

## **A Plague on Politics? The COVID Crisis, Expertise, and the Future of Legitimation**

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*Abstract:* Governments rely more and more on experts to manage the increasingly complex problems posed by a growing, diversifying, globalizing world. Surplus technocracy, however, usually comes with deficits of democracy. While especially true in liberal regimes, authoritarian states often face parallel dynamics. Recent trends illustrate how technocratic encroachment on civil society's prerogatives can provoke populist backlash. Such cycles can build toward crises by eroding the legitimacy citizens invest in regimes. Surprisingly, by throwing both the need for and limits of expertise into sharp relief, the politics of COVID-19 create a novel opportunity to disrupt these trends. We assess how this opportunity may be unfolding in two crucial cases, the United States and China, and, more briefly, South Korea. We conclude by sketching some theoretical considerations to guide a geographically expanded and temporally extended research agenda on this important opportunity to slow or reverse a trend plaguing modern governance.

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“We must act in the explicit knowledge of our lack of knowledge. [During the pandemic] all citizens are learning how their governments must make decisions, with a clear awareness of the limits of the knowledge of the [experts] who advise them. The scene, in which political action is plunged into uncertainty, has rarely been so brightly lit. Perhaps this very unusual experience will leave its mark on public consciousness.” – Jürgen Habermas, 10 April 2020. [Le Monde](#)<sup>1</sup>

Before the COVID-19 crisis began sweeping the globe, many countries were already building toward a crisis of a different sort. A society experiences a *legitimation* crisis when public confidence in core political institutions, leaders, experts, or administrative capacities falls so low that the regime’s ability to maintain itself comes into question.

For example, citizens in the United States express declining rates of trust in the competence and integrity of their leaders, experts, and institutions (Grimmelikhuijsen and Knies 2017). Citizens in authoritarian regimes do not generally have the opportunity to openly express distrust in the same way. But such regimes are exquisitely sensitive to any indications that belief in their authority might be wavering. China, for example, monitors society closely for such dissent, and usually cracks down hard on those perceived as fomenting it. Though they take different forms, both democracies and authoritarian regimes are vulnerable to crises of legitimation driven by the imperatives of expertise in modern governance.

It is easy to see how the nature and scale of the COVID-19 pandemic could greatly aggravate such incipient crises. If a regime botches its response, citizens may blame the unnecessary death and excess economic damage on their leaders and experts. Prosperity and especially safety stand as core criteria for deciding whether to invest legitimacy in a regime. So a strong response to the public health crisis could temporarily alleviate crisis tendencies. When

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<sup>1</sup> Habermas (2020); translation our own.

people fear for their safety, they are apt to give wide leeway to those who can deliver it for them. Such quiescence may be worrisome, but the pattern across time and culture is robust (Lenard and Macdonald 2019). The likely paths forward seem clear: perform well and you will reap rewards in perceived legitimacy; perform poorly and you will deepen any underlying crisis tendencies.<sup>2</sup>

In our epigraph, the German social theorist Jürgen Habermas suggests a third possibility that goes beyond a mass public just rewarding or punishing their government’s handling of the crisis. Habermas points toward a rare opportunity to disrupt a key dynamic driving legitimation crises. He argues that legitimation crises in democracies stem in large part from the complexity of modern governance. This complexity requires extensive technical expertise to inform policy and guide the administrative state. Heavy and increasing reliance on experts, however, further estranges average citizens from the process of governance and thins out the normative steering of civil society. Officials, fixating on performance, generally misunderstand the problem, and try to assert ever more technocratic control. Experts and technocrats themselves face a “legitimation dilemma” in which they must choose between using their delegated power to craft “efficient” policy (marginalizing civil society), or engage the public—risking naive, ill informed, or power-laden deviations from expert driven policy (Habermas 1996). This process cycles, inducing lurches toward two possible reactions among citizens: quiescent withdrawal into private life—despair that cedes the field to technocrats, leaving the public sphere depleted; or, corrosive cynicism, leading to support for populists who deny the need for expertise entirely.

So the possible outcomes seem to be either a deficit or an excess of people’s sense of their

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<sup>2</sup> The link between performance and trust during *non-crisis* periods is disputed (e.g. Van der Meer & Hakhverdian 2017). We focus on “legitimacy” rather than related terms like “trust” or “support” that have distinct literatures. Habermas’s concept of legitimacy encompasses something akin to trust in or support for the political system (as opposed to incumbent governments). Crises of legitimacy, however, emerge specifically from maladaptive responses to the tension between expertise and popular control.

political efficacy relative to modern governance's technical demands. The public's inability to fully grasp the complex role of expertise in modern governance, and thus to inform it appropriately but effectively, underwrites this cycling dilemma. In a surprising turn, Habermas suggests the COVID-19 crisis might actually be able to help. He points out that "all citizens are learning how their governments must make decisions, with a clear awareness of the limits of the knowledge of the [experts] who advise them." This uncertainty—"so brightly lit"—simultaneously highlights modern governance's ineliminable dependence on expertise *and* upends the idea that experts deserve deference about the value trade-offs implicated in policy choices. If this uniquely vivid experience were to "leave its mark on public consciousness," civil society and the administrative state might be able to develop a healthier relationship regarding expertise, interrupting the cycle without merely acceding to technocracy or populism. We could avoid both the Luddite hubris of populist reactionaries and the frightened acquiescence of technocratic subjects, moving instead toward the clear-eyed "collaborative governance" of democratic citizens (McIvor 2020).

Perhaps surprisingly, authoritarian polities face parallel possibilities. Authoritarian regimes have increasingly come to mimic the institutional forms and rhetorical stylings of liberal democracies. Elections became common, albeit often tilted so severely in favor of incumbents that few would describe them as free and fair. Technocratic presentations and expert-backed justifications for policy also became commonplace. However, in addition to the uncertainty inherent in technocracy, authoritarians also face what Schedler (2013) termed "triple ignorance"—factual, conceptual, and causal uncertainties—much more acutely than democratic regimes. With tamed oppositions and managed information environments, authoritarians could be content with an acquiescent population. But elite conflicts can topple dictators, especially when perceptions of popular discontent are high. Authoritarians stay in power through coercion, cooptation, and

convincing their populations of their right to rule. They generate compliance by threatening or using force to secure citizen acquiescence, side-payments to co-opt them, and justifications to convince them. Repressive regimes focus on stamping out citizens' sense of efficacy by inculcating pervasive fear, while technocratic variants attempt to hit policy targets to prove their competence (Wallace 2020).

While Habermas's concerns focus on democracies, authoritarian polities also face potential legitimation cycles. Personalized and repressive regimes are more likely to produce poor policy outcomes compared with more technocratic systems where the best and brightest debate and often even serve in the regime (Svolik 2012). However, as in the democratic context, technocratic governance under authoritarianism lacks the normative steering of citizen participation, leading to policy drifting from the population's wants and needs. Passive illegitimacy will lead people to seek alternatives to participating in the regime: the wealthy may abscond to other jurisdictions with their capital, most others will acquiesce, but some will agitate for political change.

The Chinese Communist Party, implicitly acknowledging the threat of a legitimation crisis induced by overly technocratic governance, has called for increased citizen participation, dubbing itself a "socialist consultative democracy." As President Xi put it at the 19th Party Congress, "On matters that concern the people's interests, deliberations should be held with the people. Without deliberation or with insufficient deliberation, it is difficult to handle these matters well...[T]he more numerous and in-depth, the better" (Li 2018). While such consultation would likely improve normative steering, the nature of authoritarian rule and the shadow of repression strain the benign potential of consultocracy. As with democracies, then, vivid experience among the masses of both the necessity and limitations of expertise arising from the COVID-19 crisis could alter patterns of

legitimation in a progressive direction.<sup>3</sup>

Below we review how responses to the pandemic have begun to play out by comparing two geo-politically and theoretically important cases. China, an authoritarian regime where the pandemic originated, mounted perhaps the strongest centralized response to the crisis. And the U.S., a democracy experiencing (as of this writing) the world's largest outbreak, initially mounted perhaps the weakest centralized response to the crisis among wealthy countries. We then assess public reactions to those responses to evaluate the prospects for the COVID-19 crisis—or other opportunities like it—leaving a “mark on public consciousness.” Such a mark could affect the public sphere's relationship to expertise, altering the crisis tendencies endemic to modern governance. We conclude by sketching a theoretically driven research agenda going forward addressing this important possibility.

### **Legitimation Before & After COVID-19**

*The Chinese Case:* Despite Xi Jinping's call for consultation, most see post-2012 Chinese governance as increasingly personalized and repressive (Minzner 2019). The country's decades of robust economic growth occurred under decentralization, with Beijing focused on a limited set of quantified metrics—mostly GDP—and local leaders competing for promotions. Over time, corruption, pollution, and debts accumulated, exposing the technocratic system's weaknesses and failure to address popular concerns. Starting in 2012, Xi embarked on a “neo-political turn” of centralization and anti-corruption, proffering a fix and a hedge to technocratic governance (Wallace 2020). If an anti-corruption crusade could not fix slowing growth, then adjusting the

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<sup>3</sup> We note the important contrast between the mundane logistical “expertise” the vaccination phase many countries have entered and the basic scientific uncertainty governments faced early in the pandemic. We expect the former to follow normal patterns associated with competent delivery of government services, with most of the “brightly lit” uncertainty occurring in the learning/containment phase earlier in the crisis.

regime's justification strategy away from GDP towards displays of foreign and domestic strength represented a strong hedge.

The Chinese regime's initial bungling of the outbreak in Wuhan highlighted the weaknesses of this turn. Early reporting failures and obfuscations prompted questions about the advisability of Xi-era opacity, leading to calls by some to squeeze more blood from the technocratic turnip and from others to pursue more consultative governance. However, draconian public health measures soon crushed the virus in China, and international failures led many to positively assess the regime's response. The consequences of this mixed package for public consciousness appear to have strengthened mass support for the existing leadership and its more coercive approach, rather than leading to more cooperation with civil society (Wu 2020).

When Wuhan Central Hospital's Dr. Li Wenliang described the novel coronavirus as "SARS-like" on WeChat in December 2019, it went viral. Authorities punished Dr. Li and seven others for spreading rumors. The National Health Commission (NHC) told hospitals to avoid reporting on illnesses and instructed private labs to destroy virus specimens. The regime ignored accumulating evidence of human-to-human transmission as more and more health care workers, including Dr. Li, fell ill. Finally, on a January 14th video conference with provincial health officials, the NHC's head acknowledged that case-clusters suggested human-to-human transmission was possible (AP 2020). However, officials offered no public statements about the grave situation facing the country as the virus spread exponentially, infecting thousands and seeding the global pandemic.

Only on January 20th was human-to-human transmission confirmed in an interview with Dr. Zhong Nanshan, referred to as the "SARS hero" due to his whistleblowing in that earlier outbreak. Throughout the COVID-19 crisis, Dr. Zhong served as the regime's expert face,

disseminating information about the viral threat, potential treatments, and quarantine measures. After the disastrously delayed public announcement, officials imposed restrictions rapidly. On January 23rd, greater Wuhan shut down, and the vast majority of China remained locked down until April.

Confirmed infections skyrocketed into the thousands, emergency hospitals were erected, and deaths accumulated. Fury peaked on February 6th with Dr. Li Wenliang's passing, as the silenced whistleblower succumbed to the virus. Dr. Li's face filled newspaper covers and websites, many including his statement that "a healthy society cannot just have one voice" (Bandurski 2020). Millions of posts flooded the Chinese internet, demanding freedom of speech and criticizing the government for silencing experts. Xu Zhangrun further lambasted the "systemic impotence" of Xi's neo-political turn, an "organizational discombobulation" manned by "slavishly obeying Party hacks" that "rendered hollow" the "ethical core" of the "nation's technocracy" (Xu 2020). While the government tried to claim him as a self-sacrificing worker hero, Dr. Li became a martyr for those incensed at the regime for concealing this threat. Dr. Zhong's legitimacy as a whistleblower allowed him to shield the regime and serve as a safe conduit for public grief, such as when Dr. Zhong tearfully said of Dr. Li, "I'm so proud of him. He told people the truth" (Feng 2020). Thus, for a moment, the COVID-19 crisis seemed to illuminate a more consultative path for China; but the moment quickly passed, eclipsed by success in turning the tide contrasted with the spectacular failures of other polities.

Restrictions on movement, enforced social distancing, universal masking, and widespread testing allowed China's other cities to escape community spread, while inside of Hubei, coercive quarantining isolated the infected and their contacts. By April, China's death count barely registered amidst the pandemic's global toll. However, rather than use this relative calm to reflect

on the failures of over-centralization, censorship, and opacity, Xi doubled down on repression, most notably in Hong Kong, where a National Security Law undercut its autonomous legal status, making Hong Kongers subject to the PRC's imperious policing.

COVID-19 initially illuminated weaknesses in China's governance, and the regime faced moments of jeopardy at the height of the crisis. But China's ultimately effective management of the pandemic failed to generate a move toward "consultative socialist democracy." Instead, the regime's relative success in delivering the population from the virus's threat seems to have triggered a Hobbesian investment of legitimacy in its protective leviathan (Wu 2020).

*The American Case:* The virus arrived in the U.S. in early 2020 with CDC officials confirming the first case on January 20th. Eleven days later the Trump administration blocked most foreign nationals who had recently been to China from entering the country. Public health authorities reported the first death in the U.S. on February 29th, and two weeks later President Trump declared a national emergency, triggering school and business closings. After another two weeks the U.S. became the country with the largest number of recorded infections and deaths. The next day President Trump signed the first stimulus bill responding to the economic fallout of the crisis. All the while mask mandates, shelter orders, and other policies designed to slow the spread of the virus varied widely between states. By mid-April such policies had become heavily politicized, with President Trump tweeting support for protests against state level policies imposed by Democratic governors.

At the federal level the Trump administration clearly governed from a less technocratic and more populist position. Earlier in his presidency Trump consistently expressed hostility toward the administrative state, even suggesting a conspiracy against him by the forces of the "deep state." That said, Trump's animus toward the administrative state should not be read as concern about the

scope of executive power more broadly. Indeed, he expressed extreme views in the opposite direction. So it might be more accurate to say that he was hostile toward career bureaucrats, especially experts, rather than the administrative state per se.

Though not perhaps as vehement as his attacks against other agencies, Trump criticized and resisted the advice of his public health experts regarding COVID-19 as well. Most evidence, however, suggests that his approach did not play well with the public. Only 32% of people approved of his handling of the pandemic, a number that appeared to have hurt his chances for re-election (AP-NORC 2020). Moreover, there are indications that, on the margin, Americans might have developed new-found openness to some aspects of the administrative state in light of the crisis. About 75% of the public expressed trust in the CDC to manage the crisis, compared to 42% for the Trump administration (Axios/SurveyMonkey 2020).

Dr. Anthony Fauci, a career bureaucrat, emerged as the face of the federal government's response to the crisis, and generally received high marks from the public, if not from President Trump and his most ardent supporters. Of particular interest in the present context is that critics did not gain much traction against Dr. Fauci by citing early statements that were later reversed. Most people appear to accept and to some extent understand that science is an ongoing process that requires self-correction—that early policy was “plunged into uncertainty” and that the government had to act despite a “clear awareness of the limits of the knowledge of” experts. In addition to the standard “legitimacy dilemma” noted above, Dr. Fauci and his team faced two additional difficulties. First, the exigency of the crisis and the rapid evolution of the science made public consultation more difficult, aggravating one horn of the dilemma. Second, the Trump administration's extensive interference in expert deliberation and communication turned a dilemma into a trilemma: That is, experts faced a third horn in which they had to choose between

bending to such interference, or risk being deligitmated (or even fired) if they did not heed the wishes of elected officials. With the advent of the Biden administration such pressure appears to have been relieved.

We might say that we have a localized legitimacy crisis to the extent that an agency's actions are met with broad or intensive resistance in a way that subverts the goals of policy (White and Neblo, 2021). Large numbers of people have protested and refused to comply with the CDC's policies, producing precisely the spike in cases that it was trying to avoid. To the extent that the problem of expertise drives modern legitimation crises, it can do so by two distinct mechanisms. The public can lose confidence in the experts themselves. But they may also worry that elected officials will unduly influence the experts or how expertise gets translated into policy (Moore 2021). Indeed, there are indications that both mechanisms have been at play. Interestingly, however, they were operative on distinct groups. For example, during the Trump administration, public confidence in the CDC dropped significantly among Republicans, but among Democrats the worry was not located on the CDC itself, but rather that the administration attempted to influence agency decisions and incompetently translated the findings of experts when crafting policy (Lipton et al., 2020).

The U.S.'s federal structure complicates assessing the overall effects of the pandemic on public perceptions of expertise. The Trump administration did not centralize the response to the crisis at the federal level, devolving quite a bit to the states. That decentralized response places the U.S. toward one end of a theoretically salient spectrum, with China at the opposite end. Moreover, the American case provides potential variation to analyze among its fifty sub-cases. Early on, many governors received much higher levels of approval for their handling of the crisis, though there was enormous variation. In particular, governors who appeared to break from partisan expectations

to act aggressively saw fairly widespread support, even across party lines. Indeed, many local and state Republicans outperformed Trump in the 2020 elections. It remains to be seen whether such patterns will persist throughout the vaccination phase and complications posed by emerging variants. At least one large data collection initiative is underway to track those dynamics (Baum et. al 2020). Finally, the change of presidential administrations creates a within-case comparative opportunity for future research even at the federal level.

### **Future Research**

Habermas’s conjecture reveals the possibility of a more modest but more positive, “structural transformation of the public sphere.” COVID-19 dramatically increased public attention to scientific expertise in policy-making precisely when that expertise confronted unusually high uncertainty. This confluence juxtaposes modern government’s extensive need for expertise, *but simultaneously* the limits of expertise, and thus the need for democratic guidance on the tradeoffs uncertainty (especially) creates in mapping expert analysis into policy choices. Below, we sketch an agenda for further research to more firmly establish if and where this mechanism is at play.

Our discussion of the U.S. and Chinese cases suggests that neither appears to be building on this opportunity so far. If sober confidence in experts were paired with increases in system responsiveness, though, perhaps we would see progress. In countries that initially better managed the pandemic, like South Korea, COVID-19 may leave a more salutary “mark on public consciousness.” Before COVID-19, President Park Geun-hye was impeached for corruption following mass protests challenging the government’s legitimacy. In subsequent elections, Moon Jae-in’s liberal party routed Park’s conservatives to take power. In 2019, however, scandal drove

down support for Moon's government. As the pandemic hit, an interesting pattern emerged: Moon's approval remained below 40% while the Korean Disease Control and Prevention Agency enjoyed over 80% support (Lee 2021). Despite growing political polarization, Koreans rigorously complied with the government's public health directives, unlike in the U.S. And unlike China, democratic (not authoritarian) values underwrote such compliance (Chun 2020). Indeed, people believe that the government is taking undue credit, when it was really the citizens who succeeded in containing the pandemic (Trend Monitor 2020). Habermas argues that government mediates between civil society and increasingly specialized social systems (e.g., science) that can no longer communicate and directly influence each other (Neblo 2015). The Korean case suggests an intriguing variant of Habermas's thesis wherein civil society does not merely defer to science, but rather achieves rapprochement directly because of the dramatically increased amount of public attention to science triggered by the pandemic.

The Korean case points toward a broader research agenda to assess the conditions under which Habermas's conjecture is realized (Neblo et al. 2017). Doing so will require more case studies and case comparisons that go into more depth over a longer time horizon. For example, Vietnam initially mobilized its Communist Party infrastructure to police borders and quarantines effectively while Germany mobilized its technological resources (testing, tracing, and treating) to similar effect at first, but with different likely consequences for public consciousness regarding politics and expertise (Schellekens and Diego 2020).

We should prioritize those cases studies and comparisons more systematically, though, according to theoretically promising categories, for example: 1) democratic versus authoritarian regimes; 2) centralized versus federated structures; 3) developed versus developing economies; 4) communitarian versus individualist cultures; and 5) the forcefulness and competence of the

regime's response. Moreover, these categories may interact: for example, might medium-income federal democracies dissipate health resources such that they produce outcomes akin to poor centralized democracies?

Further research will also require developing bespoke operational indicators, instrumentation, and research strategies. For example, Habermas conjectures that vividly appreciating the way that governments must act under uncertainty disrupts the cycle leading people to withdraw legitimacy. If so, then we need ways to assess individual-level appreciation, and to link it to the level of legitimacy those individuals invest in the regime.

To get a sense of how those more general guides to future research might translate into concrete projects, consider a few more specific questions we find particularly promising:

- Do the more mundane implementation challenges of the vaccination phase short-circuit incipient effects from the vivid experience of needing to act under uncertainty during the early phase of the pandemic?
- How does the increasing borderlessness of science interact with the domestic dynamics of expertise? Do such entanglements affect openness to varieties of transnational governance, and for whom?
- Was Korean civil society's ability to bypass government's mediating role dependent on combining a collectivist culture with a democratic regime? Might we observe similar patterns under authoritarian regimes with collectivist cultures or in individualist democracies?

The scope of a letter prevents us from developing the myriad possibilities for interesting research on the legitimacy dynamics of expertise. But hopefully this brief discussion points to the theoretical and empirical richness latent here.

As we write, the pandemic continues to rage in many countries. However, at least in some cases, COVID-19 may yet leave a more salutary "mark on public consciousness" rather than merely a political scar that further erodes the legitimacy so crucial to regimes. The peculiar features of this public health crisis present an unusual opportunity to disrupt the dynamics driving the

political crisis threatening the stability of varying regimes around the globe. This sketch draws out important possibilities emerging from the pandemic and clears paths for future research that may illuminate routes of escape from the legitimization dilemmas posed by our growing need for expertise.

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