

Challenging Legitimacy: Repertoires of Contention, Political Claims-Making, and Collective Action Frames

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When, on 15 February 2003, approximately 9 million people worldwide took to the streets, they could not stop the war against Iraq which began a mere month later, but they certainly made powerful public statements about the perceived illegitimacy of the Bush administration's politics of military escalation. Depending on whether their country was a member of the so-called pro-war 'coalition of the willing,' the demonstrators also legitimated or delegitimated their respective government's politics on this issue. The argumentations put forward by the organizations that had mobilized for these demonstrations varied widely. Some of them made statements against the use of military means, others primarily criticized the US and British administrations for presenting false evidence to support their claim that Iraq possessed weapons of mass destruction, yet others referred to the lack of legitimation from the UN, and some argued – in a more anti-imperialist frame – against US hegemony driven by oil interests in the gulf region.¹ Depending on their interpretive frame of reference, the legitimating and delegitimizing statements differed both in their argumentative structure and with regard to their addressees, but the example of the 2003 anti-war protest makes it immediately obvious

¹ A relatively representative collection of positions can be found on the website of the German peace movement SMO 'Netzwerk Friedenskooperative' at: <http://www.friedenskooperative.de/themen/golffk-00.htm>.

that questions of legitimacy can play a prominent role in social movement mobilizations. Since social movements are often highly visible, and sometimes are even powerful collective actors, empirical research on legitimacy and/or the processes of legitimation should, therefore, pay attention to the roles that these actors play in discourses and conflicts about legitimacy.

Unfortunately, questions of legitimacy have only seldom been explicitly addressed in social movement research. This does not mean that these questions have been absent; on the contrary. In this chapter, I argue that the relevant strands of social movement research have actually accumulated a body of knowledge that can help us to understand the dynamics of processes of legitimation, even though this research has usually not employed the terminology of legitimacy.

In general, one can identify two fundamentally different perspectives from which the nexus of social movements and legitimacy has been addressed: The first asks whether social movements are legitimate actors in themselves. This was an issue in early social movement research which was basically settled with the advent of the resource mobilization paradigm in the 1970s, but reappeared at a slightly different level in the 1990s with a growing awareness of ‘ugly’ social movements from the Right, and of the growing importance of NGOs and/or social movement organizations (SMOs) in transnational or global governance structures. From this perspective, the question of legitimacy becomes relevant, either in relation to the roles and functions of social movements in national and transnational governance structures, or with regard to organizational forms and democratic processes. Secondly, a number of researchers have often implicitly addressed questions of legitimacy by analyzing the strategies that movements employ and the claims that they make in order to achieve their goals. In this vein, researchers have usually not looked directly for legitimating or delegitimizing strategies and argumentations, but instead for the repertoires of contention that social movements use to challenge (state) authority (Tilly 1978), for the master frames that have proven instrumental to the mobilization of significant numbers of supporters (Benford and Snow 2000), or for patterns of political claims-making (Koopmans and Statham 1999).

In the following, I argue that these and other studies have actually either addressed questions of legitimacy under different headings, or that they are, at least, able to provide interesting insights if their research is applied to these questions. From this perspective, the interesting question is not whether specific social movements, SMOs and NGOs, or social movements in general are legitimate political actors, but how they

ascribe or deny legitimacy to political institutions and actors, and how their ability to do so depends on their strategic choices or structural restraints.

To understand why the first perspective has remained relatively marginal in social movement research, one has to differentiate between a normative and an analytical concept of legitimacy. As a normative concept, the legitimacy of a political system and, in a similar way, that of a political actor, would depend on the fulfillment of certain value expectations. As Hennis has argued, these values are always historically contingent and can never be absolute. In his argumentation, they are basically the values of the democratic civil society (Hennis 2000, 274). Legitimate actors are, then, those that respect or broaden civil liberties and those that are democratically structured. As the predominant perspective of social movement research has been analytical, authors have mainly been interested in examining, understanding, and possibly even predicting the dynamics of protest cycles (Tarrow 1995), in identifying mechanisms of contention (McAdam, Tarrow, and Tilly 2001), or, more generally, in understanding the processes that lead to the formation of collective actors (Melucci 1996), and thus have generally been less interested in normative claims about the legitimacy of social movements.

A non-normative, empirical conception of legitimacy usually draws on Weber, for whom the legitimacy of a political order depends only on its ability to find support – independently of the reasons for this support, as long as it is not pure coercion (Weber 1978). In this weak version, the legitimacy of an actor would, then, correspond to his ability to find support – that is, in the case of social movements, to mobilize adherents. Most of the resource mobilization literature could be re-read under this perspective, but it is unlikely that such an endeavor would lead to new insights, and, consequently, I will not elaborate this argument further.

Since the focus of this chapter is on the possible contributions of social movement research to empirical research on processes of legitimation, I will only briefly cover the literature that follows the first perspective, which has dealt with the question of whether social movements should be regarded as legitimate actors or not. In this discussion, I will identify two strands of research, which, on the one hand, address the question of the legitimacy of social movements ‘as such,’ and, on the other, discuss the role of social movements in (transnational) governance structures and their legitimacy as collective actors in these structures.

I will then proceed to the literature that does not look for the legitimacy *of* social movements, but rather addresses legitimating and delegitimizing acts *by* social movements. In

this second part, which makes up the core of my chapter, I argue that research in this perspective has provided interesting insights that could be integrated with recent empirical research on processes of legitimation. My argument here is that it is not the sparse literature on the legitimacy of social movements, but the much richer literature which, usually in an implicit fashion, addresses questions of the legitimation of social movements that holds promise for empirical research on legitimacy.

Social Movements as Legitimate Political Actors

To decide whether social movements are legitimate political actors or not, or under which conditions they should be regarded as legitimate political actors, it is necessary to make at least *some* normative statements about legitimacy, or implicitly to assume a normative content of legitimacy. Research on social movements has dealt with this question from two different perspectives. It has examined the conditions of the legitimacy of social movements ‘as such,’ trying to develop criteria to qualify a movement as a legitimate collective actor or not, and it has discussed the legitimacy of social movements, social movement organizations (SMOs), and NGOs in governance structures, arguing that the legitimacy of a movement depends upon its role or contribution to these governance systems.

The Legitimacy of Social Movements ‘as Such’

A first group of authors, for which the issue of the legitimacy of social movements was important at a fundamental level, was basically interested in the question of whether social movements advance the historical development of society, or whether they should be interpreted as an expression of societal breakdown and decay. The latter was the assumption of early works in the field of mass psychology, which – in a Durkheimian tradition, equating social change with *anomie* – perceived social movements as irrational mass mobilizations (Le Bon 1973). For them, social movements were a threat to the social order and were, therefore, illegitimate social actors. In contrast to this pessimistic vision, Marxist scholars interpreted social movements as historical agents of social change. Drawing on the latter assumption, Alain Touraine, the most influential author of the New Social Movements approach, claimed that a social movement could only gain legitimacy if it fulfilled this historic role (Touraine 1972). Even though Touraine was criticized for this reductionist vision, the underlying assumption that social movements were inherently bound to emancipatory processes of social transformation that lend

them their legitimacy had echoes in some of the European social movements literature of the 1980s. In the controversy about whether right-wing mobilizations in the Germany of the early 1990s should be considered as social movements, this often implicit assumption became the focus of an explicit conflict that was largely settled in favor of a less normative concept of social movements (Hellmann 1996a, 1996b; Hellmann and Klein 1994; Koopmans and Rucht 1996; Leggewie 1994; Ohlemacher 1996).

A second body of research has focused more on participatory mechanisms and organizational forms that secure, in Scharpf's (1997b) terms, the 'input legitimacy' of a movement or movement organization. It is often assumed that social movements favor direct democratic organizational forms over hierarchical ones. In addition, studies of the non-violent direct-action movement (Epstein 1991), the second-wave women's movement (Ryan 1992), the autonomous movement (Haunss 2004), or the Third World solidarity movement (Balsen and Rössel 1986) all show that ideals of direct democracy and hierarchy-free forms of interaction have indeed structured the organizational forms of these movements (Polletta 2002). But a closer look at the multitude of social movements reveals that even those movements that have been labeled 'new' social movements and stand in the tradition of the democratic ideals of the 1968 students' movement show a considerable variety of organizational forms, which are not always chosen out of value considerations but also for reasons of effectiveness or efficiency (Della Porta and Diani 1999, 137–164; Minkoff 1994).

Social Movements in Governance Structures

Other authors have discussed the legitimacy of social movements from the perspective of theories of democracy. The proliferation of social movements, or *Bürgerinitiativen* (citizens' initiatives) as they were initially called in Germany, has led them to discuss the question of whether this trend should be interpreted as a manifest crisis of representative democracy (Guggenberger and Kempf 1978). Social movements were interpreted as signifiers of the limits of majority rule under conditions of global threats, gaining legitimacy not through mechanisms of democratic representation but as stakeholders of general interests, such as ecology, which are under-represented and possibly unrepresentable in the party-based system of political representation (Guggenberger 1978).

Similar argumentations have resurfaced again in the wake of the debates about global governance. The focus here has mainly been on NGOs, but the conceptual differences between social movements, social movement organizations (SMOs), and NGOs are – as

Roth (2001b) has pointed out – often unclear in the existing literature. Many organizations that are labeled NGOs in the civil society and international relations literature are, in fact, SMOs according to the social movements literature. In this debate, it was not only the enormous increase in the number of NGOs that were active in national and transnational politics in the 1990s, and their growing presence at UN conferences and in other global governance structures, that shifted scholarly attention to these actors, but also the growing awareness of the inadequacy of existing intergovernmental structures and the uncertainty about developing governance arrangements. NGOs and, to some extent, transnational social movements, too, were regarded as actors that could potentially fill the legitimacy gap of global governance by building and/or strengthening a global civil society (Commission on Global Governance 1995); some authors even saw them as a ‘fifth pillar of democracy’ (Messner 1998, 279).

Later studies have painted a more realistic picture of the world of (transnational) NGOs and social movements. Roth (2001a, 2001b) acknowledged their democratic potential and reflected, at the same time, on the more problematical aspects – that a stronger role for social movements and NGOs at the international level might further disadvantage the interests of the southern hemisphere, as the world of NGOs mirrors the world of states in terms of the unequal distribution of resources, that the sectoral interests of NGOs might lead to a further fragmentation of politics, and that they might accelerate processes of privatization to the detriment of the common good.

In summary, the literature on the role of social movements, SMOs, and NGOs in national or global governance processes yields only limited insights into the question of the legitimacy of social movements. In particular, all studies that address the question of legitimacy of social movements in general or discuss the legitimacy of a specific movement, SMO, or NGO have to consider the argument put forward by Beisheim in her article on NGOs and political legitimacy: In principle, as long as they are not able to make collectively binding decisions, social movements do not need to legitimate their actions *vis-à-vis* society (Beisheim 2005, 244).

In line with Abromeit and Stoiber’s claim that we should look for processes of legitimation instead of legitimacy (Chapter 3 in this volume), I will therefore, in the remainder of this article, discuss the literature that deals with legitimating and/or delegitimizing strategies of social movements.

Social Movements as Legitimizing or Delegitimizing Actors

Social movements challenge their opponents' legitimacy almost by definition. Their claims are not only about changing policies or fulfilling demands, but usually also contain an element of criticism concerning the established procedures of decision making. As long as demonstrations and protests are not staged as pure appendages to political conflicts within the limits of the parliamentary system, they always signify, to a certain degree, a breaching of the limits of the existing representative arrangements. Social movements develop when other channels of influence are not available, or are, at least, not promising. Instead of relying on the institutionalized forms of political representation, social movements directly represent their participants' claims. However, while challenging the legitimacy of their opponents, they may, at the same time, strengthen the legitimacy of the political system as a whole. Most authors contend that social movements are now a fundamental feature of democratic societies, and some even argue that they are such an integral part that we should speak of movement societies (Neidhardt and Rucht 1993; Taylor and van Dyke 2004; Tarrow 1994). As established players in political conflicts, they use a variety of interactional and discursive strategies that research on social movements has analyzed under three distinct, but related, headings: repertoires of action, frames, and political claims. Research on processes of legitimation and delegitimation can profit from these works on two levels.

Repertoires of contention and collective action frames can be interpreted as consolidated legitimating and delegitimizing strategies. Their change over time reflects changes in the objects of legitimacy, as well as changes in the patterns of legitimation. Because social movements usually have no generic (for instance, economic) power base, they rely heavily on public support for the realization of their claims. Consequently, they need to craft their forms of action and argumentations carefully to match – at any given historical moment – the current acceptable motives of legitimation and/or delegitimation, or they have to establish new patterns of legitimation if the old ones do not allow them to advance their claims.

The growing literature on political claims-making strategies and, to some extent, even the literature on protest events can provide a valuable complement to the promising empirical research on processes of legitimation. Both political claims analysis and protest event analysis can offer insights into the contentious potential of different legitimating or delegitimizing strategies as they connect the discursive level of verbal claims and argumentations with the interactional level of contentious mobilizations. Moreover, they

reflect the restrictions as well as the enabling mechanisms that institutional settings and cultural arrangements have for the possibility of protest and claims-making.

To show how empirical research on processes of legitimation could profit from research on social movements, I will briefly introduce the three concepts of repertoires of contention, framing analysis, and political claims analysis, and discuss the possible contributions to understanding the dynamic processes of legitimation that each of them may provide.

Repertoires of Contention

The forms of action that social movements choose depend on a number of factors, among them the structure of the political system (democratic institutions, existence and structure of political parties, possibilities of direct participation), the level of repression, and cultural traditions. Tilly (1978, 1994, 2004) has forcefully demonstrated that social movements draw, within these historically specific settings, on repertoires of contention that have been developed over long periods, and have been changed and adapted to suit the respective setting. Social movements employ forms of action that have evolved and been refined in countless political conflicts, usually comprising public meetings, vigils, demonstrations, pamphleteering, petition drives, the creation of (voluntary) associations and coalitions, sometimes including strikes, barricades, the occupation of buildings, and direct confrontations. They also include what Tilly has called ‘WUNC displays,’ the presentation of a movement’s worthiness, unity, numbers, and commitment (2004, 4). These forms of action and self-presentations have changed over time. Most significantly, the focus of social movements has shifted from the local level to the national and, more recently, to the international or even global level. Whereas, in the 18th century, collective protests usually addressed local merchants, landowners, or authorities, the processes of centralization and parliamentarization of political power, and capitalization and proletarianization in the economic sphere, have changed the focus and forms of contentious action. Direct confrontation with local opponents that often took the form of immediate appropriation or physical attack were superseded by forms of collective action that are more familiar to our current image of social movements, such as mass demonstrations, public meetings, strikes, and so on (Taylor and van Dyke 2004; Tilly 2004). But they did not replace them completely. Some of the older forms of collective action have persisted, while some new forms have also augmented the repertoires of contention. Why certain forms of action remain in the repertoire, while others are

dropped, and why new forms are invented remains controversial in the existing literature. Tilly (1978, 1994, 2004) argues from a functional perspective that repertoires of contention correspond to the overall political and institutional circumstances, and that, above all, the process of parliamentarization has led to significant changes in the forms of collective protest. Moreover, he points out that repertoires of contention have always been surprisingly limited, which can most probably be explained by the fact that radical innovations in the forms of action are rare, and that movements usually rely on familiar forms of protest, changing them only gradually (Tilly 1978, 151–159).

Others emphasize the importance of the ideologies of movements and their normative frameworks for choosing the appropriate forms of action, arguing that, for culture-oriented movements in particular, the means and ends of action usually cannot be separated (Epstein 1991; Jasper 1997). Others, again, focus on organizational resources to explain the variances in the repertoires of action (Larson and Soule 2003) or claim that, through consecutive cycles of protest, it is the forms of action that have proven to be the most successful that persist (Tarrow 1994, 156).

But why have they been successful? Without being able to prove this proposition in my chapter, I propose that the success of a form of action will significantly depend on its legitimating or delegitimizing power. If the success of a given form of action is a function of its potential both for mobilization and for achieving the proclaimed goals, and if this depends on a movement's ability to present itself as a worthy actor pursuing a legitimate cause, then one can interpret social movements' repertoires of contention as a sediment of the forms of action that are best able to legitimate a social movement and to delegitimize its opponents. As Tilly (1978, 153) has pointed out: "Hijacking, mutiny, machine breaking, charivaris, village fights, tax rebellions, foot riots, collective self-immolation, lynching, vendetta have all belonged to the standard collective action repertoire of some group at some time. [...]. People have at some time recognized every one of them as a legitimate, feasible way of acting on an unsatisfied grievance or aspiration."

The fact that most of these forms are currently no longer part of the standard repertoires of most social movements is an expression of their perceived illegitimacy or of their uselessness as a means to delegitimize opponents. The list of now mostly decayed forms of collective action also brings to our attention the fact that these forms are not only historically but also culturally specific. While suicide bombers are a perfectly legitimate form of contention in some cultural settings today, they could never be used in others.

Our knowledge about these varying repertoires of contention is based mostly on a number of case studies of historical and contemporary social movements, and on a growing body of protest event data that is collected in several research projects (Earl, Soule, and McCarthy 2003; Imig and Tarrow 2001; Kriesi et al. 1995; Rucht 2001). Both provide insights into the forms of collective action that social movements have, under different circumstances and with varying success, chosen. Chabot and Duyvendak (2002), for example, trace the history of the Gandhian repertoire of non-violence, non-co-operation, and civil disobedience from its origin in South Africa in 1906 through to its adaptation in India, and to its re-invention in the US-American civil rights movement. Epstein (1991), in her study of the non-violent direct-action movement, took up this model and showed how the anti-nuclear movement again adapted this repertoire, and advanced it according to their needs and circumstances. Clearly, the Gandhian repertoire possesses qualities that have allowed social movements to use it in such different settings as a minority's struggle for equal rights under colonial rule, an anti-colonial liberation struggle, a minority's struggle for equal rights in a western democracy, and a policy conflict about military and civil use of nuclear technology. But where does the power of this repertoire lie? Even if the cited studies do not address this question directly, their descriptions suggest that the Gandhian repertoire is, in fact, a combination of powerful legitimating and delegitimizing strategies. By putting their body on the line, activists who follow the non-violent direct-action strategy make a powerful symbolic statement of commitment that is underlined by their renunciation to retaliate even if attacked or harassed. This gives their action a moral legitimacy that extends beyond political agreement. Furthermore, it is a statement of (cultural and political) autonomy, and, as such, delegitimizes the movement's opponents in denying them their claim of representation. Protest event analysis, on the other hand, shows us the changing patterns of protest over time, and across regions or nation states. In their comparative study on social movements in Western Europe, Kriesi and his collaborators (Kriesi et al. 1995) argue that national differences in the political opportunity structure – especially with regard to whether social movements are confronted with weak or strong states, and inclusive or exclusive political systems – can explain marked differences within the landscape of protest in different European countries. They also claim that the dynamic of protest waves depends largely on the specific interplay of facilitation, repression, and success chances that form a set of factors which limit the options for social movements to choose their protest and mobilization strategies.

As I have argued, repertoires of contention can be interpreted as a consolidated collection of legitimating and delegitimizing strategies. The studies mentioned above show how social movements adapt their repertoires of action and learn from other movements; and they also show us how external factors limit the choices of social movements. But because collective actions such as demonstrations or strikes are always embedded in acts of symbolic and cultural production, and accompanied by argumentation, it is necessary to look at the discursive level, too, if we are to understand the role that they play in processes of legitimation and/or delegitimation.

Collective Action Frames

The cognitive and discursive strategies social movements use to delegitimize their opponents and legitimate their own actions have been fruitfully addressed within the framing approach (Gamson, Fireman, and Rytina 1982; Johnston 1995; Snow and Benford 1988, 1992; Snow et al. 1986). Adapting Goffman's framing concept, Snow and Benford introduced the term collective action framing that has quickly gained popularity and is now considered to be one of the main paradigms of social movement research. They define a frame as an 'interpretive schemata that simplifies and condenses the "world out there" by selectively punctuating and encoding objects, situations, events, experiences, and sequences of actions within one's present or past environment' (Snow and Benford 1992, 137). Social movements generate, use, and change such schemata to communicate their goals, mobilize adherents, and develop the perspectives of their collective action. Benford and Snow distinguish three core elements of collective-action framing: diagnostic framing, prognostic framing, and motivational framing, of which the first two address the problem of 'consensus mobilization' – that is, the creation of consent in a movement –, while motivational framing addresses the problems of action mobilization – namely, the development of strategies and forms of action (Klandermans 1988).

Framing is understood as a dynamic, ongoing process in which the character and scope of the frames are constantly changed (Benford and Snow 2000, 628). The discursive processes that are at work here have been identified as frame articulation, frame alignment, frame bridging, frame amplification, frame extension, and frame transformation (Snow et al. 1986). The so-called master frames – that is, the overarching frames of reference that are shared by multiple SMOs, sometimes multiple movements, and, in the

best cases, large proportions of the population outside the movement – are of particular importance for the success of social movements.

In terms of legitimating and delegitimizing strategies, it is promising to look at processes of diagnostic framing and the construction of master frames. Diagnostic frames contain not only a description of the problem, but also attribute responsibility or blame to a person, organization, or institution that, then, becomes the addressee of protest. This attribution often takes the form of a (de-)legitimation statement. Paying attention to master frames is promising because of their selectiveness. One would expect that only a limited number of frames have the potential to function as master frames, and that these would most probably be the frames that give a convincing analysis and solution to a movement's conceived grievance – most probably delegitimizing the current political practice and/or institutional arrangement responsible for the problem.

Diagnostic framing entails the 'identification of a problem and the attribution of blame or causality' (Snow and Benford 1988, 200). This usually involves the construction of an 'injustice frame' (Gamson 1992), a shared understanding that identifies the victims of a policy and those responsible for this injustice. By constructing an injustice frame, a movement makes it clear that it not only offers a better alternative, but also that it addresses a (fundamental) injustice that cannot be solved within the confines of the designated decision-making process. In doing so, it makes statements about the (lacking) legitimacy of the targeted political actors that are deemed to be responsible for the injustice. It is important to note that the construction of diagnostic frames and the availability of legitimating or delegitimizing discourses are interdependent. The construction of a specific injustice frame allows the use of a corresponding limited set of legitimating and delegitimizing arguments, and certain legitimating or delegitimizing discourses are only compatible with selected injustice frames. If, in the above-mentioned peace protests of the year 2003, the diagnostic frame focused on the missing proof for the Iraqi possession of weapons of mass destruction, the corresponding injustice frame would identify the Iraqi people as the victims, and hold the US and British governments responsible. Legitimizing arguments would, then, most probably take on the issue of the credibility and truthfulness of political communication, and also the issue of misrepresentation. If, on the other hand, the diagnostic frame focused on the issue of oil interests in the Middle East, the injustice frame would identify the same victim, but, in addition to the US and British governments, it would also hold economic interests, or even the structure of the capitalist economy, responsible. The legitimating discourses which the

movement could draw on would then include discourses on neoliberalism, imperialism, and exploitation.

In a similar way, Snow and Benford's (1988) example of the US peace movement shows that the structure and availability of possible legitimating and delegitimizing discourses depends largely on a movement's diagnostic framing. If one faction of the US peace movement interprets the nuclear threat mainly as a problem of blind trust in technology that may potentially get out of control, it will have difficulties in attributing the blame for this problem to any authority or institution, and will, instead, on a more general level, denounce the rationalist socio-technological paradigm that claims to be able to control the forces of nature. If another faction interprets the problem of the nuclear threat as a political problem, rooted in the structure of the world system or in the imperialist aspirations of the US, the objects and patterns of (de-)legitimation change. Now, governments and their policies can be blamed and delegitimated on the basis of their intentions and/or outcomes.

This relationship between diagnostic frames and delegitimizing strategies becomes even more apparent if we look at Gerhards and Rucht's study of anti-Reagan and anti-IMF protests in Berlin (Gerhards and Rucht 1992). In the case of the IMF protests, they identified an 'imperialism frame' as the overarching master frame that had united protesters from the radical left and from liberal church groups. Its argumentative structure was that the world economic order was a result of the exploitative capitalist logic and imperialist aspirations of its leading powers. As a consequence, it created poverty in the Third World, caused and accelerated ecological crisis, and produced social conflicts and wars. Following this frame, delegitimizing argumentations were directed mainly against the IMF and the World Bank, the two organizations that were seen as the representatives of this world economic order, secondly, against western governments which supported or pushed the policies of structural adjustment and economic liberalization, and thirdly, against transnational corporations which profited from, or actively shaped, the system.

In the case of the anti-Reagan demonstration, Gerhards and Rucht identified a 'hegemonic power frame' as the master frame which held the protest together. As the name suggests, this frame centers on the United States' aspirations to military and economic domination as the main cause for what are, basically, the same problems as described in the imperialism frame. The objects of delegitimation were, this time, primarily the US government, and only secondly, the IMF implementing the US policies.

Unfortunately, these and most other studies did not systematically tackle the question of legitimating and delegitimizing strategies, and thus do not provide detailed information about the argumentations that movement actors have used in this regard. Although much of the research focused on intra-movement or inter-organizational framing processes, there is, nonetheless, a general agreement that collective action frames are not constructed in a vacuum and do not only interact with competing collective action frames (Snow 2004). A number of studies has addressed the interaction between collective action frames and general interpretive frames in terms of frame resonance, showing that social movements sometimes carefully craft their collective action frames to fit cultural traditions and to adjust them to the expected limits of political acceptability (Zuo and Benford 1995).

With regard to an empirical analysis of legitimacy, research in line with the framing approach could help to explain why – in any given political conflict – only a limited number of legitimating and delegitimizing arguments or patterns of legitimation are usually available to the actors, and why only a limited number of possible objects of legitimation are addressed.

One would expect that the existence of certain recurring master frames, especially those that have been identified as rights frames and choice frames (Benford and Snow 2000, 628), would fundamentally influence the structure and availability of legitimation statements. Framing an issue in a rights frame would most probably lead to a concentration on state agencies and argumentations that focus on distributive justice and equality, while framing an issue in a choice frame would probably place more emphasis on autonomy, access, and democratic process.

Political Claims

An empirical analysis of legitimacy will certainly profit from a closer look at repertoires of contention and framing processes. But the most promising avenue would be to integrate the attention of the former to forms of action with the latter focus on discursive processes. A recently developed approach that aims precisely to integrate these two perspectives is the method of political claims analysis. This method, which was developed by Ruud Koopmans and his collaborators (Koopmans and Statham 1999, 2000), aims to gather data not only on protest – that is, on non-institutional actors –, but on the demands, actions, and argumentations of other political actors as well, thereby shifting the focus from single protest actors to multi-organizational fields. The unit of analysis is no

longer the protest event, but – as the name suggests – the claim put forward by the respective political actor. Political claims are understood to be a unit of strategic action in the public sphere that consists of ‘the collective and public articulation of political demands, calls to action, proposals, criticisms or physical attacks, which, actually or potentially, affect the interests or integrity of the claimants and/or other collective actors’ (De Wit and Koopmans 2005, 62). Empirical data on political claims-making is usually gathered by coding newspaper articles, but existing studies that employ the method of political claims analysis have started to include political claims-making on the internet (Zimmermann and Koopmans 2003) and on TV (Groothues 2004).

As of now, only limited results are available, as most research projects employing this method have not yet published their results. From what is available, the most interesting result from the perspective of empirical legitimacy analysis is that the collected data support the above-mentioned hypothesis that the form of political claims-making is strongly dependent upon political opportunity structures. And this line of research can, moreover, illustrate how argumentative strategies, forms of action, and institutional constraints interact. In their study on ethnic minority claims-making in the Netherlands, Germany, and Great Britain, de Wit and Koopmans (2005) show that the institutional frameworks of migration politics thoroughly shape the content, form, and visibility of ethnic minority claims, as well as their collective identification in these three countries. The most striking difference between these countries is that, in the two civic-pluralist regimes of minority integration, the majority of claims made by ethnic minority groups addresses integration politics, while in Germany’s ethnic-monist integration regime, the majority of claims addresses issues of homeland politics. Clearly national policies and political institutions are regularly addressed by ethnic minority groups in the Netherlands and Great Britain, while they do not seem to be accessible in Germany. The data also shows that, in the two countries with comparable inclusive immigration regimes, claims-making tends to be more verbal and less confrontational than in Germany’s exclusive integration model.

In another study that draws on the EUROPUB data,² Statham and Gray (2005) are able to demonstrate that claims-making with regard to EU policies differs significantly between France and Great Britain. While in Britain debates about European integration are predominantly closed internal debates which address national actors, in France a

² The EUROPUB project focuses on the role of intermediary public spheres, mass media, and collective mobilization in the process of European integration, analyzing political claims-making in seven European countries in six policy fields (for further information, see <http://europub.wz-berlin.de>).

much higher percentage of claims made by national actors is addressed directly to EU institutions. As in the previous example, this suggests that political opportunity structures – whether they are manifest in institutional settings or in cultural patterns – structure the forms and the content of political claims-making.

While none of these studies has explicitly addressed questions of legitimacy, one could, nevertheless, infer that the described differences in political opportunity structures would also constrain both the form and the content of the available legitimation statements. If the state and its institutions are the primary addressees of ethnic minority claims-making these claims will certainly include statements about the legitimacy or illegitimacy of state policies, institutions, and actors. The fact that claims which address state actors play only a marginal role in German debates about immigration, then, has nothing to do with the perceived higher legitimacy of the respective institutions but with the unavailability of corresponding legitimation statements to ethnic minority groups in Germany. In a similar way, Statham and Gray's study suggests that the availability of EU institutions as objects of legitimation depends on a number of historical, cultural, and institutional factors, and that an empirical analysis of legitimation discourses should account for these factors. In line with Krell-Laluhová and Schneider's reasoning that historical experience, political cultures, and national traditions of democratic thought shape legitimacy discourses (2004, 27; see also Schneider, Nullmeier, and Hurrelmann in this volume), insights from political claims analysis could help us to identify the relevant factors of the political opportunity structure that restrict the specific argumentative strategies in one setting and enable them in another.

Conclusion

In this chapter, I have argued that integrating some insights from research on social movements would be fruitful for research on legitimacy for several reasons. As conflictual collective actors, social movements almost by definition challenge their opponents' legitimacy. They intervene in political conflicts, mobilize support, frame their issues, and should therefore be taken into consideration in any research that wants to analyze empirical processes of legitimation and delegitimation. In their mobilizations, social movements rely on manifest forms of protest such as demonstrations, strikes, blockades, occupations, or other forms of non-institutional, often unconventional collective action drawn from historically and culturally specific repertoires of contention. These limited repertoires can be interpreted as historical sediments of successfully employed collect-

ive action strategies of (de-)legitimation. Analyzing repertoires of contention can therefore help us to interpret the salience of certain legitimation statements over time. Analyzing repertoires of action across different settings can furthermore help us to explain the influence of external restricting factors on the choice of forms of collective action and on the dynamics of conflict available to social movements.

While attention to repertoires of contention can help us to explain collective actors' choice of (de-)legitimizing strategies in political conflicts on a fairly general level, research on framing processes can help us to explain in more detail why specific collective actors will make certain legitimation statements. The literature on framing processes of social movements shows us how movements deliberately construct diagnostic frames that, then, restrict the available prognostic frames, and, in a similar way, the available legitimation statements. For an empirical legitimation analysis, this means that the presence or absence of certain legitimating or delegitimizing statements might be the result of the restrictions of the discursive fields which are available to the collective actors. They can, in turn, be a consequence of external constraints or result from internal debates and/or conflicts.

Finally, bringing together the levels of action and discourse, research under the concepts of political claims analysis shows how access to repertoires of contention and collective action frames is structured by the political opportunity structure, which is itself partly the result of political claims-making by collective actors. Studies that focus on political claims-making shed some light on the interdependence of political opportunity structure, forms of action, framing processes, and – embedded in these – legitimation statements put forward by collective actors engaged in conflicts in a society. Directly linking discursive statements and acts of protest research in this vein also helps us to assess the (potential) level of conflict relating to certain issues of (de-)legitimation.

Overall, there seems to be a fruitful field of potential cooperation between social movements research and legitimacy research. As I have shown in the first part of this chapter, the potential lies mainly in combining empirical legitimacy research with research on political protest, while the insights that social movement research has to offer for normative legitimacy research remain relatively limited. Ultimately, social movements are legitimate actors if they mobilize support on a significant level. Unlike in nation states, this support has to be fairly specific, but there seems to be no indication that the democratic structure of a movement should be necessarily linked to its ability to gain support. For this reason, the research on social movements which has only implicitly addressed

questions of legitimacy proves to be much more interesting for a better understanding of processes of legitimation than the literature which has explicitly dealt with the legitimacy of social movements.

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