
POLITICAL POWER, AUTHORITY AND LEGITIMITY

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1. General considerations

Political power is the "supreme instance" in a society, and there is no other authority to be superior to it or able to dispute its decisions. The family power of the parents (with the meaning of influence on the descendants), the hierarchical administrative power, the economic power, the religious power (except the cases when the fundamentalist religions are raised to the rank of coercive state ideologies), the cultural power, the moral power, the military power (except the pretorian-authoritarian regimes), information power (including the "mind viruses"), etc. are forms of social power and, in one way or another, are subordinate to political power.

In democratic regimes, the political goals that have been raised to the rank of political ideals require political power to be restricted only by constitutional provisions, giving it the ultimate right of coercion in situations of disobedience or violation of its decisions. It is the expression of sovereignty and it is sovereign.

In modern societies, not being outside the social control or independent before the law, "... the holders of political power - legislators and governors - having the function of deciding on behalf of the whole of the global society, govern by their decisions all the other social powers without being bound to obey any of these. "Consequently, Lapierre concludes, "saying that global society is supreme collectivity, which does not depend on any other, means saying that the authority of this collectivity is also supreme. In this sense, the political power is the sovereign power. "¹

The supreme character of the authority of the global society that makes the political power the sovereign power in this type of society leads to the understanding of the political power as "a generalized capacity (at the level of the global society) of decision and control", a permanent capacity "embodied in various real means of the realization of its will (the will of the political power nn), being strengthened by the power of the governing apparatus "².

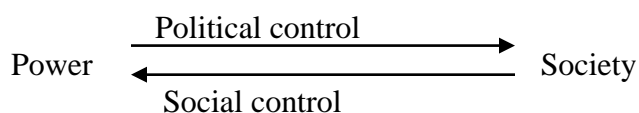
¹ Jean William Lapierre, *Essai sur le fondement du pouvoir politique*, Editions Ophrys, Aix – en – Provence, 1968, p.74

² Vezi V. Măgureanu, *Political Power*, Bucharest, Political Publishing House, 1978, pp. 74-75

In maintaining and consolidating political power various means are used: coercive, political, ideological, religious, mythical, informational, psychological etc. and *political control* - as a fundamental function of any political power (by which it subordinates its other powers) is defined by many authors (Talcott Parsons, V. Măgureanu, etc.) as a *variety of imperative control*.

Power control over society may be weak, effective or dominating (total), its intensity being dependent on a number of factors such as: the nature of the political regime, the values promoted by power, the existence of structures of civil society and their functionality, the level of consensus or of contesting the values promoted by power, the degree of perverting consent, the methods by which control is exercised, and so on. This control, which indicates *the level and the forms of authority*, is correlated with the legitimacy of power in democratic regimes: "the nature of its procedures is determined by the level of development of democracy and *the balance that exists in the given society between the control exercised by power over society and control which society can have over power*. "¹

Thus, for modernity and late modernity, the *power-society* relationship is not a univocal relationship, of the Power → Society type, but a biunivocal relationship, such as:



in which the *accepted* degree of control imperativity expresses the level of authority, and the degree of power of social control over political power (the intensity of social control) expresses the legitimacy of power.

Therefore, the relationship power-society becomes an *authority* relationship (of power) - *legitimacy*, legitimacy expressing:

- ✓ the power of society over political power (the extent to which society can filter, "censor" political power);
- ✓ *the level of acceptance of the imperative of political control* of power (materialized in the consent or dispute of its values);
- ✓ a way of self-knowledge of the power (a permanent information on the level of acceptance, the efficiency of strategies and means, the social balance or imbalance, the imbalances that occur in the promoted value system, etc.).

In several papers² we have analyzed the power-society relationship in totalitarian and authoritarian regimes. Here we are limiting ourselves to stating that in non-democratic regimes, where authority is largely exercised by coercion, the acceptance of imperative control of power being based on partial consent (*consent* – a voluntary adherence should not be mistaken for *consensus* - adhesion that can be obtained through coercive, manipulative means, by altering the will of the accepting subjects), a limited consent that not only questions the authority-legitimacy relationship but also the power of political control exercised over society.

¹ Ibidem, p.75

² See Adrian Gorun, R.T. Mateiu, Horațiu T. Gorun, Introduction to Political Sciences, University Press of Cluj Cluj – Napoca, 2002, Adrian Gorun, Political Theory, University Press of Cluj, 2002, Adrian Gorun, Social Development and Globalization, „Academica Brâncuși” Publishing House, 2012, Adrian Gorun, Horațiu Tiberiu Gorun, 1989. Romania between revolution and Coup de ‘etat , ProUniversitaria Publishing House, 2015 ș.a.

Moreover, social control cannot be achieved manifestly, it cannot be an *in actu* control (even if the declared mechanisms and means are maintained or expressly created, they are mimed), but, possibly, a latent, persuasive one (such as the contesting opinions expressed in veiled and unofficial forms - artistic works, professional reactions, petitions, cases of civic disobedience, etc.).

The absence of social manifest control over political power in undemocratic regimes does not mean that power would not have the possibility of informing about attempted control (latent).

On the contrary, taking into account these disputes, through its specialized bodies, totalitarian / authoritarian power either *measures* (assesses) the degree of danger (achieving, where appropriate, a combination by changing the weight of means), or *represses* them (strikes, rallies, anti-regime demonstrations) . Then: "When there is a dissociation between the values of power and the interests of the social majority, and when control is coercive in an undifferentiated way, it results in a decrease of the level of social activity, which is in fact equivalent to a decrease in the power of control by the power" ¹. Therefore, the univocal relationship *Power* → *Society*, in which power holds the maximum (or almost maximum) degree of control imperativity, and society the minimal (or almost zero) of control over power, will lead, sooner or later (but inevitably) to a dissolution of totalitarian / authoritarian political power, even if any power (including dictatorial political power) seeks forms of legitimacy.

Therefore, no matter how stable a political order seems to be in a totalitarian society, it can become extremely fragile. (We can imagine what happens to an internal combustion engine lacking escape valves - in this case, social control would have the role of defusing conflicting situations, and some dictators are creating such *formal mechanisms*, so-called democratic).

The mutual control (biunivocal, power → society and society → power) leads to the stability of the political order insofar as between the two forms of control there is a "balance in the given society" (the totalitarian-communist regime's collapse in December 1989, as compared to the regimes of other former Communist countries - where there have been some changes on the way through which society exercises a certain degree of control - was achieved through the use of violence, a social rebellion against the power, with Romania being the state with the most unbalanced relationship between power and society).

Balance at the level of any society is an approximate, potential one. As such, the approximate character of balance also indicates its vulnerability, the potentiality of imbalance.

In this case, the potentiality of the imbalance between power and society, between power control over society (increasingly imperative and generalized – in an undifferentiated way) and control of society over power (increasingly disimperativized and diffusely atrophied) contains the germs of power entropy.

This was the case in December 1989 in Romania, where the sudden imbalance of the two ways of control led to the total (and sudden) loss of the totalitarian power control over Romanian society, the seemingly indestructible order (*the iron authority*) proving its fragility .

2. *The political authority*

¹ V. Măgureanu, op. cit. p.75

The authority, viewed retrospectively, by invariable recourse to the specialized literature "covers a vast continent of glossematics having a highly confused geography."¹ A crucial topic of importance, as "there is no possibility of recording the democratic development of power without recording authority as a phenomenon or hypostasis of power"², the theme of authority is confronted, like the theme of power, with a certain imprecision of common language, imprecision often transferred to the language used in political sciences (the *authority* designates a person or an instance in which certain powers of power are conferred: the *authority* or *authorities* designate, in the same common language, certain state or judicial instances, *having authority*, also on the basis of common language, means recognition by the public of the role that a particular person or instance plays at a given moment and the prestige they enjoy)³. But the theory of political authority, though embodying such meanings, can not be reduced to these.

The issue of authority, as a hypostasis of power, correlated with legitimacy and freedom, were also in the attention of Th. Hobbes, Ch. Louis de Montesquieu, J.J. Rousseau, B. Constant, Fr. Guizot, J. St. Mill, Al. De Tocqueville (the opening of the problem, without seeking the sources of legitimacy, except the legitimacy of the means is found even in Machiavelli's *Prince*)⁴. One of the ideals of the modern age, especially after 1789, which dominated the policy of developed countries was the political ideal of freedom, and the widespread idea beginning with the 17th century itself was that "citizens' freedom can be safeguarded if the coercive authority doesn't express a "foreign" will, but the citizens' will "⁵; individual freedom is maintained to the extent that "the main constraints exercised by authority (the laws) or the expression of the citizens' will"⁶.

For modernity, government is self-government: people remain free because government (authority) that constrains (through laws) is carried out by citizens' representatives. Laws appear as instruments of self-government; they are not "foreign" to those who are governed, but they are "freely consented" (at least by the majority). As such, Adrian Paul Iliescu states - they can prevent any conflict: "as expressions of the will of those to whom they are applied, the laws no longer generate contradictions of interests."⁷

We would point out that although the credibility of power is (here) related to the institution of representation (the designation by citizens of their representatives who are not entitled to act in their own name but on behalf of the mandate and within the limits of the investiture mandate – citizens ,as a consequence, indirectly, *on behalf of the citizens*), the side-slipping of democracy towards the forms of tyranny of the majority and the unconstitutional exercise of the imperative mandate are issues to be taken into account, especially in unconsolidated democracies.

And especially, considering the fact that the principle of anticipated responses Carl Friedrich speaks about is not - for many decision makers who use the ambivalence of the agenda

¹ Gh. Bourceanu, Authority and prestige, Junimea Publishing House, 1985, p.12

² V. Măgureanu, op. cit. p.80

³ Ibidem

⁴ Also see Adrian Gorun, Liberty-Concept and Reality, Argonaut Publishing House, Cluj-Napoca, 2002, pp. 58-134

⁵ Adrian Paul Iliescu, Introduction to Politology, All Publishing House, Bucharest, 2002, p.55

⁶ Ibidem

⁷ Ibidem

(an electoral agenda and an agenda of the exercise of dignity after the investiture) - a landmark of conduct and action.

Trust in the laws drafted by those who are appointed normally comes from the belief that they act in the spirit of the will of the voters (as it is known, however, Thomson Hobbes considered that individual cannot not be transferred¹) and therefore compliance with the provisions of the laws is based on a double consensus: between the citizens and the designated power (that of action within the limits of the investiture mandate) and the consensus among the citizens (each of them individually and all of them alike proceed to the delegation of some of the individual freedoms by participating individually, provided that each act in the same way when appointing representatives).

In this approach, the vote of investiture represents both the basis of legitimacy for power and the belief that government is self-government.

From the delegation of the individual will (the delegation does not signify the transfer, the former having a temporary character, the latter an ultimate character), results the legitimacy of the possibility of every one's control over the power (through all of them, the social control over the way in which imperative political control manifests itself and is exercised).

The authority is *exclusively* legitimate within the mandate with which power is invested, and the contesting of power gains legitimacy under the conditions in which the social contract is suppressed, the power exceeding its mandate of investiture. Here, a general consideration must be given to any hypostasis of political power: *power is also legitimate to the extent that it allows control of society upon it.*

The optimism of the early modern epoch (17th-18th century) in solving the opposition between freedom and authority, in limiting the abuse of power through self-government was briefly expressed by Im. Kant in *Der Streit der Fakultäten*:

"The idea of a constitution harmonizing with the natural rights of the people - namely, the idea that those who obey the law must also be the ones who, united, issue the law - are the basis of all forms of the state, and their common essence ... is not a pure ghost, but an eternal rule for any constitution of citizenship in general, and it sends any war away. "²

Since the nineteenth century, a number of thinkers, including Al. De Tocqueville, but especially J. St. Mill, draw attention to the tyranny of the majority, along with the dangers of a political elite dictatorship. Self-government is always relative since those who actually achieve it can also act against the interests of the majority (there are cases where the political elite is opposed, by its actions, to the "Public Good"itself)³.

A.P. Ilescu exemplifies through J. St. Mill: "It has now been found that phrases like self-government or" the power exerted by the people upon themselves "do not express the true state of affairs. The people exercising the power are not one and the same with the people upon whom they exercise it; and the "self-rule" that is spoken of is not the rule of each one by himself, but of each one by everyone else. In addition, the will of the people, summed up, is virtually the will of a party that is the most known and most active part of the people, of the majority, or of those

¹ See Adrian Gorun, R.T. Mateiu, Horațiu T. Gorun, Introduction to Political Sciences, subchap. devoted to Thomas Hobbes

² Im. Kant, *Der Streit der Fakultäten*, apud. Adrian Paul Ilescu, op. cit. pp.55-56

³ See Adrian Paul Ilescu, op. cit. p.56

who have succeeded in becoming recognized as the majority; thus the people may want to oppress part of it, and the precautions against this oppression are as necessary as the precautions against any other kind of abuse of power. Therefore, even when power holders are normally accountable to the community, that is to say, before the strongest group in its bosom, the confinement of power doesn't lose anything of its importance. "¹

We have spoken several times about the "Weberian attempt of political sociology". In Chapter II of the book *Introduction to Political Sociology*, Jean Baudouin points to the two types of Weberian approach: *heuristic* and *historical*, the former detecting the ideal types of legitimate domination, the latter pointing to spatio-temporal landmarks of the concrete ways of emergence and institutionalization of political domination, opening the way to a new discipline, historical sociology.

These two types of approaches that endorse a single "paradigm" - that of legitimate domination, are called by Baudouin the *heuristic loop* and the *genealogy approach*, respectively. Baudouin insists on Weber's distinctions between *Macht* (power) and *Herrschaft* (dominance). German offers a plurality of meanings both for *Macht* (power, state, authority, military forces, state power, forces, troops, brands) and for *Herrschaft* (domination, authority, rule, government, ruler, rule).

The meaning given by Weber is strictly circumscribed, to explain the differences: *power* for *Macht* and *domination* for *Herrschaft*, the power not necessarily representing legitimacy (the commander - Baudouin notes - is not necessarily legitimate, *obedience may be imposed*). If *obedience is a co-ordinate of both power and domination*, in the case of *domination*, "*obedience is founded on the recognition of the legitimacy of orders*" by those who obey (n.n.).

The distinction between *power - domination*, though poorly determined, is achieved through two aspects, with a value of intrinsic elements: - one contained by both phenomena (power and domination) - *obedience*, differing its mode of realization (of obedience): by *imposing*, thus as the unilateral will of the dominator, mandatory for the dominated; through *acceptance*, founded on the persuasion of the dominated by the dominator;

- an element specific only to domination - namely *the legitimacy of the given orders* and, by that, the legitimacy of the dominator and the possible sanctions that can be applied.

Max Weber delimits political domination by other forms of domination (a path

which is not followed R. Dahl, who, as I have said, stated that the political system is "a persistent warp of human relations that implies power, domination, authority" to a significant extent) and speaks of "an eminent singularity of politics that is translated into territoriality , continuity in space and time, the ability to constrain that finds its most accomplished form in the modern state.

"²

Therefore, an important correlation can be established which, as a matter of fact, expresses (and explains) the "Weberian temptation of political sociology": there is political domination outside the state too (and it has a certain kind of legitimacy, since legitimacy is a coordinate of domination) *but the territorial characteristics, space-time continuity and constraining capacities (that eminent singularity of politics) have their most accomplished form*

¹ J. St. Mill, *On Liberty*, Humanitas Publishing House , 1994, pp.10-11; Adrian Paul Iliescu, op. cit. p.56. To see the "remedies" proposed by J.St. Mill at the ascension to the dictatorship of the majority , Adrian Gorun, *Liberty - Concept și Realitate*, subchapter devoted to J. St. Mill

² Vezi Jean Baudouin, op. cit. p.52

in the modern state. So, legitimacy too- representing the highest degree of acceptance, legitimate domination - has this accomplished form (still at its highest) in the modern state. It is about *rational legal domination*.

According to Weber, under the conditions in which the state relies on a relation of domination (man by man), a relation based on the monopoly of legitimate physical coercion, this relation cannot be maintained "unless the dominated people obey the authority claimed by the dominators. "

In which case, as Weber himself tells us, two questions arise: Under what conditions do they obey and why? By what internal and external justifications and means is this domination based?¹ . And through his sociology, trying to answer these questions, the German sociologist develops a personal point of view on legitimacy and legitimating, especially on the basis of observing the motivations and justifications towards the governors.

He builds up his famous typology - "an ideal typology of domination based on legitimacy, i.e. trust in the validity of the authorities and their acts."² So, power is obeyed as far as it is legitimate, that is, when it becomes domination. Otherwise it remains at the level of obedience, an obedience generated by the imposition of the will of the dominator.

The theoretical content of the three Weberian types of political domination is summarized by J. Baudouin.

Thus, *rational legal legitimacy* - as a form of political domination - is based on trust in the legality and rationality of titles and decisions that central political authorities claim: individuals are less subject to abstract persons or institutions than abstract, impersonal and general rules, which organize political life, directing procedures and rules of operation of institutions, ways of investiture or disinvestiture of decision-makers, conditions for exercising competencies, etc. Here is, in summary, the description about rational legal legitimacy provided by J. Baudouin.

„The difference of votes separating the two candidates, after the second round of the presidential election is of little importance.

It is agreed that the winner will thereby become the president of all the French, even if the majority is infinitesimal. No individual, no authority, even the highest, will be able to evade the application of this rule. Legal rational domination finds its highest expression in the modern state and especially in the bureaucratic administration on which it relies in order to achieve its goals. "³

Legal rational legitimacy implies a prevalence of norms on individuals, institutions, groups. Norms are not only a standard of appreciation of obedience-listening, but are ranked as the sole source of legitimacy and legitimating (the fetish of the law turns the law state into a rule of law state , but the sphere of non-interference must necessarily be protected).

Traditional legitimacy expresses the form of political domination based on trust in the sacred character of traditions and customs based on which the rules of public life are established, together with trust in the people who are their direct depository. Therefore the basic element is not represented by the existence of the rules, but by the character of *holiness* that the subjects attribute to them, which is also transferred to the rulers.

¹ Vezi Jean Baudouin, op. cit. p.52

² Ibidem

³ Ibidem

The authority with which the traditional leader is invested may vary: "It can be strong if it concentrates in its hands the essence of power (*sultanism*). It weakens to a certain extent if it is shared with other authorities (*patriarchy* or *gerontocracy*) or if it relies on an administration subjected to its own person (*patrimonialism*). But in each of these cases, the power holder, even relatively mediocre, is considered to be the heir of a sacred tradition. Hussein of Jordan, or Hassan II of Morocco, draw most of their credibility from the fact that they are considered to be the distinguished descendants of Allah in their countries. "¹

Traditional legitimacy expresses a permanent appeal to "millennial history", to the cult of the ancestors, to the "divine" descentence of their rulers or their mythical ascendancy.

The cases of North Korea's supreme ruler descendant, through his grandfather Kim Ir Sen of the divinity, or the case of Nicolae Ceausescu claimed in the "glorious tradition" of the nation are emblematic. *Charismatic (charismatic) legitimacy* means the form of political domination founded on the trust in *the exemplary character of a leader*, and he is *exemplary* too, endowed with a *charisma* or a *charm* that no one else could have. It is important to note that *not the actual qualities of the hero character* have a decisive importance, but the *trust* that the dominated invest in these qualities (which they raise to the superlative) and the powers that this character manifests in restraining or updating the trust invested in him. In fact, the dominating character actually combines two elements: *charisma (unparalleled charm)* that he is able to use both in direct contact with subjects, and in indirect contact (for example, attending ceremonies he knows that will be covered in the media) and *the ability to manipulate confidence in the image of themselves*, a picture built in the minds of the subjects and cultivated by both themselves and the leader. *The portrait of the leader is a projection from the level of the collective mind into the realm of the real: the hyperbolization of some common qualities leads to the building up of a myth around the leader, the myth coming to dominate the subjects.* Haloed, glorified, even godified, the character becomes the dominating symbol of the community, and any attempt to dispute (not to mention a control of society over its power) is considered sacrilegious.

The example of the Bavarian leader Kurt Elisner seems to have suggested to Max Weber the notes of the charismatic domination concept, but the plebiscite dictatorships (Lenin, Stalin, Brezhnev, Ceausescu, Mao, Kim Ir Sen, Castro and many others) were the spectacular illustration of this concept.

It is also interesting that the charismatic leader's reflexes and, therefore, the charismatic legitimate type of domination are found in many post-communist states (and not only), the various political characters being concerned about their charisma.

The examples are numerous, but the cunning of the character fades into the *cunning of history* Hegel spoke about. Max Weber analyzes a series of consequences that the organization of politics around a charismatic leader might have:

- The entourage of the hero does not benefit from any guarantee, resembling a personal cohort or a Praetorian guard rather than a statutory group;
- If the monarch has *subjects*, the charismatic leader addresses the *followers* who end up forming an *emotional community* and abandoning themselves to the charm of the chosen one;

¹ Ibidem, p. 53

- While in the traditional form, collective trust is invested more in a principle than in a particular person ("King died, long live the king!"), *popular adherence is affective and passionate* (so much more dangerous, much more engaging, often, with unpredictable finalities);
- Maintenance of charisma forces the leader to mobilize important resources if he does not want to expose himself to forgetfulness and disgrace.

"The charismatic regime - says Baudouin - induces a permanent request of adherents and a neurotic theatricalisation of the political scene." The leader entering the consciousness of the masses will be invoked as the *embodiment* of the Absolute Public Good also after he is no longer in power. He becomes the *national hero* if is no longer alive or *the rescue solution (the unique, exclusive, the ultimate solution)* , if the various historical mechanisms of power have removed him. But the behavior of the *subjects* depends largely on their political and civic culture. Are the questions about the invocation of Helmut Kohl, Gorbachev, Boris Yeltsin, J. Carter, R. Reagan, or other senior state dignitaries merely rhetorical, as more and more Romanians are now idolizing N.Ceausescu?

Popular adhesion can be not only affective and passionate, but also rational. Or it should be, especially rational, even if many historians still construct the discourse of the history of the Romanians by over-dimensioning the myths, permanently making from historical characters living characters, dominating consciousness, inducing confusions of enlightened patriotism (axiologically and rationally founded)with obsolete demagogy translating the future and the present into a space of perpetual past.

We specify that the types proposed by Weber are ideal types, they are very hard to find in reality and "aim at the restitution of the most prominent elements of the studied societies". Further on: "The same regime can borrow elements from any of these" utopian reconstructions". This is the case of the Napoleonic Empire, for example. Organized around the emperor's person, celebrating his legendary war deeds ,it makes us think of charismatic domination. However, the creation and strengthening of an increasingly rational and centralized administration, as well as the spectacular codification of customary law, bring him closer to the legal rational model. And finally, the attempt to rebuild a dynasty, of an imperial nobility, and even a quasi – court society make us think of the elements of a traditional individual".¹

Among Max Weber's merits in determining the types of legitimacy we should also remember the one related to the social dynamics of these types. Thus, he considers that "each type of legitimacy carries and generates the ferments of instability or even decomposition," ferments that divert it to a different type. The traditional couple of traditional domination - legal rational domination "contains a central duality that goes deeper into the history of human societies", Weber identifying the process of rationalizing contemporary societies that lead them "in uneven cadences" from a traditional domination (founded on " rules imbued with sacredness and weakly differentiated authorities "), towards a more and more " rational "domination, based on abstract and secularized laws and on increasingly functional and specialized bureaucracies."²

Related to the duality of traditional domination - rational domination, charismatic domination appears as a variety of exceptions that arise particularly in circumstances of crisis which confuse the current use of political authority. The chance and duration of a regime

¹ Ibidem, p.54. Also see the description of types, pp.52-57

² Jean Baudouin, op. cit. p.55

"founded in objective rules" are much higher than those of a regime "founded in personal and emotional impulses" (even though some charismatic leaders also build patterns by which they sometimes come to identify themselves with historical characters who have entered the consciousness of the masses).

Jean Baudouin insists on the way Weber conceived the charismatic domination, revealing his impulses: "Max Weber avoids concluding that the charismatic domination is obnoxious and degraded, he prefers to resort to a conceptual device that occupies a central place within his sociology . On the one hand, we have to deal with a particularly unstable and friable way of domination, since its appearance is related to the "personal phenomenon" of the leader, which it has over its close relatives and followers. The charismatic leader comes to power in an atmosphere of joy and fervor, and therefore he risks very soon to be exposed to "mithization" and, consequently, to disgrace. That is why he makes great efforts to celebrate his own person and to ritualize his public speeches. "¹

Many examples are provided in order to illustrate the phenomenon:

General de Gaulle, who, by proposing a referendum for the abolition of the Senate, rejected in April 1969, has his intention rejected by popular vote; although De Gaulle remained the head of the state, he resigned the very night he found out the result of the poll, finding that the legitimacy conferred to him by France ever since June 18, 1940 had collapsed.

Then, this kind of domination occurs in times of weakness of traditional regimes: Lenin finds the agony of the Tsarist regime, the fascists the weaknesses of the liberal democratic regimes, Nasser interrupts the domination of King Farouk in Egypt, the "emanated" speculate riots against Ceausescu and invoke the "vacuum of power "for acceding to Romania's leadership after the dictator's" flight "and so on.

It is a real success story of the "heroes' succession" and Baudouin's remark is significant for understanding the phenomenon: "There is brutally opened a road that can also contribute to the modernization of the political and social system and which would not have been conceivable without the encounter between the "hero" and a difficult conjuncture.

This remark also gives clues to the way in which Weber thought and advocated the type of charismatic domination (it is known that the German sociologist, a critic of liberalism, but from the positions of his contemporary liberalism, although he declared himself in favour of the principle of axiological neutrality of political science and of the researcher ,he had an implicit form of political preference, being an early Gaullist, as Baudouin says, "who did not want to be a Führer, but who believed that parliamentary democracies needed a plebiscite counterweight").

For Weber, "legal domination" is just one aspect of a wider process of rationalizing all social activities that triggers a progressive standardization of human behaviours and leads to the "disfeuding of the world" "but, compared to such a perspective, „the charismatic leader can form a salutary compensation, but also reintroduce elements of perturbation and unpredictability, ²"because he is indirectly a follower of it³.

✓ Baudouin's remark brings about a set of interrogations:

¹ Ibidem, pp.55-56

² Ibidem, pp. 56-57

³ Adrian Gorun, Political Power and Political Regimes, p.45

- ✓ Which charismatic leader self-proclaims himself a dictator or declares that he will not lead by democratic means? (there stand evidence phrases such as: popular democracy, socialist democracy, original democracy, democracy of the people’s dictatorship , etc.);
- ✓ To what extent, in historical crisis situations, the dominated can see if the brutally opened road can lead to despotism or a modernization of the political system?
- ✓ If the hero does not exist, then should he be invented?

Historical events and facts prove either that the *rescuing heroes* have self-declared themselves the *founders of a new regime*, and by means specific to charismatic domination, they have gained support (illegitimate but legitimized?) or they have been invented by the subjects, but as a result of the efforts of those who want such leaders .

The Weberian classification, though eroded by time, is of explanatory and methodological importance. The classification endorses the understanding of the necessity of the legitimacy of any government (no matter how effective the constraint should be, it must seek support in the people), but also the understanding of de-legitimation generated by the erosion of governance through eroding its political basis. Classification, however, has very poor resources when it has to interpret modern totalitarianisms or to rule over the peculiarities of contemporary democracy. "1

Modern authority is not achieved by an exacerbation of constraints; it is expressed mainly through regulations (rules, norms, decisions) and not by orders that make the citizens inferior to political leaders: the trust mandate, the delegation of those who exercise public dignities do not make them masters, or make those who delegate them oppressed servants. The trust mandate makes the relationship between the appointed and those who appoint them to be a relationship between leaders and the led (subordination is not slavery, nor the annulment of individual freedoms). The institution of representation makes the regulations elaborated by those mandated to be the expression of the mandate given by those who have elected these representatives. The institution represents and ensures the freely consented character of the rules (as long as the representatives have not exceeded their mandate). These freely consented rules must be obeyed both by those who issue them and by those who have appointed them².

The stability of a society from a political point of view cannot be achieved in the absence of the authority acknowledged as a public power, hereby the collapse of the totalitarian-communist regimes, a collapse that also represents an invalidation of these regimes in which power manifested itself through force and manipulation - insufficient conditions for a stable political power. Moreover, the absence of authority and consensus is characteristic not only of the communist-totalitarian states, it also characterizes other regimes, proved to be unstable, which in many cases have degenerated into civil wars.³

Many authors, in whom we concur, claim that the distinction between power and authority is also given by the means used to achieve the political command: power imposes the use of force (of negative sanction, material constraint), and political authority uses legitimate norms and consensus (means which give it legitimacy).

¹J. Baudouin, op. cit. p.57

² See Adrian Gorun, op. cit. p.46

³ Also see V. Măgureanu, op. cit. pp. 80-81

Of course, the boundary between political power and political authority is relative. How, moreover, relative is the boundary between power and domination in Weberian analyses. This, because neither political power uses only force (but preponderantly), just as authority can appeal to coercion in case of non-observance of legitimate norms (limit cases). But, legally speaking, respect for the decision of power is achieved by the fear of coercion, while adherence to the decisions of the political authority is achieved from a belief in the legitimacy of norms based on values accepted by the majority.

Power expresses *the ability to hold accountable in order to be listened, while authority can be considered as the capacity to obtain obedience in the absence of constraint*. (It is important to note that these theoretical considerations refer to authority as a *hypostasis of power*, as a form in which the legitimacy of power is expressed, and not as two separate phenomena in political reality. Therefore, we cannot say that there is *power and authority* but *power as legitimate authority or illegitimate (or de-legitimate) power*.

Using simple phrases, it can be said that illegitimate power and legitimate authority are sides of the same phenomenon - the political power - distinguished by the prevailing means used to be obeyed. Returning to the ideal types of political domination indicated by Max Weber, we consider that it is necessary to answer a question: What is more important in assessing the phenomenon of political power: detecting how it *occurs* (is perceived) before the governed, or determining *whom power represents*, so *what interests does it promote*?

Previously, we have established that the presence of social control over political power (and therefore the balance that exists in a society between power control over society and the control that society has over power) indicates the presence of legitimacy. For Weber there are three types of legitimacy. We believe that only legitimate legal domination has the value of legitimate authority (we also base this option on the assumption of sociologists and political scientists such as M. Duverger, CJ Friedrich, Adrian-Paul Iliescu, V. Măgureanu and others) who see in legitimacy the social phenomenon " in direct connection with the act of establishing the power, by investing with the attributes of authority and with the capacity to serve the political and social progress of that particular society. "¹

Seeing in legitimacy the consensus that power comprises among those who obey, Maurice Duverger states that "... the only source of the legitimacy of a power lies in the fact that it is in accordance with the legitimate scheme defined by the system of values and norms of the collectivity within which it is exercised and that there is consensus within the collectivity on this scheme. "² But, reverting to the question of the evaluation of power, we note that it is not enough to limit ourselves to the subjective sense of legitimacy: "It is indeed possible - writes V.Magureanu - that the popular adhesion to the political power should be in line with the aspirations of the masses and in that sense, the above mentioned assessment is correct. But there are situations in which consensus on the politics of power is obtained through intense manipulation of some social categories, by distorting historical truth or real interests (the case of fascist and communist regimes is typical in this respect). Reactionary regimes are tempted to portray the interests of a dominant minority as conforming to the majority, and the entire ideological arsenal is used for such a purpose. "³

¹ Ibidem, p.82

² Maurice Duverger, *Sociologie de la politique*, PUF, Paris, 1973, p.177

³ V. Măgureanu, op. cit. p.83

Carl Friedrich goes beyond the limits of the subjective sense of legitimacy: "An understanding of political authority as the capacity of rational development of valid values, used in common, corresponds to an emphasis on essential values in contrast to an understanding based on the formalistic ethics of the command."¹ Therefore, political authority requires the power to detect *what is appreciated* by the majority, and on that basis, the elaboration of *essential values* in which the aspirations of the power meet the aspirations of those led.

We consider here a variation of the point of view expressed by Virgil Măgureanu regarding C. Friedrich, as we cannot agree when it is stated that Friedrich would consider "that the genesis of authority is the value, not the legitimacy." First, it must be said that Măgureanu correctly introduces the notion of *objective interest* in the definition of legitimacy, considering that "it is necessary with the indication that, in order to promote such interests, the social category in relation to which the political power is presented as legitimate must be *within the power system* and not outside it."²

At first reading, these considerations seem solid and correct about overcoming the subjective sense of legitimacy, Măgureanu believing, rightly, that a criterion on which political power is presented as legitimate or illegitimate should be located inside (not outside) the power system.

But the notion of *objective interest* does not exclude what C. Friedrich called *the capacity (authority) of the rational elaboration of valid values*, those *values essential* not only for it but also for the many, they eventually assuming a detection of the aspirations of the masses (achievable), a selection of the set of values in correspondence with these aspirations and, further on, a substantiation and rational elaboration of the political goals according to these essential values. The rational purposes are the ideal projection on the finality of the action of the political action, an action through which the essential values are objectified (values - as the aspirations of those led become support values for political action). And the form of objectification of these essential values is what we designate by *objective interest*. This is how we explain the relationship of political authority-freedom, so we explain the possibility of control of society over power (the set of *essential values* observed by power is a unit of measure in which such control is effective or not, but also a system of landmarks in the achievement of social control over power). Through this control, the authority represents what V. Măgureanu regards as "a resultant, always changing, of the facts of power, of the way in which its purposes succeed in identifying themselves with those of the society as a whole". And control is not achieved by reference to criteria that are extrinsic to political power, but by reference to its strategies.

Finally, it must be said that the issue of authority is a complex one, in the equation being aspects such as: the political regime, the multitude of factors of power, the manifestations of the political power, both in the international context and internally, as a *force*, of other means used by the power, such as *influence* and *prestige*. Most authors relate the issue of legitimate authority to the modern age, and analyze the evolution of the phenomenon of power at any stage of its history based on the concept crystallized at this stage.

But the polisemantism of *power*, like the polisemantism of *authority*, makes this endeavour difficult. Then, by relating the legitimate power to the institutionalization of power

¹C. J. Friedrich, *Tradition and Authority*, Pall Mall Press, London, 1972, p.62

² V. Măgureanu, op. cit. p.83

through the state, the question of the character of non-institutionalized power remains open through this form considered to be "essential" - *statehood*.

However, it has been largely agreed that essential for legitimate authority is the way of power investiture, the vote representing the fundamental support for legitimacy (the institution of representation). At the same time, some historical accidents must also be taken into account.

For history itself proves how a power invested through democratic procedures is quickly delegitimized by sacrificing the voters' interests.