


COMMUNICATIONS +

Management Advisory
Briefing Note

Is This the Era of (Il)legitimacy?
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MONTIETH & COMPANY

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Are we entering an era where we need to be concerned about institutional illegitimacy?

If the answer is yes, or even close to it, what does this mean for how organizations should conduct themselves in civil society?

I submit that we are stepping into a period where the legitimacy of some of our most important institutions is likely to be diminished. For organizations worldwide, that will certainly pose challenges, but mostly it will provide unique opportunities.

The challenges mean deciding what the organization and its leadership can do to become more engaged in civil society; some will have neither the appetite nor the capacity to do that. Ideology may also get in the way. The opportunities are in the benefits provided by that greater level of engagement. These are significant. The decision to accrue them will be hard for some, easier for others.

Legitimacy, simply defined, is determined by a person's, or an organization's, conformity to the laws or rules. It is also about utterances and actions: the legitimacy of both must be defensible with simple logic.

Truth and validity play a key role in establishing legitimacy. Truth is about statements that are, well, true both on their face and in their substance. Facts are facts. Validity is a form of logical consistency. The premise of some claim can't be true unless the conclusion flowing from it is also true.

The issue of legitimacy is acutely relevant for organizations of all sizes, from local to global. The best way to see just why starts by discussing the presidency of Donald J. Trump.

The key question here is whether this a legitimate president and presidency? Even writing those words is a disturbing experience. I don't think I've had to think about the legitimacy of a sitting president of the United States of America since watching the Watergate hearings on TV in the early 1970s (perhaps the true birth of reality television).

It's reasonable to wonder whether this president's legitimacy, like Richard Nixon's, is somehow so compromised by his own utterances and actions, and of those in the cast of characters around him, that he may not ever be able to rightfully claim he legally earned the presidency, let alone can conduct himself "presidentially" as we've come to know what that means. The way "Kremlingate" is going President Trump also may not survive his term. His apparent appetite for waging war serves as a distraction but ultimately will not help him.

Communications here is important. Just think of all the statements that have come from this president, his spokesman, and his surrogates, that conflate something that is both untrue, as a matter of fact, and invalid in terms of logical consistency.

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There are numerous examples to choose from.

Most vividly was the now infamous claim by Trump surrogate Kellyanne Conway about “alternative facts.” Not quite Orwellian but close. But certainly no worse than telling U.K. voters they would save hundreds of millions of pounds in healthcare costs by voting to leave the European Union. Or that denying entry to the U.S. to 20% of a group of people, simply because of some demographic identifier (let’s say for discussion’s sake, 20% of all people with undergraduate college degrees) which isn’t relevant to the other 80%. The fact is it’s easy to start to then deny 21%, then 25%, then 30% and so on. Worse, what happens is you move on to people with Ph.D.s next.

I try and not think of all this as about politics. Rather, it’s whether the world is moving into a period when the legitimacy of big decisions (the Brexit vote) globally important leaders (the President of the United States) and major institutions is in question. All kinds of other concerns tumble out. Like this: if the President of the United States can be illegitimate to what extent does that undermine the legitimacy of the United States government as a whole?

It all feels like a slippery slope and all the more concerning when President Trump so repeatedly says one thing and does the opposite. Or when he calls obvious failures victories. Or forgets which country he bombed.

He is also seeking to delegitimize other key

institutions. These are ones that serve as governors on unbridled, autocratic behavior by the executive branch. Take President Trump’s attempts to undermine the authority of the federal courts. Consider his attacking the intelligence services. Take his statement that President Obama – personally – authorized wire taps on him during the presidential campaign.

President Trump is also trying to delegitimize the institution of the Fourth Estate, that is, the news media. He knows that the media has the power to shape peoples’ realities. By debasing the legitimacy of the media (his whole “fake news” drumbeat) he is trying not just to disempower the media but also, perversely, to empower himself. This is what autocrats do. Very often what follows is corruption.

Illegitimacy at this Level, this pervasive in the ether of the communications

environment that surrounds us day in day out, is something that gets in the air we breathe and once there is hard to clean out. When one person sees an authority figure getting away with acts of illegitimacy it encourages others to do the same. Corruption begets corruption.

This is instructive for organizations and their role in civil society. If any of the three branches of our republican government is deemed illegitimate that can have the effect of unmooring the anchor points that ground organizations in their civil society roles as stewards of small or vast resources, financial and otherwise. Any organization with a payroll is so moored.

For organizations, achieving legitimacy is about conveying to stakeholders how they are functioning in the world not only in way that is law abiding (table stakes, really, because that’s what we’re supposed to do) but also true to their responsibilities as a member of civil society.

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WHAT DOES LEGITIMACY LOOK LIKE?

It Has Three Core Qualities:

Responsibility is Social

Part of the American myth of rugged individualism is that we are all responsible only for ourselves. Responsibility ends at our own self-interest. Many Europeans look at this differently, quite the opposite in fact. For them, individuals exist in a larger fabric of societal interdependence.

In this era of illegitimacy true leadership will be shown by

those organizations who see responsibility as a binding agent.

Transparency is Good

The same myth of individualism begets a view that as the “king of my castle” I decide what to disclose. That can be a necessary thing, especially when it comes to personal privacy and the need for organizations, for competitive reasons, to maintain confidentiality. But transparency is also an opportunity to model connection to others within civil society and to strengthen societal bonds. When we don’t have secrets, we understand each other more and have greater cooperation in achieving a common good.

Action is Constructive

Organizations that take responsibility and are appropriately transparent achieve a kind of validity that empowers them to take action with confidence. While it is always important to protect the corporate interest, it is also vital to be responsible for the corporate footprint: and the corporate “foot” has reach. The list is long. Climate change, wage disparity, equal pay for women, access to healthcare, promoting diversity at the workplace. Taking on responsibility, shouldering more of it for the benefit of the organization and for others, is a sign of strength.

Additional Resources

- + What Happens When a President is Declared Illegitimate?
- + Law and Institutional Legitimacy in the Practice of Human Rights
- + World Development Report 2017
- + Why Corporate Legitimacy Matters

OUR ISSUES AND CRISIS MANAGEMENT PRACTICE

Every crisis has in common an underlying issue, or set of issues, that create a chain of causality. Montieth & Company’s issues management work gets control of critical matters before they lead to a crisis.

We’ve developed a proprietary analytical model for identifying issues that could escalate into crises. Called Enterprise Risk Management, it applies a rigorous, research based system that looks at business, financial, regulatory and reputational issues to assess potential exposure. Our analysis then shapes an issues management program and dovetails with our crisis planning.

We also provide a full set of crisis management solutions from threat assessment to strategic and scenario planning, stakeholder communications and media relations. In addition, we help our clients understand the challenges that face management teams when a crisis hits and how to “repurpose” themselves to be as effective in addressing crises as they are in managing their businesses.

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