements of authorities of one or another kind, such as political, judicial, religious, institutional, medical, or scientific authorities.

2. Legitimization and delegitimization processes generally operate in tandem. For example, as a policy or practice (such as South African apartheid) loses its legitimacy, a previously illegitimate leader and movement (such as Nelson Mandela and his African National Congress) gain legitimacy. As a political figure or group becomes delegitimized, violence against that person or group becomes legitimized (as in the case of political assassination or torture of suspected terrorists). As a group's claims to rights or identity become legitimized (as has happened in the case of homosexuals or the disabled), previous policies or practices of discrimination against that group become delegitimized. The associated processes of legitimization and delegitimization are not necessarily causally related, in that both may be caused by a third variable. Insofar as they are causally related, the link may go in either or both directions.

3. The shift in norms produced by legitimization or delegitimization processes is more rapid and enthusiastic the more congruent the recategorization is with a person's or group's initial interests and preferences. For example, Nazi racial laws of the 1930s that delegitimized Jews and legiti-

mized the dispossession and exclusion of the Jewish population were readily and enthusiastically accepted by those individuals and groups in Germany who held anti-Semitic views or who stood to gain from taking over Jewish property or positions held by Jews. Similarly, the shift in norms within the society at large is more rapid and enthusiastic, the more closely the recategorization corresponds with the interests and preferences of large segments or of the most powerful segments of the society. For example, in a cross-national comparison, Fein (1979) discovered a relationship between the strength of anti-Semitism in a country prior to World War II and the number of Jews killed in that country during the Holocaust (see also Staub, 1989). When the new norms are incongruent with existing interests and preferences, the change may be slow and gradual, even though the recategorization itself may be an abrupt step.

4. Although legitimization and delegitimization often represent abrupt and radical shifts, they generally draw on dispositions that are structurally or historically available within the society. For example, the delegitimization of certain ethnic groups may build on a history of conflict and perhaps of dehumanization, as was the case for Jews in Nazi Europe, for Moslems in Bosnia, or for Tutsis in Rwanda. The delegitimization of segregation in the United States drew on widely shared national values, which Gunnar Myrdal (1944) had described as the "American creed" in his influential analysis of race relations in the United States. Although the widespread belief in equal rights and the dignity of the individual created moral uneasiness and guilt about racial segregation among many Americans, it did not necessarily lead them to embrace integrationist views (Allport, 1954, ch. 20; Campbell & Pettigrew, 1959, ch. 3). But, once segregation was delegitimized at the level of the country's highest authority, these values facilitated the acceptance and diffusion of new attitudes and behaviors in line with the new norms.

Legitimization and Delegitimization in Social Change and Social Conflict

The view of legitimization and delegitimization as processes of recategorization into or out of the domain of moral obligation or moral acceptability may provide a handle for understanding what happens in a wide range of situations that involve sudden or radical reversals in norms, extreme violations of norms, or changes in norms after a long period of stability. I shall illustrate the role of legitimization and delegitimization as moral recategorization processes with several diverse examples from the domains

of social change and social conflict. I have selected these particular instances out of a large pool of potential illustrations because they touch directly on some of my own experiences or my own work.

Desegregation in the United States

The closest approximation to empirical data to be presented in this chapter is a serendipitous and never-published finding from an experiment carried out in 1954. The experiment itself (Kelman, 1958), an attitude change study, was designed to test distinctions between the processes of compliance, identification, and internalization. The study was carried out in what was then a black state college in Maryland. The time was spring of 1954, when the U.S. Supreme Court was moving toward announcement of its decision on desegregation in the public schools. The participants in the study – first-year students at the college – were exposed to one of four tape-recorded persuasive communications. The communications varied in the source and degree of the communicator's power, but all four communicators presented the same basic message: In the event that the Supreme Court rules that school segregation is unconstitutional, it would still be desirable to maintain some of the private black colleges as all-black institutions, in order to preserve African-American culture, history, and tradition. Preliminary testing indicated that a large majority of the participants would initially be opposed to this position. However, their views on this issue were not strongly held. Although they were unambiguously opposed to segregation, the question of maintaining, by choice, some all-black private colleges in the interest of preserving black culture was not something to which they had given much if any thought before. This is why the issue lent itself well to a study seeking to measure attitude change in response to a one-shot communication.

Immediately after exposure to the communication, research participants filled out two attitude questionnaires. From 1 to 2 weeks after the communication session, they completed a third questionnaire under conditions that minimized the connection between that questionnaire and the original communication. As it happened, about half of the participants – fairly well spread out over the four experimental conditions – filled out the third questionnaire on Friday, May 14, 1954, which was the Friday before the Supreme Court decision was announced. The other half – similarly spread out over the experimental conditions – filled out the questionnaires on Monday, May 17, 1954, the very day on which the decision had been announced. Thus, we had the makings of a natural experiment, testing the immediate effect of the Supreme Court decision on the attitudes of a group of black college students.

We found a significant difference between the two groups. Participants responding *after* the Supreme Court decision were more firmly opposed to maintaining all-black colleges – even in the private sector, even by choice, and even for the sake of preserving African-American culture, history, and tradition. It would appear that the authority of the Supreme Court had an impact even on these students, who were clearly opposed to school segregation from the start. The Court's decision may have delegitimized segregation under any and all circumstances, thus pulling back those students who had been swayed by the earlier communication. By the same token, it may have legitimized and thus reinforced the stance of those students who were inclined to oppose all-black colleges even in the face of the arguments presented in the earlier communication. This finding suggests that legitimization and delegitimization processes may have a subtle effect, even on individuals who are already in favor of the social change that is being advocated, by providing authoritative support for their beliefs and counteracting doubts and hesitations.

Role of the Church in Social Change

Racial segregation in the United States has been both legitimized and delegitimized by the church. Some churches have provided (and some continue to provide) ideological justifications for segregation, but over the years churches have come to play a leading role in the condemnation of segregation. The Dutch Reformed Church of South Africa offers a dramatic example of the dual function that the church may perform. The church played a "seminal role . . . in both initiating and sanctifying the apartheid system" (Sparks, 1990, p. 32). But when, in the 1990s, the leadership of the Dutch Reformed Church revised its doctrine and declared apartheid a sin, it played a decisive role in delegitimizing the system in the eyes of Afrikaners and encouraging them to accept the necessity of thoroughgoing constitutional changes.

A fascinating phenomenon for students of legitimacy and of the role of the church in social change is the emergence in the late 1960s of liberation theology in Latin America and elsewhere (see Berryman, 1987). Liberation theology has contributed significantly to producing change in the self-definition of peasants who, for generations, had accepted the legitimacy of a stratification system that subjugated and oppressed them – an issue that is central to several of the chapters in this volume (especially the chapters by Jost, Burgess, & Mosso; Major & Schmader; Olson & Hafer; Ridgeway; Sidanius, Levin, & Pratto; Spears, Jetten, & Doosje; and Tyler). Liberation theology helped to make poor and oppressed peasants conscious of their own worth and dignity. It thus served to legitimize within these popula-

tions a view of themselves as human beings, who are entitled to equal rights by virtue of the fact that they are children of God and fully equal in God's eyes. This change in self-image, in turn, delegitimized for them the system that had been depriving them of their rights.

This pattern of consciousness raising, leading groups to claim rights to which they had not previously felt entitled and to delegitimize an oppressive system and its practices, which they had previously accepted as natural and just, characterizes a wide range of protest movements (Kelman, 1984). Raising the collective consciousness of members of a group or category and fostering their distinctive group identity empower them to declare the system illegitimate on the grounds that it excludes them, and to declare various policies and practices illegitimate on the grounds that they violate the group's legitimate rights and fall short of its legitimate expectations. Consciousness raising – *conscientização* – was also a central feature of Paulo Freire's (1971, 1973) "pedagogy of the oppressed." His approach is best exemplified by the literacy training program that he and his colleagues first developed for impoverished peasants in northeast Brazil. This and subsequent programs were designed to foster a critical consciousness that helped participants to see themselves as active agents with a role in transforming the world. Indeed, Freire's methods served as a model for the work carried out at the local level by church people inspired by liberation theology (Berryman, 1987). What liberation theology adds to the consciousness-raising efforts of protest movements or Freire-inspired adult education programs is the authority of the church in legitimizing a new self-concept in the oppressed. In describing the impact of the Catholic Church's promulgation of a liberation theology on El Salvador, Ignacio Martín-Baró (1994) writes that

the main consequence has perhaps been that the rural and urban working-class sectors most closely tied to the church have abandoned the traditional belief that their miserable oppressed situation is the will of God, or is at least tolerated by God, and have begun to think that faith in God should guide them toward the construction of a more just and humane society. This new religious consciousness alone did not incite Salvadorans to revolution, but it did leave them without a justification for passive acceptance of oppression, and it offered them a religious basis for profound social change. (p. 140)

From Terrorist to Negotiating Partner

In the post-World War II period we have witnessed numerous instances in which anti-colonial and national liberation movements, engaging in guerrilla warfare and terrorist tactics, were eventually accepted as negotiating partners by the governments they opposed and became the founda-

tions of new independent states. In recent years, the African National Congress (ANC), the Palestine Liberation Organization (PLO), and the Irish Republican Army (IRA) – previously categorized as terrorist organizations by their opponents and by much of the rest of the world – have become legitimized, to varying degrees, and have been granted a share of the power. In South Africa, the ANC is now the ruling party; the PLO is negotiating with Israel on behalf of an emerging Palestinian state; and Sinn Fein, the political wing of the IRA, is represented in the still uncertain government of Northern Ireland. In all of these cases, the readiness of the respective governments to negotiate with the groups that they had for a long time delegitimized as terrorist organizations was essential to achieving a breakthrough in resolving these protracted, violent conflicts.

What made these organizations – especially the ANC and the PLO – so central to any negotiating process is that they had widespread support in their respective communities; they enjoyed a high level of legitimacy in the eyes of their populations. Thus, once the governments were ready to make peace, they came to realize that these organizations were the only credible counterparts for negotiations and the only ones who would have the capacity to “deliver,” that is, to mobilize the support of their populations for any agreement emerging from the negotiations. Now the legitimization of these organizations became as important to the pursuit of the governments’ interests as their delegitimization had been in earlier years. Israeli Prime Minister Yitzhak Rabin, for example, came to the reluctant conclusion in 1993 that only direct negotiations with the PLO would move the peace process forward when he realized that the Palestinian negotiators at the Washington talks did not have the authority to make the difficult decisions required (Kelman, 1997b).

While the governments’ legitimization of the ANC and the PLO as negotiating partners was a response to necessity, prior events helped to create the possibility for recategorizing these organizations. Among various third parties and in the United Nations and other international organizations, the ANC and the PLO had long ago been legitimized. Their legitimization was directly related to the delegitimization of government policies that were widely considered repressive, that is, the apartheid policies of South Africa and the occupation policies in the West Bank and Gaza. Thus, there was already considerable precedent for categorizing the ANC and PLO as legitimate liberation movements rather than as terrorist organizations. Moreover, increasing international recognition and legitimization also contributed to a moderation of these movements, leading them to shift from armed struggle to a political process in pursuit of their goals.

The recategorization of these movements was further facilitated by the growth of unofficial contacts between members of the conflicting parties, particularly members of their political elites – contacts that brought together Israelis and PLO-connected Palestinians, or South African whites and ANC-connected blacks. In the Israeli–Palestinian case, for example, the problem-solving workshops that my colleagues and I organized beginning in the 1970s (Kelman, 1998), along with a wide range of other encounters at different levels and in different settings, gradually helped to legitimize the PLO as an appropriate negotiating partner within Israeli society. Participants in such meetings were able to develop and feed into the Israeli political culture a new image of the PLO, including an awareness of the broad-based legitimacy of the PLO among Palestinians, which made the Israeli search for an alternative interlocutor futile; a differentiated view of the PLO, indicating that there were significant moderate elements in the movement and its top leadership that were ready for negotiation; and evidence of the occurrence and possibility of change in the PLO's goals, strategy, and tactics. The gradual legitimization of the PLO within an important segment of the Israeli political elite – as well as within the international community – laid the groundwork for the official acknowledgment of its legitimacy in the Oslo accord.

Gross Violations of Human Rights

Some of my earlier work (Kelman, 1973, 1993b; Kelman and Hamilton, 1989) has focused on the role of legitimization and delegitimization in enabling massacre, torture, and similar gross violations of human rights. In these writings I have distinguished three social processes that facilitate the participation of individuals in such actions: authorization, routinization, and dehumanization. I speak of authorization when the action has been explicitly ordered, implicitly encouraged, tacitly approved, or at least permitted by legitimate authorities. Authorization, in effect, legitimizes actions that under normal circumstances would be morally reprehensible. Routinization – transforming the action into routine, mechanical, highly programmed operations at both the individual and the organizational level – minimizes the occasions in which moral questions may arise and reinforces the view that one is engaged in a normal, proper activity within a legitimate enterprise. Dehumanization, in effect, delegitimizes the targets of these actions, excluding them from the actor's moral community, so that massacring or torturing them becomes morally acceptable or even desirable in the eyes of the perpetrators and their presumed constituencies. The processes of authorization, routinization, and dehumanization together

function to remove or weaken the moral restraints that would normally inhibit such violations of the fundamental rights of fellow human beings.

Torture carried out by military, police, or other security forces as a systematic, routine component of their work, under the official sponsorship of the state, provides numerous examples of the operation of legitimization and delegitimization processes. For present purposes, I shall restrict myself to one set of findings about the justification for torture, emerging from interviews with military officers in four Latin American countries (Heinz, 1993). The torture of radicals and suspected guerrillas was justified by these professional soldiers on the grounds that their victims represented a serious and immediate threat to the state and society. The victims were depicted as communists and dangerous enemies of the state who had taken themselves out of membership in the nation and thus in a shared moral community. As enemies of the state, suspected guerrillas had no rights and were certainly not entitled to protection by the state. Any actions required to neutralize them, including torture, were not only morally justified but were part of a necessary and noble effort to defend the national community.

There is some evidence from the Latin American interviews that the intensity of torture increased after reports that military officers had been deliberately selected for killing by guerrilla forces. No doubt the desire for revenge played a role in the officers' reaction to this news. But I propose that the killings of their comrades further contributed to the delegitimization of the guerrillas and to the legitimization of violence against them in the eyes of the officers. The view of guerrillas as dangerous enemies, rather than as fellow citizens entitled to protection, acquired a very personal meaning, and violence against them was readily construed as an act of self-defense.

Political Assassination

Political assassinations or terrorist acts are seen by the actors as legitimate acts that are morally permitted or even required. Such acts are generally anchored in an ideological system, which provides the rationale and justification for them. Their timing, however, is by no means random. They are designed to have a political impact, and their timing is chosen to maximize that impact. In this connection, assassins and terrorists are often responsive to the mood within their own communities; they are most likely to strike out at moments when – at least from their perspective – their targets have been especially delegitimized, and hence acts of violence against them have been legitimized in the public eye. I shall illustrate the

point with two political assassinations with which I am particularly familiar.

In the spring of 1983, Issam Sartawi was assassinated at a conference in Lisbon by members of a marginal Palestinian group, which was outside of the PLO and opposed to Yasser Arafat's policies. Sartawi was a pioneer in opening dialogue with members of the Israeli left, starting in the 1970s. It was generally known that he was close to Arafat, supported and protected by him, although Arafat was careful to maintain deniability regarding Sartawi's efforts. I had the opportunity to attend the first meeting of the Palestine National Council after the PLO's 1982 expulsion from Lebanon. The meeting was held in Algiers in 1983. I noticed that Sartawi, a member of the Council, hardly ever sat in his assigned place; he seemed to spend most of the time standing in the back of the room and observing the proceedings; he was visibly an outsider. At one point he was scheduled to speak, but his appearance was canceled – at the order or at least with the consent of Arafat, who was very much in charge of the proceedings. For whatever reason, Arafat was trying to distance himself at that point from Sartawi and the policy line that he represented. In effect, Sartawi was being delegitimized in the movement, as Arafat publicly withdrew his protection from him. A few weeks later, he was assassinated.

In the months preceding his assassination in November 1995, Yitzhak Rabin was delegitimized in a variety of ways by his opponents, who considered him a traitor for signing the Oslo agreement and giving up territory to the Palestinians. For some time, he was being portrayed in posters, carried at anti-Oslo demonstrations, wearing a *kafiyeh* – the Arab headdress associated with Arafat. Perhaps even more extreme were posters that depicted Rabin wearing an S.S. uniform, and thus identifying him as a Nazi, which represents the ultimate exclusion from a Jewish moral community. Moreover, some extremist rabbis issued a ruling that the *din rodef* – the law of the pursuer – applied to Rabin. According to this law, if a man pursues you with a knife, you are permitted to kill him first. This ruling explicitly set the stage for the assassination, because it identified Rabin as a man who was about to commit murder and it defined his killing as an act of self-defense. During the weeks before the assassination, this ruling was quoted and discussed in the circles in which Yigal Amir, Rabin's assassin, moved.

Smoking

A rather different example of legitimization and delegitimization processes is provided by the enormous social change that has taken place in the area of smoking in recent decades, particularly in the United States. As

a lifelong non-smoker, I continue to be impressed by the scope and rapidity of the changes in attitudes, norms, and behavior related to smoking throughout our society. I recall quite vividly what it was like to be a non-smoker in my younger years. It was the non-smokers who were on the defensive and who had to explain their odd behavior. Although neither my wife nor I were smokers, we owned dozens of ashtrays (now used for a variety of other purposes), which we dutifully laid out whenever there was a gathering at our house and which we cleaned out as soon as the last guest had left. There was even a time when I carried matches in order to accommodate desperate smokers (but I never went as far as carrying cigarettes for them). The idea of asking someone to refrain from smoking in my office or in a public place was completely unthinkable; the habit is so strong that I find it difficult to make such a request even now (unless the smoker is sitting right under a "No Smoking" sign).

Today we witness a complete reversal in roles. Smoking has been delegitimized in society. It is prohibited in many public buildings, at times forcing smokers out into the wintry cold in order to take a few puffs. Smokers as people have become delegitimized, to the point that I sometimes worry that they are being deprived of their civil rights. Asking a smoker to put out a cigarette is now perceived as quite legitimate. Speaking ill of smokers and even criticizing them to their face appears to be socially acceptable. Smoking is perceived not only as an unhealthy, unclean, and unwise habit, but as a moral failing. It is not too much of an exaggeration to say that smokers today are, in a sense, being excluded from the moral community. Forcing them to pursue their habit in the streets or alleyways outside of their workplaces symbolizes the moral exclusion that they experience.

The strong scientific and medical evidence for the harmful effects of smoking, including secondhand smoke, provides the authority for the delegitimization of smoking and smokers and for the legitimization of legal curbs and social disapproval directed against smokers. The reaction may also reflect a certain accumulated resentment in the non-smoking population, who in the past not only had to accept a smoke-filled environment without complaint, but were also induced to believe that smoking was a sign of class and glamour. The authoritative delegitimization of smoking may thus have struck a responsive chord in non-smoking sectors of the population. In the United States, in particular, the new moralistic response to smoking also draws on earlier patterns of attitudes toward alcohol and drugs, as epitomized by the temperance movement and the prohibition era.

Drugs at Harvard

My final illustration comes from the legendary Leary–Alpert drug episode at Harvard in the early 1960s, in which my role has been described as that of a whistleblower. In the fall of 1961, I came back from a year abroad to find that the Psychological Clinic, in which I was based, had become a center for the exploration of psychedelic drugs. What particularly concerned me was that drug-taking sessions were now a regular part of the curriculum in the introductory course in clinical psychology, taught by Timothy Leary and Richard Alpert and required for the dozen or so first-year clinical students. The students saw this as a program requirement and only one or two refused to participate. Along with two other junior faculty members, I expressed some concern about these happenings at faculty meetings. We were reluctant to make a big public issue of this because, although these activities seemed illegitimate to us, we were also conscious of the strong norm against telling colleagues how to conduct their courses and interfering with their academic freedom.

I became mobilized into a more proactive stance two or three months into the semester, when the only student who had consistently refused to take part in drug sessions raised the issue with me. As it happened, he was my advisee, with whom I had had a number of conversations about psychology and the world, though not about drugs at Harvard; he was also leftist in his politics and a non-conformist. He came to me that day and, very cautiously, told me that there was a rumor among the students that I might not be totally supportive of what was going on at the clinic and in the course. I was shocked to realize that my own student, who knew something about my outlook and values, and who was clearly motivated to find support for his non-conformist position, would approach me so gingerly and even have any doubt that I was opposed to these goings-on. I realized at that point how legitimized the virtual requirement of drug sessions had become in the students' eyes. The students (particularly, but not only, the first-year students) were confused. They sensed the illegitimacy of what was happening, but they were not entirely sure about it. They were used to the fact that not all program requirements made sense to them. What they knew was that Leary and Alpert were core members of the clinical faculty. They were teaching the required first-year clinical course, designed to introduce the new students to the field. They had been brought to Harvard (as had I) by the then-Director of the clinical program, David McClelland. They knew (and students notice such things) that Leary and Alpert were not only McClelland's protégés, but also his personal friends. They could only conclude, therefore, that participation in drug sessions was an authorized, legitimate part of the program they had en-

tered and that, regardless of their personal preferences, they had to participate in order to stay and succeed in the program.

Legitimization was the concept that made it clear to me what the issue was and what my course of action had to be. I saw what was happening as an abuse of faculty power, which had become totally legitimized in the eyes of the students. Although I had felt that I was doing my duty by expressing my concerns at faculty meetings, I now realized that my and my colleagues' failure to take a public stand contributed to this legitimization process. I had no particular interest in stopping Leary and Alpert's psychedelic explorations, but I wanted to make it absolutely clear to the students that these activities were not a part of the clinical curriculum, that the students were not required or expected to participate in them, and that most of the faculty had serious misgivings about the entire enterprise. At my suggestion, McClelland called a special meeting of the faculty and students of the clinical program, at which he and I made these positions clear and Leary and Alpert responded.

From my point of view, the meeting fully achieved its purpose. The discussion made it unambiguously clear to the students that the drug sessions were not a legitimate and required part of the curriculum, and it helped to delegitimize the enterprise in their eyes. As I learned from many subsequent testimonials, the meeting also provided great relief and reassurance to many students who had become utterly confused about the limits of acceptable behavior in an academic context. As it happened, the meeting also had other consequences, unrelated to its original purpose. Although it was intended as a private, in-house meeting, it attracted a wider audience and soon became a matter of general knowledge. It set into motion a process that eventually led to the discontinuation of Leary and Alpert's program and to their departure from Harvard in 1963. But this is another story, in which I was not involved. I had in the meantime left Harvard to move on to the University of Michigan.

Conclusion

The diverse examples offered here are meant to illustrate the flexibility and usefulness of the concepts of legitimization and delegitimization in analyzing major discontinuities in social behavior, that is, sudden or radical changes in attitudes and norms – changes that turn social norms on their head, such that what was wrong before now becomes right or vice versa. I have proposed that what is involved here is a recategorization of claims or claimants into or out of the category of moral acceptability or moral obligation. The analysis is based on the assumption that there is a significant

domain of behavior that is governed not so much by interests and preferences as by rights and obligations. And yet the analysis also reveals that these two domains are by no means independent of one another.

In all of the illustrations, important authorities – major institutions or the individuals representing them – play a pivotal role in initiating or promoting the recategorization process. These include the state, the courts, the church, the medical and scientific establishment, or particular institutional authorities. In some cases, behavior sponsored by these authorities goes against the interests and preferences of the people called upon to adopt it; indeed, they may find it morally repugnant. They obey because an obligation has been activated. In other cases, however, the authorities' demands may encounter a considerable degree of receptivity. Authorization of the behavior may justify actions that violate established norms but that actually correspond to the interests, preferences, or ideological inclinations of the actors. Thus, although legitimization and delegitimization processes in the different contexts alluded to here represent, by definition, discontinuity with established norms and practices, they often take hold precisely because they provide continuity at the level of interest and preference. At the very least, there are often preexisting societal categories into which claims or claimants can be placed so as to include them in or exclude them from the domains of moral acceptability and obligation.

Many of my examples depict legitimization and delegitimization as negative, anti-social processes. The same can be said for much of the work of social psychologists in this area, as reflected in this volume. One focus of social-psychological analysis, for example, has been on the legitimization of acts of violence against individuals or groups and deprivation of their human rights when these are ordered or encouraged by legitimate authorities and construed as serving a higher purpose, as well as the corresponding delegitimization of the targets of these actions by excluding them from the perpetrators' moral community. Another major focus of social-psychological analysis has been on the legitimization of unjust, oppressive systems of social stratification, not only in the eyes of the oppressors but often also in the oppressed group's own eyes.

Legitimization and delegitimization processes, however, may play a socially positive role as well. I would place in this category the delegitimization of slavery, colonialism, racial and gender discrimination, child labor, and exploitation of poor and weak populations, and the corresponding legitimization of groups that have previously been excluded and whose rights are now being recognized. Indeed, it is these processes of delegitimization of oppressive practices and legitimization of oppressed populations that are at the heart of most movements for social change, which are

designed to open up the society to excluded groups and to establish or restore legitimate rule.

Legitimate rule as such is a positive concept, in that it refers to the moral foundation of a political or social system. The ultimate sources of legitimacy of a state, for example, are the extent to which the population perceives it as reflecting its ethnic-cultural identity and meeting its needs and interests.

The *maintenance* of legitimacy, once a state has been established and is running its normal course, depends primarily on the perception that certain mechanisms for legitimate rule exist, that they are intact, and that they are being used as necessary. Mechanisms of legitimate rule, in essence, refer to procedures and criteria for preventing the arbitrary use of power. (Kelman & Hamilton, 1989, pp. 122–123)

The perceived legitimacy of an ongoing system thus depends on its adherence to procedural justice (see Tyler's chapter in this volume). Procedural justice cannot substitute for distributive or substantive justice, but it ensures fair treatment and equal opportunity to all segments of the society in their pursuit of distributive and substantive justice. In doing so it helps to create the conditions for ensuring that the system lives up to the ultimate criteria of legitimacy by reflecting the identity and meeting the needs and interests of all segments of the population.

Insofar as processes of legitimization and delegitimization help to establish or restore legitimate rule – by bringing excluded groups into the system, by ending oppressive and discriminatory practices, and by promoting governments and institutions that are representative and responsive to the needs of the population – they serve the cause of justice and positive social change. Unfortunately, similar processes of legitimization and delegitimization within a society or organization may serve to provide moral justification to oppressive and discriminatory practices, to violence and gross violations of human rights, and to fundamentally unjust systems of social stratification. The social and psychological processes of legitimization and delegitimization that provide moral justification for unjust systems and practices and exclude population groups from one's moral community are not necessarily different from those that reject unjust practices and extend one's moral community to groups that have previously been excluded. They can be distinguished only by the content of the actions. No matter what their moral pretensions may be, policies and practices that exclude fellow humans on the basis of their group characteristics, or that appeal to a "higher" mission that transcends the welfare of individual human beings, are automatically suspect. In the final analysis, the moral

quality of policies and practices is measured by their purposes and their human consequences – by the impact they are likely to have on the rights, the dignity, and the well-being of concrete human individuals and their groups.

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