



Working Paper No. 134

**SOURCES OF STATE LEGITIMACY IN
CONTEMPORARY SOUTH AFRICA:
A THEORY OF POLITICAL GOODS**

by Danielle Carter

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AFROBAROMETER WORKING PAPERS

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ABSTRACT

A key question confronting states that have recently transitioned from authoritarian rule is how to legitimate institutions of the state. No longer charged with serving the narrow interests of a strong and powerful minority, state institutions are often faced with the challenge of transforming in a way that allows them to garner the trust and willing obedience of the majority. The question of the sources of state legitimacy is particularly pertinent in emerging democracies where trust in institutions is often shallow and the authority of the state remains contested. For new democratic states that do manage to secure support, the question then becomes: what are the determinants of this support? Are they instrumental or affective? Are citizens more likely to accept and obey the decisions of the police, courts and tax agency when they are more satisfied with the provision of political and economic goods? And with respect to political goods, is it autocratic memory or democratic reality that best characterizes the relationship between the provision of these goods and perceptions of a legitimate state? In essence, how are states able to translate legitimacy deficits from an authoritarian past into legitimacy dividends in the democratic present? In this paper I argue for the supremacy of political goods, suggesting that those who rate the state positively in providing personal security, political rights and a rule of law, to be more likely to see the state as legitimate. I test these propositions in the context of South Africa, a state that was viewed as illegitimate by the majority of individuals until very recently. Using 2008 Afrobarometer data, I find strong support for my contention that the provision of political goods is a key determinant of legitimacy attitudes.

INTRODUCTION

A key question confronting states that have recently undergone a transition from authoritarian rule is how to legitimate institutions of the state. No longer charged with serving the narrow interests of a strong and powerful minority, state institutions are often faced with the challenge of transforming in a way that allows them to garner the trust and willing obedience of the majority. In mature democracies, the question of state legitimacy has largely been settled. In these contexts citizens-while not always agreeing with the actions of state actors-rarely question their decision making powers and authority. In nascent democracies, on the contrary, trust in institutions is often shallow and the authority of the state remains contested. State legitimacy is often as uncertain as prospects for regime consolidation. But for new democratic states that do manage to secure support, the question then becomes: what are the determinants of this support? Are they instrumental or affective? Are citizens more likely to accept and obey the decisions of police and courts when they are more satisfied with the provision of political and economic goods? And with respect to political goods, is it autocratic memory or democratic reality that best characterizes the relationship between the provision of these goods and perceptions of a legitimate state? In essence, how are states able to translate legitimacy deficits from an authoritarian past into legitimacy dividends in the democratic present?

Several political scientists have developed theories to explain the legitimacy of states and empirically, the consequences of state legitimacy have been well tested within the literature (Connolly 1984; Easton 1965; Englebort 2002; Schaar 1981; Weber 1984). Yet, empirical tests of factors that shape individuals' perceptions of state legitimacy remain thin. Understanding the consequences of state legitimacy is theoretically important. But it is also essential to position state legitimacy as an object of explanation, exploring the conditions that lead citizens' perceptions of the state to be strengthened or undercut. Investigating the sources of state legitimacy, particularly in contexts where authoritarian legacies have blemished the reputation of the state, may help to determine whether support for the state is likely to endure or crumble over time.

This paper contributes to the literature on the state, first by concentrating on what properly constitutes a state from the vantage point of ordinary citizens. By using survey data, I explore the micro-foundations of state legitimacy. My second, and perhaps most important contribution, is empirical. Since empirical works on the causes of state legitimacy are few, I examine the popular sources of state legitimacy in a strong test case. In doing so, this paper achieves three goals. First, by focusing on the micro-foundations of state legitimacy, I am able to explore the relationship between state, regime and government from an individual perspective. The investigation here allows us to see whether it is how well governments deliver services, institutional factors of the state itself, or regime characteristics that best characterize a popular account of state legitimacy. Next, I demonstrate the strength of a theory of political goods in understanding popular support for the state. I then move on to explain why some political goods matter more than others from the viewpoint of ordinary citizens. I suggest that the relative weight that citizens accord to different political goods is linked, in part, to a political culture in which the past authoritarian regime "captured" the state and emphasized the provision of certain political goods to the neglect of others. In the South African context, I argue that the apartheid regime's use of state institutions to repress political dissent carries repercussions for how citizens come to see the state, even after transition.

In emphasizing the primacy of political goods, I suggest that those who give the government positive ratings on the provision of key political goods will be more likely to view the state as legitimate. Pennock (1966) describes political goods as the set of collective goals that "makes the polity valuable to man" (420). Among the most critical political goods, I examine political rights, personal security and the rule of law¹ and find strong support for my theory.

¹ The use of the term political goods here is not meant to rigidly define tangible, substantive goods. Rather, the intent is to provide a term that refers to a group of political factors that citizens value, as the definition of political goods given here suggests. Thus, the political goods pointed to here can refer to what has conventionally be conceived as substantive political goods as well as political procedures.

I test this theory in the context of South Africa for three reasons. First, the state in South Africa was considered illegitimate by most South Africans until very recently. In fact, it was not until the transition to majority rule that the state could boast of having legitimacy in any real sense of the word. Thus, being a state that was once considered thoroughly illegitimate by the wider society and being a relatively new democracy, South Africa is an ideal laboratory for unraveling how stocks of credibility are built in countries that previously had very little.

Next, and perhaps most significantly, South Africa provides an ideal place for testing the effect that the provision of political goods like security and the rule of law have on perceptions of state legitimacy. The significance of the relationship between political goods and perceptions of state legitimacy is simply this: citizens expect that, at the very least, the state should be able to provide them with a measure of protection and create an atmosphere of order. For the vast majority living under apartheid rule, this was not the case. But for many, the expectation was that institutions of the state would do a much better job of equally providing key political goods under majority rule. However, since the transition to democracy, crime and security have persisted as a top concern for ordinary citizens² and the state has continued to struggle with extraordinarily high crime rates (Shaw 2002). Thus, given that the state's capacity to provide political goods has left much to be desired, we can directly test how variation in popular satisfaction with the provision of these goods shapes individuals' attitudes toward the legitimacy of the state.

Finally, South Africa allows us to conduct a robust sub-national test of legitimacy perceptions, due to the pervasive divisions in society along racial, and increasingly, class lines. Deep divisions along racial lines have their roots in the apartheid state where policies of racial segregation permeated every aspect of social and political life. As a result, the state responded very differently to the needs of different segments of the society based on racial classification. The very logic of apartheid meant that each racial group stood in a different relationship to the state, and that the distribution of public goods varied greatly along racial lines. Thus, South Africa is the opportune context within which to test the effect of social structure on perceptions of state legitimacy, exploring how perceptions of legitimacy vary according to individuals' differential placement along the socio-economic scale.

The first section of the paper briefly discusses how I conceptualize state legitimacy. The second section then reviews theoretical and empirical works that detail the determinants of state legitimacy. Immediately following, I focus more tightly on issues of state legitimacy in the context of South Africa, providing background on the historical nature of political goods in this country and their relationship vis-a-vis legitimacy attitudes. Section four lays out my theory of political goods and explains why political goods ought to trump in this evaluation of perceived state legitimacy. Section 5 discusses data and methods, while section 6 of the paper explains the results which lend credence to my theory of political goods. I conclude the paper in section 7.

I. CONCEPTUALIZING STATE LEGITIMACY

One of the most frequently employed definitions of the state is that of Max Weber. Weber defines the state as "a human community that successfully claims the monopoly of the legitimate use of force within a given territory" (Weber 1984, 33). According to this definition, a state is so constituted when it succeeds in achieving a monopoly over violence within a specified territorial scope. Therefore, for Weber, the state exists and, in turn, perpetuates its existence because of its legitimate claim to the use of physical force (Weber 1984).

Weber's definition of the state provides a helpful starting point for analyses of the state and of the state in society. However, this conventional lens primarily focuses on elites, and how the state's monopoly over the use of force serves elites' interest in maintaining state domination in society and, in turn, perpetuating their political power. Weber's work on the state and his heavy emphasis on force as a key criterion for stateness thus leaves many questions open, particularly at the individual level.

² Afrobarometer data show that crime and security have persisted as one of the top three concerns for South Africans over time when asked about the most important problems facing the country, www.afrobarometer.org

For instance, do ordinary citizens see the state's monopoly over force as a key determinant of statehood? And if so, why? Little empirical work has been conducted on what constitutes a state from the vantage point of citizens. One major exception in this regard is the study by Bratton and Chang (2006). Exploring the relationship between state building and democratization in sub-Saharan Africa, Bratton and Chang find that of all state functions, Africans see law enforcement capacity as the most critical in their assessment of democracy. I thus build on Weber's theoretical propositions and the empirical piece by Bratton and Chang, arguing that law enforcement capacity is critical in Africans' assessment of statehood.

II. SOURCES OF LEGITIMACY

Legitimacy can refer to political leaders, the regime, the government or the state (Gilley 2006b, 2006a; Peltier 2007). In his seminal work, (Lipset 1959) proposes that "legitimacy involves the capacity of a political system to engender and maintain the belief that existing institutions are the most appropriate or proper ones for the society" (86). Similar views of legitimacy have also been advanced by other scholars of the topic who see legitimacy as evaluative in that citizens judge whether political institutions are acceptable (Cohen 1988; Diamond 1999; Gilley 2006a, 2006b; Hurrelmann et al. 2007; Sil and Chen 2004). For this research, I am solely interested in state legitimacy-that is, citizen evaluations of the institutions of the state and their perceptions of these institutions' right to rule.

Empirical studies of legitimacy have often situated legitimacy as the explanatory variable. Researchers who study the effects of legitimacy suggest that states who have high levels of it gain the voluntary compliance of their citizens (Sil and Chen 2004; Gibson and Caldeira 2003); are more stable (Hurrelmann et al. 2007); and possess greater developmental capacities (Englebert 2002). Of the empirical studies that posit state legitimacy as the object of explanation, scholars have examined the effect of rights, governance and welfare gains (Gilley 2006a); institutional trust (Fernandez and Kuenzi 2008; Levi et al. 2009; Peltier 2007); and procedural fairness (Levi et al. 2009; Tyler and Fagan 2010).

Cross National Studies of Legitimacy

Gilley (2006a) conducts the most comprehensive study of state legitimacy to date, exploring the determinants of state legitimacy across seventy-two countries. His sample includes countries spanning western and Eastern Europe, Asia, Latin America, Africa and the Middle East. Using survey and expert data, Gilley finds that good governance, democratic rights, and welfare gains most strongly contribute to state legitimacy. Gilley notes that his findings are most important because they demonstrate that "politics and politically mediated social and economic outcomes seem to matter most to legitimacy" (2006b, 58).

Gilley's work makes several important empirical contributions, and he is to be applauded for his attempt to highlight the universal determinants of legitimacy. But Gilley's methodology is questionable, as he relies on a system of ranked bivariate correlations from which to formulate his theoretical and empirical model. More importantly, by including several different world regions in his sample and attempting to find a universal theory of legitimacy, Gilley may have missed nuanced facets of how politics works differently in each region to produce legitimating attitudes. I share Gilley's sentiment on the importance and perhaps even universality of political considerations for a theory of legitimacy. But Gilley's work does not allow for the possibility that political variables explored here do not necessarily run in the same direction. For example, Gilley's measure of governance includes indicators on the rule of law and corruption. Is it necessarily the case then that those who support the provision of democratic rights (a main variable in Gilley's analysis) will also see the provision of the rule of law as a key determinant of state legitimacy? In fact, it is possible to imagine cases where individuals may sanction the state for its emphasis on order while rewarding it for the provision of democratic rights. This may be especially true in countries with a legacy of authoritarian rule where the focus on "law and order" has been nothing more than a veiled attempt to suppress pleas for a democratic system of governance.

In addition, Gilley suggests that in his analysis, democratic rights are on par with welfare gains and both are trumped by good governance. But again, if the good governance indicator here is largely driven by rule of law and corruption perceptions, the hierarchical order in which these variables fall in this analysis is likely to differ by region. Gilley attempts to speak to this deficiency by creating paired comparisons of countries based on region and income levels, but here he simply shows the correlation between performance score differences and legitimacy score differences for each of the paired countries. We therefore have no way of telling how governance performs relative to other variables within regions.

Legitimacy in sub-Saharan Africa

More recently other scholars have taken to the task of investigating the sources of state legitimacy within specific regional contexts. Here I restrict my focus on the empirical works that speak to sub-Saharan Africa (Bratton and Mattes 2001; Fernandez and Kuenzi 2008; Levi et al. 2009; Peltier 2007). Peltier and Levi et al. explore the impact that institutional trust has on spurring legitimating attitudes.

Peltier (2007) examines the sources of legitimacy in sub-Saharan Africa using survey data on 18 African countries. His model tests the effect of social structure, ethnicity, institutional performance, performance evaluations and trust on attitudes toward the legitimacy of the state. Peltier finds that “the only significant indicator across each country was an individual’s trust in institutions” (2007, 107). But Peltier’s study stops short in noting how it is that trust comes to affect legitimacy. In essence, what is missing is an account of causal mechanisms which he rightly notes can be more thoroughly teased out by examining the relationship between trust and legitimacy within particular countries.

Levi et al. (2009) also corroborate Peltier’s findings on the significance of trust in explaining legitimacy, but they go one step further by introducing the importance of procedural justice. The conceptual model presented by Levi et al posits that three factors feed into the perceived trustworthiness of government: government performance, leadership motivations and administrative competence. They hypothesize that those who view the government as trustworthy and those who feel the government exercises authority through fair procedures will be more likely to view the government as legitimate. Using survey data on 18 African countries, the authors find support for their argument that trust in government and procedural fairness shape legitimacy perceptions. I would agree that government performance, leadership motivations and administrative competence may have an impact upon trust perceptions, however, Afrobarometer provides a more direct way of measuring trust, namely by providing questions that ask individuals whether or not they trust the police and court officials. In my estimation, government performance and trust should be considered as separate determinants of legitimacy, and tested as such to determine which one better accounts for individuals’ willingness to defer to state authority. Not only would keeping these variables separate allow us to see the distinctive impact of these variables, but the measures I propose specifically ask people about their levels of trust in the agents who work within the institutions that comprise Levi’s et al object of explanation. Thus, a more relevant measure of trust is in order.

Notwithstanding the issues with the measures of trust, however, Levi et al. make an important contribution by looking at how procedural fairness affects support for the state. The indicators ask respondents whether they feel people are treated equally under the law and whether they feel members of their ethnic group are treated fairly. They find that those who perceive the government to enact procedures in a fair and impartial manner are much more likely to voluntarily defer to its authority. This finding corroborates later findings by Tyler and Fagan (2010) that emphasize the primacy of procedural justice in spurring citizen cooperation with the police.

Finally, Fernandez and Kuenzi (2010) investigate the relationship between crime-both perceptions of and experience with it- institutional trust and support for democracy in Africa. While the authors do not explore the relationship between institutional trust and state legitimacy directly, they do find that

perceptions of public safety impact levels of institutional trust (fear of crime suppresses trust) and that perceptions of crime and actual victimization both negatively affect support for democracy in Africa. Since their work does not take the relationship between trust and regime legitimacy head on, the more interesting point here may be how the legitimacy of democracy is undercut when individual's personal security is jeopardized. Fernandez and Kuenzi's outcome to be explained is support for the regime while I focus on the state, but my bet would be that people would be as if not more likely to sanction the state when it fails to credibly commit to securing their person.

Public Good Theories of Legitimacy

Recognizing the validity of all the previous accounts of legitimacy, we have not yet spoken of one of the most commonly suggested determinants of legitimacy—the provision of economic and political goods. To begin with the literature on economic goods, Schaar (1981) makes the case that modern states largely gain legitimacy because of their role as “provider and guarantor of increase” (25). In this same vein, Easton (1965) posits that “legitimacy is a distinct form of political support that concerns evaluations of the state from a public or ‘common good’ perspective” (278). What Easton highlights is a public good approach to understanding state legitimacy. Essentially, citizens recognize their common interests; develop common standards for evaluating the performance of state leaders with regard to those interests and accord legitimacy to them based on how well they meet the public's standards. Taking a culturalist approach to legitimacy, Schatzberg (2001) notes that “when political fathers care for, nurture and provide wealth for their children [i.e. citizens], their political legitimacy is enhanced” (24).

More to the issue of political goods, the literature suggests that there should be a positive link between the provision of political goods and individual views on the legitimacy of the state. Existing theoretical work pegs the rule of law as an important determinant of state legitimacy and a foundational feature of strong states (Weingast 1997). Since Hobbes, political philosophers have asserted the importance of state security provision in the legitimation of the social contract between the state and society. In fact, some have gone as far as to suggest that the lack of widespread security can lead to state weakness and eventually failure (Rotberg 2003; Wood and Dupont 2006). Speaking to this issue more recently and in the context of South Africa, Marks and Goldsmith suggest that “an important source of state legitimacy is its capacity to protect its citizens from unprovoked violence and depredation; a state that will or cannot make this a core responsibility has little claim on the allegiances of the people living under it” (2006, 157). Marks and Goldsmith thus support a Weberian notion of the state and see people's continued support of it as contingent on its ability to provide basic protections.

However, most of these propositions regarding the relationship between public good provision and state legitimacy have not been tested empirically. Notable exceptions include Bratton et al.'s study of state legitimacy in Mali (Bratton et al. 2002). Using public opinion data, Bratton et al. (2002) find that in Mali, “the legitimacy of the state hinges on popular satisfaction with the performance of individual leaders in office” (233). More specifically, Bratton et al. (2002) suggest that “Maliens grant legitimacy to the state to the extent that its agencies prove themselves capable of solving basic economic problems” (230).

Thus, the importance of the provision of economic and political goods has been asserted in much of the theoretical work. But much more empirical work is needed to confirm this relationship and further tease out its nuances. For example, it matters not just *whether* public goods effect legitimacy attitudes, but also *which* public goods have more of an effect on attitudes toward the legitimacy of the state—political or economic ones? And *within* the group of political goods that shape popular support for the state, which ones matter most? In this paper, I argue for the supremacy of political goods and provide an explanation for why in section IV. Before outlining the theory however, I delve more deeply into the context in which I test this theory and give background on the nature of the state and political goods in South Africa.

III. STATE LEGITIMACY IN SOUTH AFRICA: LAW, THE STATE AND POLITICAL GOODS

South Africa's political legacy makes it an excellent context within which to investigate the relationship between the provision of political goods and popular support for the state. Under apartheid, the vast majority of South Africans considered the state to be illegitimate. Sources of state illegitimacy largely stemmed from the regime's denial of political rights and civil liberties to the majority of South Africans. Political exclusion was the hallmark of the apartheid regime (as indicated by the meaning of apartheid, "separateness") and the legal system was used to maintain separate, unequal conditions and white dominance in political and social spheres.

Unlike in many other authoritarian regimes, political repression in South Africa was enshrined in the laws of the land (Gibson and Gouws 1997). Furthermore, the institutions of the state—including the police, parliament and courts—drafted, implemented and enforced racist, exclusionary public policies (Ellmann 1995). Essentially, the law and the state were both used as instruments of the apartheid regime to implement an agenda whose main aim was to restrict political enfranchisement to a powerful minority.

Some scholars suggest that the legalization of racial exclusion was an attempt by apartheid leaders to legitimate their rule. Specifically, Gibson and Gouws argue that "one aspect of the governments legitimating strategy through using law was to try to create the impression that at least part of the governing structure (viz the legal system) was free and accessible to all" (1997, 176). Apartheid rulers thus recognized the connection between law and legitimacy and attempted to achieve the latter by institutionalizing the suppression of basic human rights. Though most would rightly assume that this strategy did not generate legitimating attitudes in those who bore the brunt of repression, some researchers have suggested that certain institutions of the apartheid state did in fact achieve a measure of legitimacy, even among the oppressed. Ellmann argues that "black South Africans showed a level of confidence in their country's legal system quite comparable to that displayed by whites" (1995, 426). Ellmann conceptualizes legal system narrowly, referring primarily to the courts, and uses survey data to show that black South Africans were more supportive of courts than other state institutions like the police. He credits this level of support for the courts amongst Blacks to what he terms "anti-apartheid lawyering", where lawyers fighting against the system of injustice used the courts to highlight the inhumane nature of the apartheid regime. But Ellmann rightly suggests that the measure of support that Blacks accorded to the courts did not necessarily translate into more widespread support for the larger apartheid state.

Given that apartheid leaders used the law so extensively to maintain minority dominance, some argue that not only was the regime itself delegitimized, but also, quite possibly, the rule of law more generally. For instance, Gibson and Gouws assert that "it would not be surprising therefore, to find that experience with repression under apartheid eroded confidence in legal institutions, which in turn undermined respect for the rule of law" (1997, 181). Gibson and Gouws' results show that perceptions of life under apartheid have very little impact on support for the rule of law. However, individual evaluations of life under apartheid do have some bearing on confidence in the legal system.

Gibson and Gouws' question about respect for the rule of law thus raises a bigger issue that the case of South Africa allows us to examine more closely, which is how respect for the rule of law varies based on the type of regime that is in place. It is certainly likely that individuals will not place much confidence in the law when it can be exercised arbitrarily and enforced unevenly. Yet under a democratic regime, where checks are in place to ensure a strong rule "of" law—rather than a rule "by" law³, we would expect citizens—and perhaps especially those who have been victims of the arbitrary abuse of power—to be strong supporters of the rule of law. This brings us to the broader question of political goods in South Africa.

³ Bratton and Chang (2006) suggest that the rule of law involves the application of legal procedures to the performance of state functions and that authoritarian regimes have a rule "by" law, not a rule "of" law.

In the previous section I define political goods as the set of collective goals that make the polity valuable to citizens. The three political goods under examination in the paper are political rights, personal security and the rule of law. Most people living under apartheid were denied access to political and civil rights. Moreover, not only did the state fail to protect the majority Black population from crime, but Blacks were frequently the direct targets of state-led violence (Wilson 2001). The legacy of apartheid in South Africa therefore potentially renders the relationship between these three elements a curious one. As Gibson and Gouws note “the South African case is interesting because it amply confirms the argument that law can serve repression just as it can serve freedom” (1997, 173). In a democratic society, these three components are usually mutually reinforcing; that is respect for the rule of law seems to also lead to respect for the political rights and personal security of all individuals. But under dictatorship-where the rule “by” law formalizes, legalizes and perpetuates inequality-this complementary relationship does not hold. Instead, where the gross violation of human rights and dignity are embedded in and supported by law-as in South Africa-attitudes toward the rule of law actually cut against majority support for individual rights and political equality. In other words, those who fought against minority rule and struggled to usher in a more inclusive political society in South Africa, had to sacrifice respect for law and order so that they might achieve political rights and a truly just rule “of” law. Thus, South Africa provides an opportune context in which to test whether the relationship between the rule of law and support for the state is positive or negative; that is, whether popular memory of a repressive rule “by” law persists and undermines support for the state, or whether the prevailing democratic institutions of society have indeed strengthened people’s faith in the rule “of” law which, in turn, boosts support for and voluntary deference to the state.

IV. A POLITICAL GOODS THEORY OF STATE LEGITIMACY

Goods that are non-subtractable and non-excludable are often referred to as public or collective goods (Olson 1971; Ostrom 1990). Non-subtractable simply means that the availability of goods will not decrease when used by one person or set of persons. The term non-excludable means that it is difficult or impossible to restrict access to and use of the good, either because of the inherent characteristic of the good or because the costs of doing so would be too high. Because these goods are difficult to provide through the market and are seen to benefit large sections of the population, these goods are often provided by the state. This study will focus on the importance of a specific set of public goods, that is, political goods. Pennock’s (1966) list of core political goods includes security, justice, liberty and welfare. The definition of political goods that I use here makes no reference to whether these goods are “instrumental” or “intrinsic” (Bratton and Mattes 2001). Rather than speculating about the motivation for citizens’ interest in these goods, I simply suggest that these goods are, in fact, valuable to them. When I speak of political goods, I refer specifically to political rights, personal security and the rule of law. I restrict my theoretical focus to political goods because the provision of these goods is often viewed as the primary responsibility of the state⁴. In fact, according to much of the literature on the state, the provision of critical political goods such as personal security provides the *raison d’être* for states (Rotberg 2003). This claim has been asserted since Weber. The difference here is I posit that Weber’s focus on the state’s monopoly over force is not only critical for perpetuating elite interests, but that it is also vitally important for ordinary citizens as well. I suggest this is so because the state’s monopolization of force allows it to credibly commit to providing and maintaining key political goods. Of course, this credibility is tied to the type of regime that exists within the state, as credible commitments to protecting the rights of citizens can truly only be made within a certain type of state-that is, a democratic one (Weingast 1997).

I argue that the provision of political goods largely provides the *raison d’être* of states from the perspective of elites and ordinary citizens. When states provide these goods, they build up stocks of credibility, demonstrating that they can fulfill their most basic duties. It is the state’s credibility in performing key state functions and fulfilling key state responsibilities that leads to its legitimation among the citizenry. In other words, when states deliver political goods, they demonstrate

⁴ As of 2008, 52% percent of South Africans felt that the central government was primarily responsible for maintaining law and order and another 29% felt that local government was primarily responsible for the provision of this good (Afrobarometer 2008).

commitment and loyalty to the state-society relationship and signal to members of society that they are capable and trustworthy. I argue for the supremacy of political goods in the legitimation of states, because these goods provide the foundation necessary for citizens to participate in all other social, political and economic endeavors (Diamond and Morlino 2004; Weingast 1997). Moreover, when compared to another type of public good, namely, economic goods, there is a clarity of responsibility issue at hand (Keefer and Stasavage 2003). Political goods, both the granting and quality of them, can often be directly controlled by governments in power, whereas economic conditions are often not just the result of governmental decisions, but also larger private sector and international factors. Therefore, I expect citizens' perceptions of the supply of political goods to be chief in explaining support for the state. I argue that political goods will be especially important in a context like South Africa where the majority of people know firsthand how daily social activities and economic aspirations may be thwarted because of the arbitrary use of lethal force and limits on the freedom of speech and freedom of movement.

V. DATA and METHODS

Data for this paper come from Afrobarometer, the largest cross-national public opinion survey in Africa. Afrobarometer measures public attitudes toward democracy, markets and civil society in 20 countries across sub-Saharan Africa, including South Africa. The data employed for this analysis come from the 2008 Afrobarometer survey in South Africa. This survey consists of 2400 respondents, all South African citizens over the age of 18. Samples of this size yield a margin of error of +/- 3% at a 95% confidence interval. Where multiple indicators are available to tap the dependent and independent variables, I create indices for those variables to ensure that latent concepts are properly captured. This paper employs OLS multiple regression analysis, since the object of explanation is continuous.

Dependent Variable

The object of interest in this paper is attitudes toward the legitimacy of the state, that is, perceptions that institutions of the state are the most proper or appropriate for society. Following Weber, I focus on institutions that have the legal authority to use force or coercion to achieve compliance, if necessary. Within a democratic state, these institutions are primarily the police force, courts and tax agencies. To construct a measure of state legitimacy, I thus rely on an additive index of three items that ask respondents about their attitudes toward the police, courts and tax department⁵ (Levi et al. 2009; Peltier 2007). The questions state: "For each of the following statements, please tell me whether you disagree or agree: 1) The courts have the right to make decisions that people always have to abide by, 2) The police always have the right to make people obey the law and 3) The tax department always has the right to make people pay taxes." These items are scaled from 0-4, from low levels of legitimacy to higher levels of legitimacy. The index taps the central element of state legitimacy, that is, whether state institutions have the moral authority to make decisions with which ordinary citizens would feel compelled to comply.

Independent Variables

Political Goods

This paper has argued for the centrality of political goods in understanding perceptions of state legitimacy. In this paper, I explore the effect of three types of political goods, namely, *political rights*, *personal security*, and *the rule of law*.

First, I examine the issue of political rights. Political rights are those political goods that give citizens the space to freely participate in political life without fear of retribution from the state. To measure the extent to which citizens feel these rights are in place, I rely on a battery of three questions. These questions ask: "In this country, how free are you: 1) To say what you think?, 2) To join any political organization you want? and 3) To choose who to vote for without feeling pressured?"

⁵ Appendix A contains the full question text and coding for each indicator as well as all factor loadings for the referenced indexes

Hyp. 1: Those who perceive greater provision of political rights will be more likely to see the state as legitimate

Personal security is an important political good to include in this analysis because a state's ability to protect its citizens is key to the survival of the state. In fact, Rotberg (2003) suggests that of all public goods, the provision of security is paramount. Security is just one of the many goods that have historically been and continue to be disproportionately distributed along racial, and increasingly, class lines in South Africa. In fact, the lack of people's ability to rely on state structures for protection was, in part, the reason for the development of a culture of self-reliance. The norm of self-reliance, in turn, gave rise to private structures such as street committees and people's courts (Dixon and Van der Spuy 2004; Emmett and Butchart 2000). In many Black communities, these organizations were seen as the most reliable sources of security and justice. To gauge individual perceptions of security, I rely on a single item that asks respondents the following: "Over the past year, how often, if ever, have you or anyone in your family: Feared crime in your own home?"⁶

Hyp 2: Those who fear crime more frequently will be less likely to view the state as legitimate

Last but not least of the political considerations, I incorporate indicators on the rule of law. For the rule of law to be credible, laws must be known to individuals and they must apply not only to ordinary citizens, but also to those who hold the reins of power (Carothers 1998; Diamond and Morlino 2004). To measure the perceived supply of the rule of law, I rely on four indicators. The first asks: In your opinion, how often, in this country: Does the President ignore the laws of the country? Extant literature has confirmed the degree to which presidents provide information shortcuts about the larger political system (Bratton 2007). Thus, this question can gauge the extent to which people feel political elites in general adhere to the law. Next, I incorporate a question which asks the following: "In your opinion, how often, in this country: Are people treated unequally under the law?" If Tyler and Levi are correct about the importance of procedural fairness, I would expect those who perceive frequent unfair treatment under the law to withdraw support from the state. Finally, since the rule of law also presumes state capacity to monitor adherence to the law and subsequently punish law breakers, I also include two questions that measure this component. These questions ask respondents: 1) In your opinion, how often, in this country: Do officials who commit crimes go unpunished? 2) In your opinion, how often, in this country: Do ordinary people who break the law go unpunished? These measures therefore explore the extent to which leaders are likely to be held accountable for wrongdoing, but also the likelihood that members of the general public who engage in criminal activity will be detected and punished. I use these four indicators to create a rule of law index. Here I present two competing hypotheses.

Hyp 3a: Those who believe that the rule of law is frequently upheld will be more likely to perceive the state as legitimate

Hyp 3b: Those who believe that the rule of law is frequently upheld will be less likely to perceive the state as legitimate

The basis for the competing hypotheses is that the relationship between the rule of law and perceptions of state legitimacy hinges on individuals' views of the laws of the land. If people perceive the laws of the land to be fair, then support for the rule of law will strengthen popular support for the state. But if people see the prevailing laws as biased and discriminatory, then elite adherence to and implementation of those laws may only serve to breed contempt for the state. In South Africa in

⁶ In this analysis, I also explored the effect of actual experiences with crime by looking at the bivariate correlations between the legitimacy index and the following two questions: Over the past year, how often, if ever, have you or anyone in your family: 1) Had something stolen from your house? and 2) Been physically attacked?". These relationships were not statistically significant.

particular, perceptions of unfair laws may activate popular memory of apartheid laws that served a powerful minority, and thus adherence to laws that are perceived to privilege some while disadvantaging others may not bode well for the state.

Economic Goods

Another type of public good that is worthy of examination is economic goods. While I argue for the supremacy of political goods in shaping perceptions of state legitimacy, I recognize that economic evaluations may too hold value in this regard. The importance of economic evaluations in shaping citizen's support has been well documented in the political science literature (Anderson 2000; Lewis-Beck and Paldam 2000). In addition, given the high levels of unemployment and staggering levels of inequality in South Africa, some may argue that economic rather than political goods are the most significant goods to consider in this context. Bratton and Mattes (2001) lend credence to this argument as they find that South Africans are distinctive among Africans in privileging instrumental considerations (like personal economic conditions) above more intrinsic aspects of democracy.

I include an analysis of three types of economic goods: *performance evaluations*, *national economic conditions* and *personal economic conditions* (of which there are five dimensions). Performance evaluations refer to the government's performance on a number of aspects of the economy. Performance evaluations are made up of an index of four items. Survey respondents are asked: "How well or badly would you say the former Mbeki government was handling the following matters, or haven't you heard enough to say: 1) creating jobs?, 2) keeping prices down, 3) narrowing gaps between rich and poor and 4) ensuring everyone has enough to eat?"

Hyp. 4: Those who positively rate the government's performance on economic conditions will be more likely to show support for the state

The measure of national economic conditions consist of a single indicator that asks: "In general, how would you describe: The present economic condition of this country?"

Hyp. 5: Those who positively rate national economic conditions of the country will be more likely to support the state

Finally, to measure individuals' perceptions of their own personal economic conditions, I rely on five questions that assess egotropic (personal pocketbook) conditions. The questions examine present, as well as retrospective and prospective economic conditions. The questions are as follows:

- **Present Living Conditions**-In general, how would you describe: Your own present living conditions?
- **Relative Living Conditions**-In general, how do you rate your living conditions compared to those of other South Africans?
- **Retrospective Living Conditions**-Looking back, how do you rate the following compared to twelve months ago: Your living conditions?
- **Apartheid Living Conditions**-In general, how would you describe: Your living conditions compared to Apartheid?
- **Prospective Living Conditions**-Looking ahead, do you expect the following to be better or worse: Your living conditions in twelve months time?

Hyp. 6: Those who rate their personal economic conditions in a positive way will be more likely to see the state as legitimate

Personal Political Efficacy

In addition to political and economic goods, perceptions of state legitimacy may also be influenced by how much citizens feel they exert control over political leaders and the political process. Put differently, the more efficacious citizens feel their political actions are, the more likely they may be to

place their faith in the state. To measure personal political efficacy, I rely on a two item construct of the following indicators: 1) “In your opinion, how likely is it that you could get together with others and make: Your elected local councilor listen to your concerns about a matter of importance to the community?” 2) “In your opinion, how likely is it that you could get together with others and make: Your representatives to the National Assembly listen to your concerns about a matter of importance to the community?”

Hyp. 7: Those who sense greater levels of political efficacy will be more likely to support the state

Institutional Trust

The degree to which individuals trust institutions has been shown to have an effect on the legitimacy of state institutions (Miller 1999; Peltier 2007). I measure institutional trust by focusing on South African’s trust in the institutions of the state that are examined in the construct of state legitimacy. Unfortunately, Afrobarometer, does not ask South Africans about their levels of trust in the tax department in 2008. Thus, I rely on a two item construct to gauge levels of institutional trust. Specifically, the indicators ask: “How much do you trust each of the following, or haven’t you heard enough about them to say: 1) The Police?, 2) Courts of law?”

Hyp. 8: Those who have greater trust in institutions of the state, will also be more likely to perceive the state as legitimate

Ethnicity

The literature on African politics has long established the importance of ethnicity in politics. The central theme running through much of this work is that politics is largely organized around the crucial variable of ethnicity, and that those in society who share the ethnicity of those in power are often privy to a range of benefits to which non-co-ethnics may not have access. Thus, ethnicity has been hypothesized to be key in shaping political institutions (Posner 2005) conflict (Horowitz 1985) and attitudes of legitimacy (Schatzberg 2001).

In South Africa, the predominant ethnic cleavage is race. With the transition to majority rule in 1994, many blacks came to occupy key roles in the state whereas previously they had been restricted from holding public office and participating in political life. Thus, with the ushering in of the new regime, blacks had a measure of representation that was not afforded to them previously, whereas whites viewed the transition largely as a new political order that would not protect their rights and interests as the minority. Therefore, I would expect the following with regard to race:

Hyp. 9: Blacks will be more likely than other groups to view the state as legitimate

Controls

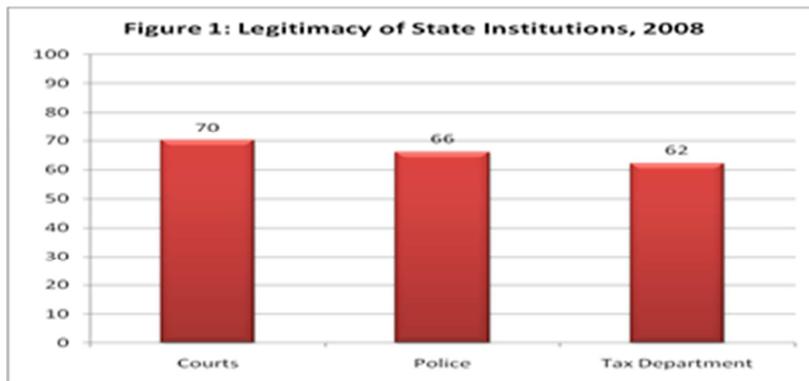
Finally, I control for a number of demographic variables, including age, gender, urban/rural dwelling, lived poverty (index of six items that measure Africans’ lack of basic goods and services over past year), levels of education and employment status.

VI. EXPLAINING STATE LEGITIMACY IN SOUTH AFRICA

Before delving into explanation, I describe the nature of support for state institutions in South Africa. In particular, what is the distribution of support for the police, courts and tax officials? How has this support varied over time? And finally, how does legitimacy perceptions vary by race, the most salient identity in South Africa?

In general, South Africans overwhelmingly accord legitimacy to institutions of the state (Figure 1). As of 2008, over 60% of respondents felt that the police and tax department had a right to make people obey the law and pay taxes, respectively. Levels of popular support are highest for the courts as shown below. And, the greatest ambivalence about whether or not an institution should have the right

to make binding decisions is with regard to the tax department, with 19% of South Africans reporting that they “neither agree nor disagree” on this item.

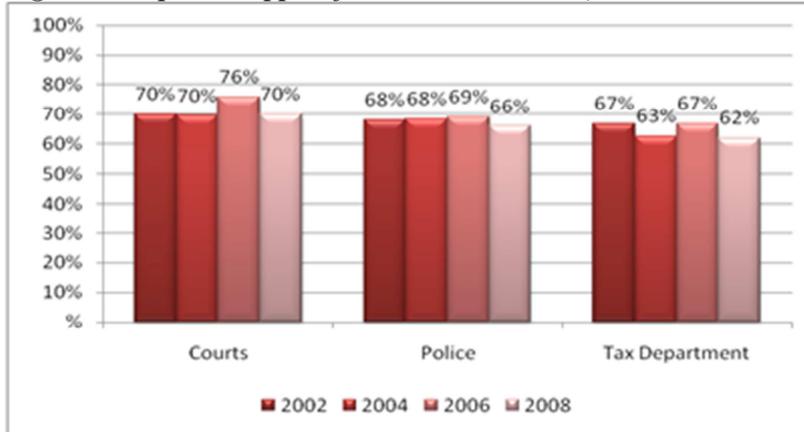


Note: Figures show the percentage of respondents who “agree” or “strongly agree” that these institutions should have the right to make decisions that are binding.

Next we examine trends in levels of state legitimacy over time. Popular acceptance of the courts increased modestly between 2004 and 2006, but then reverted to prior levels in 2008. Support for police authority has remained quite steady over the years as have perceptions of a legitimate tax department. Therefore, institutions of the state do not seem to be gaining or losing legitimacy among citizens. One possible explanation for this continuity may be linked to when legitimacy questions were first posed in South Africa. Afrobarometer data was first collected in South Africa in 2000, but legitimacy indicators were not added until the 2002 survey, eight years after the transition to majority rule. It is quite possible then, that perceptions of state legitimacy would have been lower closer to the time of the transition, when institutions such as the police force and courts were most heavily linked to the old apartheid state. Thus, any potential climb that we may have witnessed in legitimacy may be masked by the nature of the time that data on this issue was first collected.

On a substantive note, because the state comprises a set of structures that are more enduring than governments or regimes (Linz and Stepan 1996), I would not expect to see large scale fluctuations in state support over the relatively short duration of time examined here. However, an analysis of the regression below may help to illuminate whether the smaller scale fluctuations we witness in state support can be attributed to factors such as performance evaluations.

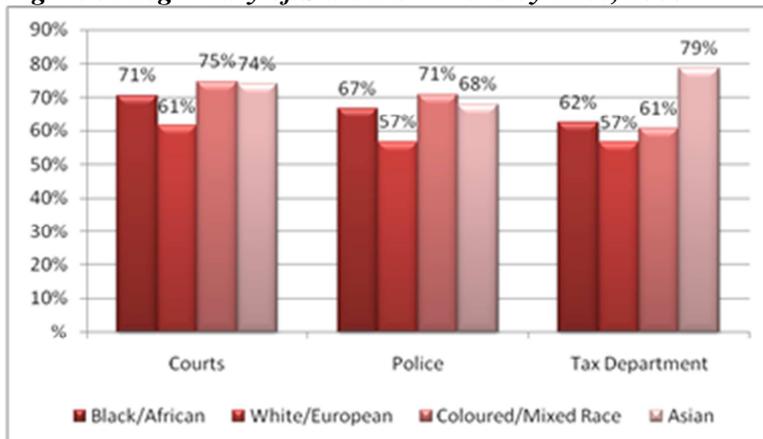
Figure 2: Popular Support for State Institutions, 2002-2008



Note: Figures show are the percentage of respondents who “agree” or “strongly agree” that these institutions should have the right to make decisions that are binding.

When we disaggregate the data by race, several interesting factors are worth noting (Figure 3). The first is that as of 2008, the police and courts enjoy their highest level of support among Coloureds and Asians, with Blacks coming only third. Similarly, Asians are the most supportive of the tax department’s authority. This goes against the conventional wisdom which suggests that Blacks would be most likely to view the state as legitimate. As expected, Whites are the most critical of every state institution.

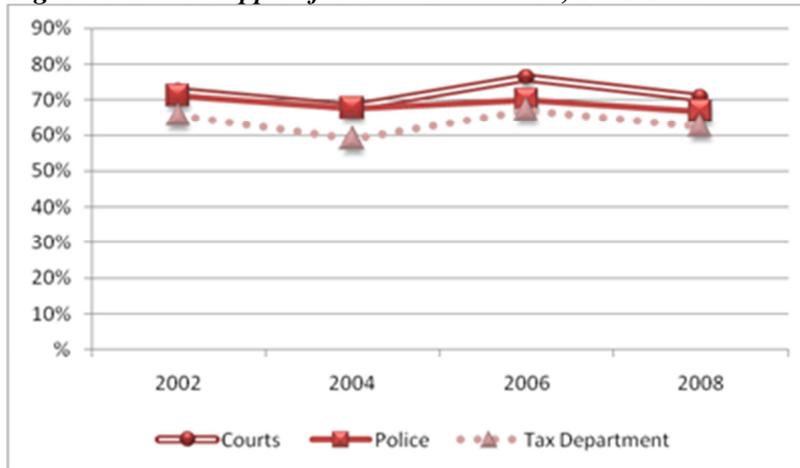
Figure 3: Legitimacy of State Institutions by Race, 2008



Note: Figures show are the percentage of respondents who “agree” or “strongly agree” that these institutions should have the right to make decisions that are binding.

How does support for state authority shift over time by race? For Blacks, the answer is not much (Figure 4). Moreover, we see that for Blacks, the tide of support for state institutions rises and falls together. When the legitimacy of courts suffers, so does the legitimacy of police. And when support for the police increases, so does support for the tax department.

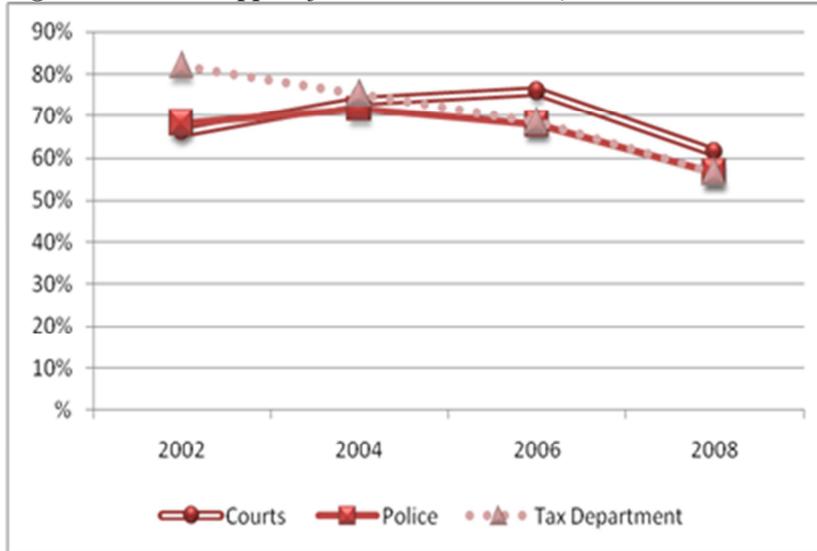
Figure 4: Black Support for State Institutions, 2002-2008



For Whites, there is substantial variation over time by institution. For instance, the courts enjoyed rising support until 2006, when three-quarters of Whites viewed them as legitimate. But this support took a 15 percentage point dive in just two years, with only 61% of whites holding a favorable view of the courts. The steady rise in support until 2008 may suggest that views on the courts in 2008 were perhaps reflective of Whites' dissatisfaction with the high profile court proceedings of now President Jacob Zuma and former Police Chief Jackie Selebi. The most astonishing figures shown below, however, are those for the tax department. In 2002, Whites showed the highest level of support for the tax department, with 82% validating its authority to collect taxes. But that support has plummeted over time, with only a slim majority of whites who feel the same way as of the last Afrobarometer survey in 2008. The literature on the taxation-representation linkage maybe instructive here, as Whites in South Africa have come to feel that their interests have been less represented in government over time (Bates and Lien 1985). Moreover, while unemployment is high in most Black communities, unemployment remains relatively low in many White neighborhoods⁷. Therefore, Whites are more likely to be employed, more likely to have access to employment in the formal sector, and more likely to earn higher wages than other racial groups in this country. All this suggests that Whites comprise a substantial taxpayer base in South Africa. Thus, they may be most inclined to withdraw support from the tax agency when they feel dissatisfied with government performance. Recent literature on support for the tax department affirms citizens' willingness to withdraw support from the tax department when they feel they are not getting the services they deserve (D'Arcy 2011).

⁷ Estimates taken from South African Census conducted in 2001

Figure 5: White Support for State Institutions, 2002-2008



In contrast to the trend for Whites, the police and courts seem to have gained significant stocks of legitimacy among Coloureds over time. The percentage of Coloureds who support police authority has risen from 57% in 2002 to 71% as of 2008. For courts, this figured jumped from two-thirds (67%) to exactly three-quarters (75%). As with Blacks, support for these three institutions largely increases and decreases collectively. Finally, support for the court rose steadily among Asians between 2002 and 2006 (from 61% to 79%), but then fell slightly in 2008, following the trend for Whites on this indicator. Also, support for the police and tax department has risen sharply for this group, from a mere majority of 53% on both indicators to over two-thirds and three-quarters respectively as of 2008.

Therefore, at the aggregate level, there are few noteworthy fluctuations in perceptions of state legitimacy. But disaggregating the data by race shows that while perceptions of legitimacy are remaining virtually unchanged among Blacks, they are changing negatively for Whites and positively for Coloureds and Asians over the long haul.

Political Goods

In turning to the output of the regression model (Table 1), we will begin with the primary independent variable under examination, political goods. First, we see that all three political good variables are statistically significant. In particular, there is a strong relationship between the perceived provision of political rights and perceptions of legitimacy, with the table showing that for every one unit increase in the perceived provision of political rights, attitudes toward the legitimacy of the state increase by .50. Thus, the more people feel they are free to participate in political life, the more likely they are to see that state as the rightful bearer of authority. This finding points to the role of democracy in legitimating the state (Bratton and Chang 2006; Buchanan 2002), as it is only in a democratic regime that individuals can be relatively secure in knowing that their political rights will not be curbed by those in power.

Personal security also proves to be meaningful in generating legitimating attitudes. The measure of security is statistically significant, though not in the hypothesized direction. The results show that those who have greater fear of crime are *more* likely to view the state as legitimate. This finding is counterintuitive and goes against the conventional wisdom that suggests that states gain support when they make their citizens feel secure and protect them from harm (Rotberg 2003). But perhaps the negative relationship exhibited here highlights something about how victimization connects citizens to the state. It could be the case that the more people are victimized, the more likely they are to come into contact with state institutions such as the police and courts, and that mere contact with these institutions has legitimating effects. However, it may be that not only contact matters, but also the nature of the contact. This finding may lend credence to Levi et al.'s focus on procedural justice, since

people who are satisfied with the treatment they receive from key state institutions may be more willing to accord legitimacy to the state⁸.

Finally, I find that the more that people feel that the law is blatantly disregarded, the less likely they are to view the state as legitimate. In other words, when people feel that officials in power refuse to subject themselves to the prevailing rules, and when political elites and ordinary citizens can commit offenses with impunity, the legitimacy of the state will be thrown into question. This suggests that South Africans make a clear distinction between the apartheid system of rule “by” law and their current system of rule “of” law and use assessments of the latter to determine whether the state is deserving of their voluntary deference. While Gibson and Gouws question whether respect for the rule of law can thrive in a context of historical state repression, the results here show that not only do South Africans value the rule of law, but the perceived supply of the rule of law is a key determinant of individuals’ views on the moral authority of the state. Thus, I would argue that the legacy of a repressive rule “by” law has not caused most South Africans to turn their backs on the rule of law as Gibson and Gouws speculate. Rather, perhaps it is the case that popular memory of apartheid has conditioned people to make their allegiance to the state contingent on perceived levels of mass and official submission to just rules.

The above results demonstrate the importance of political goods in accounting for perceptions of a legitimate state. But which political goods carry the strongest impact on the object of explanation examined in this paper? Looking at the column of standardized coefficients, we see that, at least in South Africa, the provision of personal security is paramount (.165), followed closely by political rights (.148).

Looking at the relative weight of the rule of law indicator, we see that it carries less of an impact than political rights and personal security. The rank order of these three political variables may reflect an empirical historical reality in South Africa, which is that for many, respect for the law was subordinated to the quest for political rights and the struggle to achieve freedom from state orchestrated violence. The emphasis on making the country “ungovernable” during apartheid, was an approach that was largely used to secure the right to vote, organize and move about the country freely; to secure freedom from political repression. It therefore seems that while South Africans value the rule of law, respect for the law is not chief in the hierarchy of political determinants of state support. Instead, a theory which emphasizes security as a chief political good does find support, though the direction of the relationship is surprising and not well understood.

⁸ The last National Victims of Crime Survey (NVCS) conducted in South Africa in 2007 shows that 58% of South Africans feel that the police are doing a good job, while a strong majority (69%) of individuals feel that the courts do their jobs adequately.

Table 1: Perceived Levels of State Legitimacy, South Africa (2008)

	B	Std. Error	Beta	Sig.
Political Goods				
Political Rights	.503	.088	.148	.000
Personal Security	.353	.050	.165	.000
Rule of Law	-.288	.091	-.077	.002
Economic Goods				
Performance Evaluations	.219	.095	.056	.021
Retrospective Living Conditions	.189	.078	.069	.015
Prospective Living Conditions	.157	.066	.064	.018
Personal Political Efficacy	.265	.069	.088	.000
Institutional Trust	.504	.086	.142	.000
Social Structure				
Age	.230	.102	.053	.024
White	-.625	.246	-.068	.011
Asian	-.813	.415	-.045	.050
Urban	.711	.151	.113	.000
Employed	-.259	.137	-.043	.059
Lived Poverty	-.284	.081	-.092	.000
Constant	4.105	.423		.000

R²: .234

N: 2219

Std. Error of Estimate: 2.62

Trimmed Model Shown⁹

Economic Goods

Next, we examine the performance of economic goods. Of the economic good variables, three—performance evaluations, retrospective living conditions and prospective living conditions—reach statistical significance. When people positively rate the government on the provision of economic goods such as jobs, they are also more likely to see the state as legitimate. So while the government and state are distinct entities, government performance in the economic realm does impact individuals' attitudes toward the state. Moreover, South Africans are likely to express an affinity for the state based on how much they feel their personal living conditions have improved over time and are likely to do so in the future. Given all the literature which supports the notion that individuals judge those in power based on the performance of the economy, it may come as somewhat of a surprise that evaluations of the national economy do not reach statistical significance in this model. With the persistently stark levels of poverty and inequality in South Africa, perhaps South Africans realize that a healthy national economy does not necessarily translate into greater individual well-being, and thus people privilege personal economic conditions in evaluating the state.

Personal Political Efficacy and Institutional Trust

In addition to the delivery of political and economic goods, individuals need to feel that their political behavior yields results and that their attempts to influence the political arena are efficacious. When they are convinced of this fact, they are more likely to credit the state with legitimacy. This analysis also confirms previous work on the relationship between trust and legitimacy, showing that for every one unit increase in trust in the police and courts, there is a .50 increase in perceived levels of state legitimacy. Essentially, when citizens feel that they can trust state agents to act on behalf of the public interest, then they will be more likely to invest those structures with the moral authority needed to legitimately act on their behalf. Interestingly, the standardized regression coefficients indicate that

⁹ Trimmed non-significant coefficients

institutional trust carries the same amount of weight as political rights in explaining individuals' perceptions of a legitimate state.

Social Structure

Finally, exploring the relationship between social structure and state legitimacy, we find that several factors contribute to people's evaluation of the state. First, older people are more likely than younger folk to show positive acceptance of the state. For certain people in South Africa, liberation legitimacy is generational. In other words, younger generations are much less likely to support the current state (which is ANC-run) because the ANC liberated the country. Liberation legitimacy thus does not accrue to the ANC from those who came of age after the struggle the same as it does from those who were born, raised and lived through the struggle against apartheid. The importance of generational standing in understanding support for the state is highlighted in Bratton et al's work where they show that being a member of the post-colonial generation is positive for support for democracy (Bratton et al. 2005).

Examining racial and regional factors, we find that Whites and Asians are substantially less likely to support the state than Blacks. This finding comes as no surprise, as many White South Africans now see themselves as the victims of reverse discrimination and feel that they cannot adequately have their interests represented by a majority Black government. This finding does, however, contradict Gibson and Gouw's contention that Whites portray higher levels of legitimacy in South Africa, though it is important to note that they explore the legitimacy of the regime and not the state.

Urban dwellers are also significantly more likely to hold legitimating views. That urbanites are more ready to cast a vote of confidence for the state is consistent with the literature on African politics that demonstrates that political leaders are most responsive to the pleas and needs of urban constituencies.

Lastly, those who find themselves in more impoverished circumstances and the employed find it difficult to pledge their loyalty to the state. The fact that employed people are less likely to accord legitimacy to the state than the unemployed may seem somewhat surprising, since having access to a cash income would seem to boost people's support for the state. But again, perhaps the explanation here is linked to my previous argument that employed people, as taxpayers, may be more critical of the state when the actual services received from the state do not measure up to what people think they ought to receive.

VII. CONCLUSION

This paper has shown that the provision of political goods is key to citizen's support for the state in South Africa. The performance of political goods in this model suggests that the granting of moral authority to institutions of the state depends heavily on whether people perceive that political elites provide a strong rule of law and do a good job securing key individual freedoms. Freedom of speech and other key freedoms are generally well protected in South Africa. However in 2007, South Africa's Freedom House political rights score decreased from 1 to 2, where it has since remained. This drop was in part because of the government's clampdown on the independent media whose commentary was accused of being too "anti-government". Press freedom became a hot-button issue again in 2010 with the proposed Protection of Information Bill, which some claim is an attempt to muzzle the media once more. A clampdown on press freedom can filter down to the level of ordinary citizens and, in turn, jeopardize an important political liberty.

Since South Africans use the rule of law as a litmus test by which to judge the legitimacy of the state, recent events in South Africa raise concerns. In particular, current President Jacob Zuma was charged for a number of offenses including corruption and racketeering among others before taking his seat as Head of State. Former Police Chief Jackie Selebi was unseated because of corruption charges and the incumbent National Police Commissioner Bheki Cele has also been investigated for corruption in the tendering process¹⁰. The fact that leaders in top political and state offices are frequently cited for their involvement in crime and wrongdoing could ultimately cause popular acceptance of the state to plummet. If in fact officials' obedience to the law is a key dimension of the rule of law, then leaders' failure to submit themselves to the law shall likely have negative implications for the state in South Africa.

The relationship between personal security and state legitimacy found here is a peculiar one; the results suggest that as people's fear of crime increases, they are *more* likely to support the state. One possible explanation is that victimization brings individuals into contact with the state, and that this contact has some legitimating effect. Given that perceived levels of personal security are central determinants of state legitimacy, it is worth noting that crime and security remain a top concern for most South Africans and many are not optimistic about the state's capacity to provide them with a satisfactory level of security. But according to the results shown here, state capacity to secure citizens actually bolsters state legitimacy. This suggests that the direction of performance on political goods need not all run in the same direction for states to be deemed legitimate. While South Africans reward the state for its performance on providing a strong rule of law and securing individual liberties, it punishes it when it improves the security atmosphere. This finding presents a paradox and is odd given that South Africans, who see the provision of security as a clear state responsibility¹¹, do not then sanction the state when it fails to deliver in this area.

Economic goods are also significant in this model. But the political good variables present here outperform economic ones that test the strength of both pocketbook and sociotropic economic theories. These findings contrast with those of Bratton and Mattes (2001). In exploring the determinants of support for democracy in Africa, Bratton and Mattes find that South Africa is exceptional among African democracies in being "instrumentalist". Bratton and Mattes find that while support for democracy is largely driven by regime characteristics such as political rights in most African democracies, support for democracy is overwhelmingly driven by material considerations in South Africa. The findings shown here suggest that South Africans privilege important political determinants in their assessments of the legitimacy of the state.

¹⁰ "South Africa's Former Police Chief Jackie Selebi Sentenced", Guardian UK, 3 August 2010; "South Africa Police Chief Bheki Cele in 'Unlawful Deal'", BBC News Africa, 14 July 11

¹¹ As of 2008, 52% percent of South Africans felt that the central government was primarily responsible for maintaining law and order and another 29% felt that local government was primarily responsible for the provision of this good (Afrobarometer 2008)

That my findings differ from Bratton and Mattes may suggest a couple of things. First, it is possible that in spending time with democracy, South Africans have come to appreciate it for its intrinsic value and thus have become much less instrumental over time. After all, it has been ten years since Bratton and Mattes' important contribution on the determinants of support for democracy in Africa. But perhaps a more plausible account is that South Africans rate the regime in different ways than they rate the state. Note that Bratton and Mattes explore support for democracy, while I look specifically at individuals' support for the state. Is it possible that individuals see the regime instrumentally, but support the state for the intrinsic values that it espouses? After all, actors within institutions that comprise the state, like police and courts, to some extent inherently exist to protect the foundational tenets of the regime. And the foundational tenets of any regime are, by definition, political (though different economic logics may also inform different regime types). The point here is that state institutions like the police force and courts by intuition exist to support or suppress basic individual liberties, the rule of law and personal security, depending on the type of regime that is in place. They are less directly involved in activities like the distribution or redistribution of economic goods like jobs. Thus, it is possible that citizens may evaluate the regime and the state through different lenses. But more research is needed to determine whether popular support for the regime and the individual determinants of state legitimacy have different origins.

In addition to the provision of political and economic goods, the way state agents conduct themselves in their respective offices also matters for individual respect for state authority. In particular, when people distrust the police and courts and feel that elected officials are not responsive, people are less likely to view the state as a legitimate wielder of political power and authority. The importance of institutional trust and political efficacy in the model suggests that in order for the state to secure the willing obedience and deference of its citizenry, it must earn it, namely, by demonstrating its commitment to listening to and furthering the public interest.

Finally, race, urban dwelling, employment and poverty all have an impact on how legitimate citizens view the state to be.

What does this all mean for the state in South Africa? If the South African government does not improve its performance on political rights and the rule of law, will state legitimacy crumble altogether? Put differently, is the state in South Africa "doomed" because of its performance on these key issues? I would caution against broad sweeping statements about the total withdrawal of support for the state based on the current state of political goods in South Africa. For one, this analysis has shown that a sense of personal political efficacy remains key to perceptions of a legitimate state. Thus, if leaders demonstrate that they are actively listening and responding to their constituents, the legitimacy of state institutions can remain afloat. Moreover, increasingly, when the state fails to provide a good to citizens' satisfaction, they may turn to private sources, be it the market or society (Peltier 2007). And, from a state perspective, one of the key features of the regulatory state is its delegation of powers and authority to non-state institutions (Majone 1999). Thus, it will be interesting to see if the private institutions of society and market can help to fill the gap in the delivery of key goods, and thereby boost state legitimacy perceptions.

In conclusion, this paper has explored the determinants of state legitimacy in strong test case; a country that previously had a substantial legitimacy deficit. I find that citizens in this context feel that the state is properly constituted primarily when it protects individual freedoms and adheres to a strong rule of law. Because credible commitments to the protection of individual rights and the provision of a just rule of law can only be made by actors in a democratic setting, these findings highlight the important role that a democratic regime plays in spurring state legitimacy. The results show that regime characteristics are paramount in explaining perceptions of a legitimate state, but that state features of institutional trust and government performance on economic factors matters too.

These findings may be generalizable to other countries that have a long legacy of authoritarian rule. In nascent democracies, there is often an entrenched memory of the role that state actors played in suppressing efforts to build a democratic society. In other words, institutions of the state must be

democratized so that they may gain the trust and obedience of citizens. Ruling elites must convince citizens that they understand and support the new order and will protect the individual rights that democracy implies.

Appendix A

INDICATORS	VALUES	VALUE LABELS	
State Legitimacy, Add. Index of 3 Items , One unrotated factor explains 70% of the variance (eigenvalue=2.114), alpha=.790			
For each of the following statements, please tell me whether you disagree or agree: The courts have the right to make decisions that people always have to abide by.	0-4	0=Strongly disagree, 1=Disagree, 2=Neither agree nor disagree, 3=Agree, 4=Strongly agree	44a
For each of the following statements, please tell me whether you disagree or agree: The police always have the right to make people obey the law.	0-4	0=Strongly disagree, 1=Disagree, 2=Neither agree nor disagree, 3=Agree, 4=Strongly agree	44b
For each of the following statements, please tell me whether you disagree or agree: The tax department always has the right to make people pay taxes.	0-4	0=Strongly disagree, 1=Disagree, 2=Neither agree nor disagree, 3=Agree, 4=Strongly agree	44c
Political Rights, Index of 3 Items , One unrotated factor explains 78% of the variance (eigenvalue=2.343), alpha=.858			
In this country, how free are you: To say what you think?	0-3	0=Not at all free, 1=Not very free, 2=Somewhat free, 3=Completely free	15a
In this country, how free are you: To join any political organization you want?	0-3	0=Not at all free, 1=Not very free, 2=Somewhat free, 3=Completely free	15b
In this country, how free are you: To choose who to vote for without feeling pressured?	0-3	0=Not at all free, 1=Not very free, 2=Somewhat free, 3=Completely free	15c
Personal Security, Single Item			
Over the past year, how often, if ever, have you or anyone in your family: Feared crime in your own home?	0-4	0=Never, 1=Just once or twice, 2=Several times, 3=Many times, 4=Always	9a
Rule of Law, Index of 4 Items , One unrotated factor explains 59% of the variance (eigenvalue=2.362), alpha=.766			
In your opinion, how often, in this country: Does the President ignore the laws of the country?	0-3	0=never, 1=rarely, 2=often 3=always	45b
In your opinion, how often, in this country: Are people treated unequally under the law?	0-3	0=never, 1=rarely, 2=often 3=always	45c
In your opinion, how often, in this country: Do officials who commit crimes go unpunished?	0-3	0=never, 1=rarely, 2=often 3=always	45d
In your opinion, how often, in this country: Do ordinary people who break the law go unpunished?	0-3	0=never, 1=rarely, 2=often 3=always	45e
Economic Performance Evaluations, Index of 4 Items , One unrotated factor explains 64% of the variance (eigenvalue=2.564), alpha=.813			
How well or badly would you say the former Mbeki government was handling the following matters, or haven't you heard enough to say: Creating jobs?	0-3	0=very badly, 1=fairly badly, 2=fairly well, 3=very well	57c
How well or badly would you say the former Mbeki government was handling the following matters, or haven't you heard enough to say: Keeping prices down?	0-3	0=very badly, 1=fairly badly, 2=fairly well, 3=very well	57d
How well or badly would you say the former Mbeki government was handling the following matters, or haven't you heard enough to say: Narrowing gaps between rich and poor	0-3	0=very badly, 1=fairly badly, 2=fairly well, 3=very well	57e
How well or badly would you say the former Mbeki government was handling the following matters, or haven't you heard enough to say: Ensuring everyone has enough to eat?	0-3	0=very badly, 1=fairly badly, 2=fairly well, 3=very well	57j
National Economic Conditions, Single Item			
In general, how would you describe: The present economic condition of this country?	0-4	0=very bad, 1=fairly bad, 2=neither good nor bad, 3=fairly good, 4=very good	4a
Present Living Conditions, Single Item			
In general, how would you describe: Your own present living conditions?	0-4	0=very bad, 1=fairly bad 2=neither good nor bad, 3=fairly good, 4=very good	4b
Relative Living Conditions, Single Item			
In general, how do you rate your living conditions compared to those of other South Africans?	0-4	0=very bad, 1=fairly bad 2=neither good nor bad, 3=fairly good, 4=very good	5
Retrospective Living Conditions, Single Item			
Looking back, how do you rate the following compared to twelve months ago: Your living conditions?	0-4	0=very bad, 1=fairly bad 2=neither good nor bad, 3=fairly good, 4=very good	6b

Apartheid Living Conditions, Single Item			
In general, how would you describe: Your living conditions compared to Apartheid?	0-4	0=very bad, 1=fairly bad 2=neither good nor bad, 3=fairly good, 4=very good	6saf
Prospective Living Conditions, Single Item			
Looking ahead, do you expect the following to be better or worse: Your living conditions in twelve months time?	0-4	0=much worse, 1=worse 2=same, 3=better 4=much better	7b
Personal Political Efficacy, 2 Item Construct , One unrotated factor explains 85% of the variance (eigenvalue=1.712), alpha=.832			
In your opinion, how likely is it that you could get together with others and make: Your elected local councilor listen to your concerns about a matter of importance to the community?	0-3	0=Not at all likely, 1=Not very likely, 2=Somewhat likely, 3=Very likely	24a
In your opinion, how likely is it that you could get together with others and make: Your representatives to the National Assembly listen to your concerns about a matter of importance to the community?	0-3	0=Not at all likely, 1=Not very likely, 2=Somewhat likely, 3=Very likely	24b
Institutional Trust, 2 Item Construct , One unrotated factor explains 67% of the variance (eigenvalue=1.345), alpha=.513			
How much do you trust each of the following, or haven't you heard enough about them to say: The Police?	0-3	How much do you trust each of the following, or haven't you heard enough about them to say: The Police?	0-3
How much do you trust each of the following, or haven't you heard enough about them to say: Courts of law?	0-3	How much do you trust each of the following, or haven't you heard enough about them to say: Courts of law?	0-3
Age	0-2	0=18-34, 1=35-59, 2=60-97	1
Race	Categorical	Black, White, Coloured, Asian	102
Gender	0-1	0=female, 1=male	101
Urban/Rural Dwelling	0-1	0=rural, 1=urban	URB RUR
Education	0-9	0=No formal schooling, 1=Informal schooling only (including Koranic schooling), 2=Some primary schooling, 3=Primary school completed, 4=Some secondary school/ high school, 5=Secondary school completed/high school completed, 6=Post-secondary qualifications, other than university e.g. a diploma or degree from polytechnic or college, 7=Some university, 8=University completed, 9=Post-graduate	89
Employment Status	0-1	0=not employed, 1=employed	94
Lived Poverty , One unrotated factor explains 55% of the variance (eigenvalue=3.329), alpha=.817			
Over the past year, how often, if ever, have you or anyone in your family gone without: Enough food to eat?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8a
Over the past year, how often, if ever, have you or anyone in your family gone without: Enough clean water for home use?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8b
Over the past year, how often, if ever, have you or anyone in your family gone without: Medicines or medical treatment?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8c
Over the past year, how often, if ever, have you or anyone in your family gone without: Enough fuel to cook your food?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8d
Over the past year, how often, if ever, have you or anyone in your family gone without: A cash income?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8e
Over the past year, how often, if ever, have you or anyone in your family gone without: electricity?	0-4	0=never, 1=just once or twice, 2=several times, 3=many times 4=always	8f_saf

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