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Administrative Legitimacy of Finland's Foreign Service Missions

Theoretical Analysis

School of Management
Public Policy and Management
Bachelor's Programme in
Administrative Sciences

Vaasa 2025

UNIVERSITY OF VAASA
School of Management
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Title of the thesis: Administrative Legitimacy of Finland's Foreign Service Missions: Theoretical Analysis
Degree: Bachelor of Administrative Sciences
Degree Programme: Administrative Sciences
Supervisor: Ville-Pekka Niskanen and Salla Maijala
Year: 2025 **Pages:** 34

ABSTRACT:

Tämä kandidaatintutkielma käsittelee Suomen ulkomaanedustustojen hallinnollista legitimiteettiä teoreettisesta näkökulmasta. Tutkimuksen pääasiallinen tavoite on tarkastella, mitkä teoreettiset elementit konstruktoivat Suomen ulkomaanedustustojen hallinnollista legtimiteettiä. Tutkielma esittää Suomen ulkomaanedustustojen historiallisen kontekstin, vastuualueet ja institutionaalisen taustan kontekstualisoidakseen tutkimuskohteen. Tämä työ lähestyy Suomen ulkomaanedustustojen hallinnollista legtimiteettiä legitimiteettiteorian kaanonin kohdistuvan kirjallisuuskatsauksen avulla. Tämä työ pyrkii muodostamaan monitahoisen teoreettisen viitekehyksen legitimiteettiteorian kaanonista, tunnistaen tutkimuskohteeseen parhaiten soveltuvat teoreettiset työkalut. Tutkielman vertaileva analyysi identifioi legtimiteettitutkijoiden keskeisten eroavaisuuksien kumpuvan heidän tavastaan lähestyä legitimiteettiä. Osa tutkijoista keskittyy kuvailemaan legitimiteettiä ja sen eriäviä ilmenemismuotoja, toiset keskittyvät pohtimaan normatiivisesti, miten legitimiteetti tulisi muodostaa. Tutkimus tunnistaa eräiden tutkijoiden hyödyntävän piirteitä molemmista tavoista lähestyä legitimiteettiä. Tutkielma löytää suomalaisten viranomaisten painottavan lakiperustaisuutta legitimiteetin pääasiallisena lähteenä niin yksittäisten virkahenkilöiden toiminnalle kuin koko ulkoasiainhallinnolle. Tutkimus toteaa useiden kirjallisuudessa tunnistettujen legitimiteetin tasojen olevan havaittavissa Suomen ulkomaanedustustojen toiminnassa sekä erityisesti niissä palveluissa, joita Suomen ulkomaan edustot tarjoavat Suomen kansalaisille ulkomailla Suomen demokraattisen ja lakiperustaisen hallintotavan avulla. Tutkimus painottaa ulkomaanedustustojen legitimiteetin olevan aina viime kädessä alisteinen vastaanottajavaltion suostumukselle.

KEYWORDS: administration, legitimacy, diplomatic missions, foreign service

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1 Introduction

This study discusses the theoretical concept of legitimacy in the context of Finnish foreign service. Canons of academics across centuries have addressed legitimacy, often exemplifying their own normative socio-philosophical understanding in doing so. The concept of legitimacy has historically been interpreted and examined through normative lenses as the justifier of political rule; however, more sociologically descriptive interpretations arose in the 20th century after the example of Max Weber (1864–1920) (Beetham, 1991, p. 8). This study will present multiple theoretical perspectives of legitimacy, but generally, this study refers to legitimacy as:

> Legitimacy is a generalised perception or assumption that the actions of an entity are desirable, proper, ot appropriate within some socially constructed system of norms, values, beliefs and definitions. (Suchman, 1995, p. 574)

From an organisational perspective, legitimacy is vital because a large portion of entities will not interact with an organisation that is seen as illegitimate (Deephouse, Bundy, Tost, & Suchman, 2017, p. 12). The Finnish Ministry for Foreign Affairs (n.d.b) states that "The central task of the network of Finland's missions, as part of the Foreign Service, is to build a secure and predictable future for all Finns". Accomplishing this would presumably be difficult if the organisation's actions were seen as illegitimate. The main research problem of this study is:

1. Which theoretical elements construct the legitimacy of Finland's foreign service missions?

The research problem is further analysed and categorised through the theoretical dimensions of legitimacy constructed from the literature.

The research methodology of this study is a literature review. The study will, in short, present the history, legal framework and duties of Finland's foreign service missions for context. The study will proceed to discuss multiple theoretical approaches, sources and

societal levels of legitimacy from different perspectives within the canon of legitimacy. The purpose of the study is to offer a contextualised understanding of the concept of legitimacy and identify different theoretical characteristics of legitimacy in Finland's foreign service mission. The research will recognise and discuss parallels and divergences in conceptual typologies of influential legitimacy theories. The study intends to construct a useful theoretical framework of legitimacy from the canon of legitimacy literature. As the study proceeds, the chosen conceptual tools will be gradually placed into the backdrop of Finland's foreign service missions to identify and address their administrative legitimacy.

2 Theoretical Framework of Legitimacy

2.1 Historical Canon of Legitimacy

The following chapter presents some notions of legitimacy from the most influential philosophers of the Western canon preceding Weber, highlighting how deeply the perception of legitimacy is intertwined in socio-political philosophy and administrative structures of the time. Weber's definition and use of the word legitimacy differ from that of scholars before, who conceptualise legitimacy from a normative and philosophical standpoint: what legitimises the power of the regime. On the contrary, Weber approaches legitimacy from a sociologically descriptive approach, illustrating and typologising why people believe in the legitimacy of an authority (Weber, 1968, p. 31–37).

Historically, the ideals of legitimacy in socio-philosophical literature can be traced to classics of political theory regarding political authority. To Plato (427–347 BCE), the legitimate regime consisted of wise philosophers who governed based on the knowledge they had gained through the practice of philosophy (Remes, 2012, p.25). In Aristotle's (384–322 BCE) conception, the legitimacy of a government wasn't inherently based on a group of wise philosophers; rather, it was founded in the pursuit of the common good in political actions (Kukkonen, 2012, p. 79).

Many religious philosophers, such as St. Thomas Aquinas (c. 1225–1274), have founded their conception of political authority in the divine origin of divine rule, implying that the legitimate authority derives from god, seeing monarchy as a natural form of governance (Yrjönsuuri, 2012, p. 172). In the early modern times, Thomas Hobbes (1588–1679) conceived the legitimacy of the authority stemming from the social contract, in which citizens surrender their natural rights in exchange for the protection of the sovereign (Jakonen 2012, p. 226–228). After Hobbes, John Locke (1632–1704) associated the legitimacy of the regime with the consent of the governed. This notion can be linked to the thoughts of John Locke, who argued that the government's legitimacy is founded on

the people's consent. Implying that, if the regime doesn't enjoy the trust of the community, they have the right to replace it. (Saastamoinen, 2012, p. 257). Like Hobbes and Locke, Jean-Jacques Rousseau (1712–1777) saw a social contract as the basis for legitimacy. For Rousseau, the core of political legitimacy was grounded in a social contract, in which legislation follows the general will of the citizens (Kylmäkoski, 2012, p. 356–357).

2.2 Weberian Legitimacy

The academic impact of Weber's academic work shouldn't be undermined. Weber is widely valued as a scholar across academic fields. However, David Beetham (1938–2022) (1991) notes that Weber's work on legitimacy is widely challenged by later theories, which view Weber's argument that belief power is always legitimate if people view it as such as one-dimensional (p. 8–9).

In Weber's conception, the concept of domination was crucially linked to legitimacy. To Weber (1968), "Domination (*herrschaft*) is the probability that a command with a given specific content will be obeyed by a given group of persons" (p. 53). Weber argued that, in addition to appeal, material or ideal motives, systems of domination seek to establish the belief in their legitimacy. Weber interpreted that the claims of legitimacy, made by each type, differed to such a degree that he felt the need to classify them (Weber, 1968, 213, 215). According to Weber (1968), there are three types of authority based on the validity of their claim to legitimacy: rational-legal authority, traditional authority, and charismatic authority. Rational-legal authority refers to the *belief in legitimacy*, based on the legality of the implemented rules, that grants certain entities authority. Weber defines traditional authority as the belief in the legitimacy of those who represent authority based on the continuity of traditions. Charismatic authority is grounded in the dedication to the exceptional character of a person (p. 215).

Weber's theoretical framework is useful for this study because he contemplated the ideals of legitimacy in the context of administrative staff, unlike his predecessors. For Weber (1968), an administrative organ is an agency that exercises authority with a continuum of rule-oriented official business in a specific jurisdiction, with a sphere of obligations and provisions of necessary powers (p. 217–218). Weber (1968) also discusses the criteria that the administrative staff's appointments and actions follow according to the theory of legal authority: officials are organised in a hierarchy of offices, they are subjected to authority only in impersonal official obligations, the sphere of competence is explicitly defined legally, and candidates are appointed based on technical qualifications by the judgement of superiors (p. 220). For Weber (1968), bureaucratic administration is especially rational authority, because of its domination (*Herrschaft*) through knowledge (p. 225).

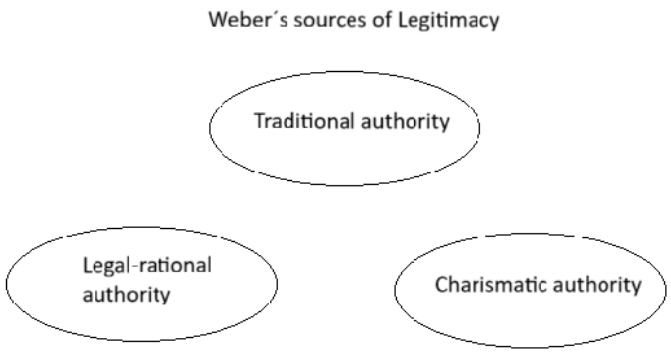

Figure 1. Weber's (1968) Pure Types of Legitimate Domination

2.3 Later Scholars on Legitimacy

This study has presented the academic concept of legitimacy from both the more normative political philosophical approaches of scholars such as Plato, Hobbes and St. Aquinas and from the descriptive sociological approach of Weber. It is notable that, even though the more normative approaches often contain sociologically descriptive elements, the larger intent of the study is of a normative nature. Later scholars have challenged Weber's definition of legitimacy as reductive (Beetham, 1991, p. 8–9) . Jürgen Habermas (1929–) defined legitimacy as:

> Specifically, the democratic principle states that only those statutes may claim legitimacy that can meet with the assent (*Zustimmung*) of all citizens in a discursive process of legislation that in turn has been legally constituted. (Habermas, 1996, p. 110)

In Habermas's (1996) conception, a deliberative public discussion of legislation is a fundamental part of forming legitimacy (p. 110). Habermas's work brought the normative sphere back to the discussion around legitimacy, which Weber had dismissed. Habermas's can be interpreted, bringing a new sphere to the juridical legitimacy theories of the classical thinkers such as St. Aquinas, Hobbes, Locke and Rousseau.

Unlike Habermas's predecessors, Habermas argued that laws are legitimate only if they can be rationally accepted in a deliberative public discussion by all citizens (Habermas, 1996, p. 135–136). Habermas (1996) argues that, as the source of legitimacy, the transformation of communicative power to the administrative power of a state occurs through law. Centrally, he notes that "administrative power should not reproduce on its own terms but should only be permitted to regenerate from the conversion of communicative power" (p. 150). Habermas views the normative construction of binding law and political power as originating from social forces interacting with *sacred law*. With this, Habermas refers to the interaction of laws enacted by undemocratic kings (sacred laws) with communicative social powers in forming binding law (see Figure 2) (Habermas, 1996, p 142).

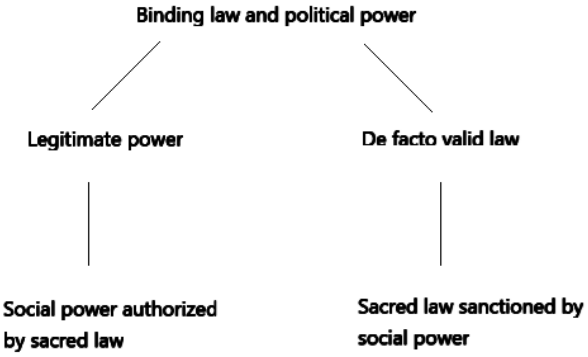

Figure 2. Basing on Habermas's (1996) Constitution of Law and Politics

Beetham recognised that modern scholars such as Habermas discussed legitimacy strictly as a political concept, which can only be applied in the context of political power. (Beetham, 1991, p. 39). Beetham furthermore recognised the constraining nature of Weber's definition of legitimacy, exploring both the philosophically normative and sociologically descriptive nature of the term (Beetham, 1991, p. 8–9). Beetham's academic work is particularly useful for this study because of his three–dimensional framework of legitimacy. Beetham (1991) defined:

> Power can be said to be legitimate to the extent that: i) it conforms to established rules ii) the rules can be justified by reference to beliefs shared by both dominant and subordinate, and iii) there is evidence of consent by the subordinate to the particular power relation. (p. 15–16)

Beetham's definition is notable because, unlike his predecessors, he recognises the multi-dimensional character of legitimacy. Beetham's (1991) definition identifies 3 qualitatively distinct dimensions of legitimacy: conformity to rules, the justifiability of rules by shared beliefs and expressed consent (see Figure 3) (p. 15–16). Beetham argues that legitimacy is based on a constellation of shared beliefs and values, grounded in rules and the expression of consent (Beetham, 1991, pp. 15–16). Betham also acknowledges that individual dimensions on their own are inadequate in securing legitimacy. For example, according to Beetham (1991), legal validity needs further argumentation for legitimacy since the procedures and acts of power through rules need themselves legitimation (p.17).

Beetham's (1991) third element is centred around the *evidence of consent* by a subordinate to the relationship. Beetham emphasises how actions such as voting in an election, swearing allegiance or concluding agreements are active contributions they make in forming legitimacy. Beetham argues that actions expressing consent constitute a commitment between actors through a moral dimension. Beetham also notes that expression of consent has a *publicly symbolic* or a *declaratory force* in actualising the power relation between the subordinate and the holder of power (p 18).

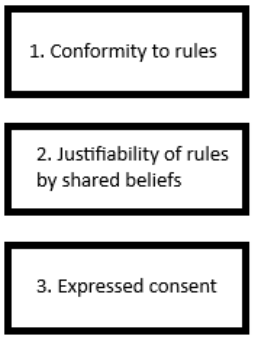

Figure 3. Basing on Beetham's (1991) Three Dimensions of Legitimacy

Beetham elaborates on his argument that legality on its own cannot constitute legitimacy by identifying the different sources that justify rules. Beetham (1991) recognises authoritative sources of justifiability as either external or internal to society (p. 71, 74). Beetham notes that the content of rules can also justify them (Beetham, 1991, p. 76–77). Beetham's differentiation of the sources of justification of power rules is noteworthy because it recognises the multiple possible sources of justifiability, making the analysis more universally adaptable to many different societal structures.

Whereas Habermas and Beetham focused more on the legitimacy of political power, Mark C. Suchman (1960–) reframed the concept of legitimacy to an organisational and institutional framework. This makes Suchman's academic work especially interesting for this study, providing us with the theoretical tools to analyse Finland's foreign missions not only as the use of public political power but also as a part of public institutional

organisation. Suchman's notion of legitimacy is somewhat broad. Suchman (1995) refers to legitimacy as a broader assumption or perception of the acceptability of an agent's acts against the backdrop of social beliefs (p. 574).

Compared to Beetham's three-dimensional framework of legitimacy, Suchman interprets legitimacy more abstractly as valid actions of an entity. Like Beetham, Suchman also applies both descriptive and normative approaches to the study of legitimacy. Suchman (1995) interprets legitimacy stemming from cultural frameworks and the perceptions of relevant audiences (p. 573–574). Suchman differentiates the types of organisational legitimacy into pragmatic, moral and cognitive legitimacy and further classifies them into sub-categories based on their different behavioural dynamics (see Figure 4) (Suchman, 1995, p. 577). For Suchman, pragmatic legitimacy is based on the benefits that the organisation brings to its immediate audiences. This benefit can be based on the direct value that the organisation gives to the audiences (*exchange legitimacy*). It can also be based on the influence that the constituents might have on the organisation (*Influence legitimacy*). It might also be founded on the good character of the organisation (*dispositional legitimacy*) (Suchman, 1995, p. 578–579). For Suchman (1995), the second type of organisational legitimacy is moral legitimacy, which is based on the positive assessment of the organisation and its conduct (p. 579).

For Suchman (1995), the three main forms of moral legitimacy can be identified as: consequential legitimacy, in which legitimacy comes from good results, procedural legitimacy, where legitimacy is formed through the practices of the organisation, structural legitimacy, organisational structure is located within a morally favourable category and personal legitimacy, which rests upon the charisma of an individual organisational leader (p. 579–581). Suchman's last category of legitimacy is cognitive legitimacy, meaning that the legitimacy of the organisation may seem self-evident based on cognition, which can stem from a cultural factor. The two variants are: legitimacy based on comprehensibility and legitimacy based on taken-for-grantedness. In legitimacy based on comprehensibility, legitimacy arises from cultural aspects that

explain the existence and activities of an organisation. Taken-for-grantedness refers to the legitimacy of organisations that are seen as so vital that society without them is seen as unthinkable (Suchman, 1995, p. 582–583).

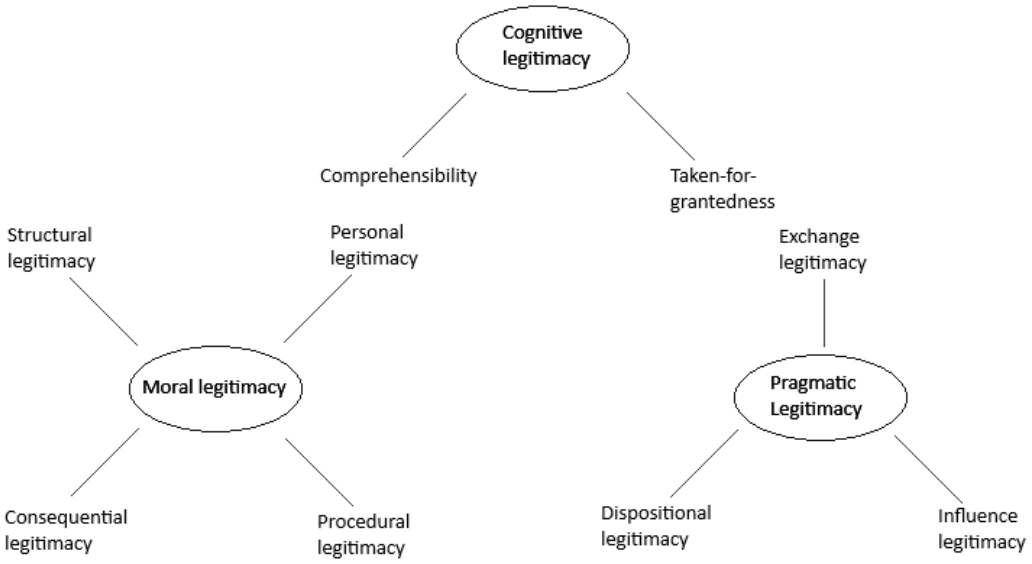

Figure 4. Basing on Suchman's (1995) Typology of Organisational Legitimacy

2.4 Comparative Synthesis of Legitimacy Theory

This chapter has presented the reader with multiple definitions, approaches and sources of legitimacy. This subsection aims to form a comparative synthesis of these theories. The first major shift in the approach to legitimacy theory occurred through the work of Weber in the 20th century. Unlike Weber, his predecessors had mostly interpreted legitimacy as a normative phenomenon in the context of political power. Weber (1968) addressed legitimacy descriptively in the context of domination (*herrschaft*) of authority, framing legitimacy as a part of a social phenomenon (p. 53).

Weber's definition of legitimacy strictly as the *belief in legitimacy* faced major criticism from later scholars (Beetham, 1991, p. 8). Despite this, Weber's work can be interpreted as having a major influence on later scholars. Multiple legitimacy scholars after him

address Weber's work directly. His influence can also be seen in the rise of both descriptive approaches and the presence of social aspects in modern analysis. Consequently, scholars such as Beetham and Suchman apply both descriptive methods and social factors in addition to philosophically normative approaches. On the contrary, Habermas's normative approach to legitimacy as a primarily political concept aligns with the historical canon of scholars presented in section 2.1.

Although multiple academics have participated in the conversation, no all-encompassing major theory has emerged. For this reason, this study has previously presented historically influential theories on legitimacy, identifying the most useful theorists for this study as: the typological legitimacy of Weber (1968), the communicative legitimacy of Habermas (1995), the three-dimensional legitimacy of Beetham (1991) and the organisational legitimacy of Suchman (1995). They offer the study the most comprehensive and versatile theoretical tools in examining the administrative legitimacy of Finland's foreign service missions. The divergences of these theories are illustrated through the classification of their approach, source and level of analysis to legitimacy (see Figure 5).

Legitimacy as:	Normative/descriptive approach:	Main Source of Legitimacy:	Main level of analysis:
Typological (Weber, 1968)	Descriptive	Traditional, charismatic and rational-legal authorities	Political-social
Communicative (Habermas, 1995)	Normative	Communicative deliberation of laws	Political-normative
Three-dimensional (Beetham, 1991)	Normative/descriptive	Beliefs, values, consent and conformity to rules	Political-social
Organisational (Suchman, 1995)	Normative/descriptive	Pragmatic, moral and cognitive perceptions of relevant audiences	Organisational-social

Figure 5. Key Theoretical Approaches to Legitimacy

3 The Context: Finland's Foreign Service Missions

3.1 The Historical Background of Foreign Service Missions

Diplomacy, as the peaceful management of international affairs, can be traced back thousands of years to Ancient times (Black, 2010, p. 17). The latter historic development of permanent diplomatic representation in 1440–1550 in Italy and later in Western Europe constructs the majority of the literature on diplomacy. However, remains of diplomatic representation can also be traced to the civilisations of Egypt and Mesopotamia (Black, 2010, p. 17).

Modern foreign service is often traced to the city-states of Renaissance Italy. The fragmented political sphere and conflicts of Italy called for diplomacy. The use of envoys was led by the Duke of Milan, Gian Galeazzo Visconti (1378–1402), who backed his diplomatic representatives with an effective chancery which resembled of rudimentary ministry of foreign affairs. This practice was followed by Italian republics such as Venice, which became the first Italian republic with a permanent envoy (Black, 2010, p. 44). The expansions of the diplomatic network were first widened by the Peace of Lodi in 1454, connecting the major Italian states by a web of permanent embassies. The Peace of Westphalia of 1648 further spread the diplomatic network in Europe (Black, 2010, p. 44–45). The Peace of Westphalia is often seen as the genesis of the contemporary state system (Black, 2010, p. 63).

In Finland, the history of foreign service missions can be traced to a period when the area of Finland was a part of the Russian Empire as the Grand Duchy of Finland (1809–1917). In 1858 Russian consul in London found the need for a civil servant with the ability to act as an interpreter in both Finnish and Swedish (Ministry for Foreign Affairs, n.d.c). This need arose from Finnish captains and other seamen visiting the imperial Russia's consulate to get consultation on business matters. The demand for international administrative representation became increasingly pressing as Finland gained independence in 1917 from the Russian Empire. In 1918, Finland founded its first

"foreign affairs bureau", modelling it after Swedish administrative practises. (Ministry for Foreign Affairs, n.d.c). Finland began to build its foreign service network by building relationships around Europe via delegations in hopes of achieving recognition of independence. At the end of 1918, Finland had 12 missions abroad and 13 honorary consuls (Ministry for Foreign Affairs, n.d.c). As of September 2025, Finland has 74 embassies, 6 consulates general, 1 consulate and approximately 400 honorary consulates (Ministry for Foreign Affairs, n.d.a).

3.2 The Duties and Responsibilities of Finnish Foreign Missions

The international base for the duties and responsibilities of foreign missions is stated in the Vienna Convention on Diplomatic Relations (1961) (Ministry for Foreign Affairs, n.d.b). The basic functions of a diplomatic mission are stated in the United Nations' (1961) Vienna Convention on Diplomatic Relations Article 3, including: representation of the sending state in the host country, safeguarding the interests of the sending state and its citizens and conferring with the government of the host country.

The Finnish Ministry for Foreign Affairs declares that "the central task of the network of Finland's missions, as part of the Foreign Service, is to build a secure and predictable future for all Finns". The core duties for all Finnish diplomatic and consular missions are defined in the national legal framework, international treaties, traditions and long-standing practices (Ministry for Foreign Affairs, n.d.b).

The common responsibilities of a Finnish foreign mission consist of international relations, development cooperation, diplomatic representation, international trade, nation branding, consular services and services for Finnish citizens. Although all missions have the same basic duties, the areas of emphasis differ due to the circumstances in the specific host country. In certain host countries, the focus of the mission may lean toward serving the Finnish tourist in the country, whereas elsewhere the mission might be centred around promoting trade relations. Several individual embassies and consuls also partake in upholding Finland's larger diplomatic network by maintaining relations with

nearby countries of secondary accreditation, without a permanent diplomatic resident (Ministry for Foreign Affairs, n.d.b).

The global network of Finland's overseas diplomatic representations offer assistance to Finnish nationals in a wide range of matters, from passport issues to topics regarding life and death. Embassies and consulates also help maintain the Population Information System accurate. Missions also provide the possibility of pre-voting to Finnish nationals abroad, so they can partake in Finnish elections. The Finnish embassies and consulates maintain and practice a contingency plan in case of a crisis. If a crisis occurs, missions aim to identify those in danger and provide assistance to them (Ministry for Foreign Affairs, n.d.b).

3.3 The Legal and Institutional Framework of Finland's Foreign Service Missions

The international legal framework of Finland's foreign service missions is based on two major international treaties: The Vienna Convention on Diplomatic Relations (1961) and the Vienna Convention on Consular Relations (1963) (Ministry for Foreign Affairs, n.d.b). The Vienna Convention on Diplomatic Relations (1961) acts as the codification of customary international law, asserting the legal basis for multi- and bilateral diplomatic relations, including legislation on diplomatic privileges and immunities. (United Nations, 1961). The convention lays down many crucial elements that can be seen as the foundation of the international diplomatic legal framework. The treaty states that the establishment of diplomatic relations and permanent missions has to happen through mutual agreement (UN, 1961, art. 2). The treaty also emphasises the importance of international law, defining the responsibilities of diplomatic missions, lawful gathering of information and promotion of friendly relations between sending and receiving states (UN, 1961, art. 3). The convention provides an internationally recognised basis for diplomatic immunity, by defining the legal immunities and privileges of diplomatic premises, documents, missions and agents (UN, 1961, art. 22–37).

In addition to diplomatic embassies, Finland has multiple consulates around the world (Ministry for Foreign Affairs, n.d.a). Consular relations differ from diplomatic relations. The Vienna Convention on Consular Relations (1963) addresses the legal basis for consular relations and bilateral agreements. Finland is a part of the treaty (Ministry for Foreign Affairs, n.d.b). Consular functions are mainly of an administrative nature, such as: providing passports, travel visas and assistance to the citizens of the Sending state (UN, 1963, art. 5). Consulates do not have a similar diplomatic mission as the representatives of the sending state, as embassies do. The diplomatic mission of embassies is defined in Article 3 of the UN's (1961) Vienna Convention on Diplomatic Relations. Diplomatic agents of the sending state have diplomatic immunity from the criminal jurisdiction of the receiving state (UN, 1961, art. 29–31). The legal immunity of consular officers and employees, on the other hand, is more restricted. They only enjoy exemption from the criminal jurisdiction in acts performed in the exercise of consular activities (UN, 1963, art. 43).

The Finnish national legislation is legislated by the Parliament of Finland (731/1999, § 3). The governing legislation on Diplomatic and consular missions are: the Act on the administration of the Foreign Service (204/2000), the Government Decree on the administration of the Foreign Service (256/2000) and the Decree of the President of the Republic on the locations of Finnish diplomatic missions (215/2024) (Ministry for Foreign Affairs, n.d.b). The broader outlines for Finland's foreign policy powers are stated in the Constitution of Finland (731/1999).

The Act on the Administration of the Foreign Service sets forth Finland's foreign service's organisational structure, missions and the juridical status of its public officials and other employees (Ulkoasianhallintolaki (204/2000). The Government Decree on the administration of the Foreign Service lays down the provisions governing official posts in Finland's foreign service (Valtioneuvoston asetus ulkoasiainhallinnosta (256/2000). The

Decree of the President of the Republic on the locations of Finnish diplomatic missions (215/2024) determines the new locations of diplomatic and consular services of Finland The Constitution of Finland asserts the authority in international affairs to the president of Finland in cooperation with the Government of Finland (731/1999, Ch 8 § 93).

4 Analysis of the Administrative Legitimacy of Finland's Foreign Service Missions

4.1 Legal Legitimacy

As presented in section 3.2, the legality of Finland's foreign missions is grounded in national legislation and two major international treaties: the Vienna Convention on Diplomatic Relations (1961) and the Vienna Convention on Consular Relations (1963) (Ministry for Foreign Affairs, n.d.b).

The necessity of laws and rules in legitimacy is recognised in all the chosen theoretical perspectives. For Weber, "Legal authority rests on the acceptance of the validity of the following mutually inter-dependent ideas" (Weber, 1968, p. 217). According to Habermas, the role of the law acts as a legitimate transformer of the will of the people expressed in deliberation to the administrative power of the state (Habermas, 1996, p. 150). Beetham underlines the need for rules as a vital condition for legitimacy (Beetham, 1991, p. 15–16). Unlike for aforementioned, for Suchman, law isn't the basis of legitimacy. For Suchman, the legal aspect of legitimacy can be seen as a part of the social guidelines that evaluate the procedural legitimacy of an organisation (Suchman 1995, p. 579).

The missions, organisational structure and authority of Finland's foreign service missions are defined in the Act on the Foreign Service (204/2000) and furthermore specified in The Government Decree on the Foreign Service (256/2000). Finland's Ministry for Foreign Affairs (n.d.b) emphasises on its official website that laws and agreements govern the foreign service missions of Finland, as the ministry lists all the national regulations and international treaties as the basis for the foreign service missions.

The organisational structure of Finland's foreign service missions aligns to a great extent with Weber's ideal of pure legal authority. For Weber, the purest form of legal authority

is in the sphere of bureaucratic administrative staff. Weber refers to administrative staff as a body of individual officials organised in a clear hierarchy of offices. Officials are appointed based on technical qualifications (Weber, 1968, p. 220–221). For a more detailed definition, see pp. 220–222 (Weber, 1968). For Weber, "bureaucratic authority is carried out in its purest form where it is most clearly dominated by the principle of appointment" (Weber, 1968, p. 221). The Act on the Foreign Service (204/2000) establishes the legal basis for the appointment of officials in the Foreign Service, as the Government Decree on the Foreign Service (256/2000) specifies the legal framework. Therefore, Finland's foreign services administrative structure can be interpreted as constructing legitimacy through the ideals of Weber's theoretical model of pure legal authority.

It's noteworthy that for none of the above-mentioned scholars, laws and rules themselves are enough for legitimacy. Although Weber sees legal-rational authority as one of the bases for legitimacy, Weber underlines that only legal justification doesn't constitute legitimacy without the *belief in legitimacy* (Weber, 1968, p. 215). For Habermas, laws are only legitimate if they can be justified and accepted through deliberation (Habermas, 1996, 110). For Beetham, rules are a vital source of legitimacy, but they must be accepted and justified by everyone in the particular power relation (Beetham 1991, p. 15–18). To Suchman, law or rules are only an aspect of one type of evaluation of an organisation's legitimacy (Suchman 1995, p. 579). Because the chosen academics agree that laws and rules on their own can't form legitimacy, a need for other forms of legitimacy for Finland's foreign service missions can be identified.

4.2 Public Discourse and Consent of Legitimacy

The aspect of public discourse in legitimacy is central to Habermas's theory. For Habermas (1996), "the only law that counts as legitimate is one that could be rationally accepted by all citizens in a discursive process of opinion- and will-information". To Habermas, these *legitimately enacted* laws are the legitimate source of governmental power (p. 135–136). For Beetham, consent is a fundamental part of his three-

dimensional model of legitimacy. To Beetham (1991), for power to be legitimate, “there is evidence of consent by the subordinate to the particular power relation” (p.16). For Beetham (1991), the *evidence of consent* is formed through deliberate actions such as making agreements, building allegiances or voting. These actions have a declaratory nature, acknowledging the power position. No matter the motive, for Beetham, these actions express consent, introducing a moral aspect to the relationship, creating a normative commitment (p. 18). Suchman and Weber centre their focus on other aspects of legitimacy than public discourse and consent.

Habermas’s theory of rational public discourse as an aspect of legitimacy can be seen in Finland’s entire foreign service, including foreign service missions. The ideal of rational public discourse is dependent on the sphere of communication, where free processing of topics, contributions and reasoning of information is possible (Habermas, 1996, p. 107–108). Finland’s foreign service provides information for public discourse, for example, in the government's public reports to the parliament on foreign policy (e.g. *Government Report on Finnish Foreign and Security Policy 2024*). This practice is based on the Constitution of Finland (731/1999), Government Rules of Procedure (262/2003) and established practice in the Finnish Government. The Ministry for Foreign Affairs provides public information about Finland’s foreign service missions online through multiple channels of communication (e.g. Finland Abroad-portal, X (Twitter) and Facebook) (Ministry for Foreign Affairs, n.d.b). This information, alongside Finland’s strong democratic institutions, can be seen as enabling Habermas’s theory of rational public discourse as a source of legitimacy in the context of Finnish foreign missions.

To Beetham, for power to be legitimate, consent by the subordinate to the relationship is central (Beetham, 1991, p. 18). In the context of Finland’s foreign service missions, the sources of *evidence of consent* can be identified as: consent from the people of the sending state, consent from a civic servant to their superior and the consent of the host state and its people. The people of Finland do indirectly consent to the acts of Finland's foreign service missions through the parliamentary approval of the Foreign Ministry's

annual budget. This is based on § 83 of the Constitution of Finland (731/1999) on the State budget. The citizens of Finland can also be seen as actively expressing their consent to Finland's foreign service when they interact with its embassies or consulates abroad.

Beetham's theory of *evidence of consent* to the power dynamic in the foreign service between a civil servant and their superior is challenging to examine because individual power relations can be unique. On a general basis, consent to the power dynamic can be seen in employees' actions, such as taking an oath of office or signing an employment contract. However, in Finland, taking an oath of office applies only to a few high public offices, as stated in the Act on the Oath and Affirmation of Public Officials (1183/1987, § 1). In Finnish legal practice, civil servants are appointed to a public service relationship and official accountability (Act on Public Officials in Central Government, (750/1994, § 1). Under official accountability, civil servants are obligated to complete their tasks properly. Civil servants are also obligated to follow employers' managerial directives (Act on Public Officials in Central Government, (750/1994, § 14). Hence, it can be concluded that the expression of consent stems largely from the civil servant's act of accepting the appointment to the office, with the legal and managerial responsibilities it bears.

Beetham's *evidence of consent* of the power dynamic of a sending state's foreign service mission in a receiving state is, to a large extent, based on a contract. As stated in Article 2 of the Vienna Convention on Diplomatic Relations (1961) and Article 2 of the Vienna Convention on Consular Relations (1963), both diplomatic and consular relations are based on the mutual consent of the states. It can thus be concluded that the *evidence of consent* of a foreign service mission is based on the act of agreeing to establish diplomatic or consular relations. However, it's noteworthy that in international law, there are no requirements for any democratic *evidence of consent* from the people of the receiving state to establish diplomatic relations (Vienna Convention on Diplomatic Relations, 1961, Art. 2). Therefore, it can be questioned how legitimate the diplomatic actions of a democratic state are in a receiving state or *vice versa.*

As a whole, theoretical aspects from both Habermas's theory of public discourse and Beetham's notions of consent can be identified in examining the legitimacy of Finland's foreign service missions. Notably, aspects of both of these ideals can be recognised in the service of advance voting provided by diplomatic and consular missions to Finns abroad (Ministry for Foreign Affairs, n.d.b). In providing advance voting, an aspect of Habermas's theory of public discourse is being carried out by public discourse through elections. Simultaneously, the voters recognise the legitimacy of the foreign service mission through Beetham's ideal of consent by participating in its services. In the larger context of public discourse and consent, the sources of the legitimacy of Finland's foreign service missions are connected to Finland's constitutional democratic governance structure.

4.3 Cognition and Belief in Legitimacy

Weber (1968) sees legitimacy as the belie*f in legitimacy*, which is cultivated through different grounds for authority. Weber's model of the three pure types of authority illustrates 3 different bases for beliefs that construct the legitimate domination of authority (see Figure *1*) (p. 213). Suchman's (1998) concept of cognitive legitimacy has similarities to Weber's idea of *belief in legitimacy*. With cognitive legitimacy, Suchman refers to a phenomenon where the legitimacy of an organisation is interpreted as inevitable based on a cultural aspect (p. 582–583). Habermas and Beetham do not emphasise aspects of cognition or *belief in legitimacy* in their works.

Suchman's (1995) concept of cognitive legitimacy is differentiated into two subcategories: taken-for-grantedness and comprehensibility. Taken-for-grantedness refers to a phenomenon where the legitimacy of an organisation is seen as so central to society that it can't be imagined without it (582–583). Finland's foreign service established its first foreign missions almost immediately after it gained independence in 1917 (Ministry for Foreign Affairs, n.d.c). Aspects of diplomatic relations in general can be traced to ancient times (Black, 2010, p. 17). Therefore, it can be suggested that Finland's foreign service as an organisation has similarities to Suchman's concept of

taken-for-grantedness. The other source of cognitive legitimacy for Suchman (1995) is legitimacy based on comprehensibility, where the justifiability stems from the plausible cultural explanations for the organisation and its actions (p. 582–583).

The actions of Finland's foreign service and its missions are based on a bureaucratic legal framework (Ministry for Foreign Affairs, n.d.b). If the organisation of Finland's foreign service were against the plausible cultural models of the Finnish cultural sphere, the organisational structure could be changed by the people through a democratic process. After all, the Finnish national legislation regarding foreign service is set by the Parliament of Finland (731/1999, § 3). Hereby, it can be argued that the actions of Finland's foreign service are not at least drastically against the plausible cultural models that can create legitimacy through comprehensibility.

Aspects of Weber's model of the three pure types of authority can be identified in the context of Finland's foreign service missions. As stated before, Finland's foreign service missions are largely organised through legal impersonal order (Ministry for Foreign Affairs, n.d.b). This structuration of a bureaucratic administrative staff through legal norms is highly compatible with Weber's pure type of legal authority (Weber, 1968, p. 217–223). Further compatibility of Finland's foreign service missions and Weber's pure type of legal authority is examined in Section 4.1.

Finland's foreign service missions also share theoretical components with Weber's traditional legitimacy. As Weber (1968) defines, "Authority will be called traditional if legitimacy is claimed for it and believed in by virtue of the sanctity of age-old rules and powers" (p. 226). As stated before, the framework of Finland's foreign service missions is built upon two major international treaties: the Vienna Convention on Diplomatic Relations (1961) and the Vienna Convention on Consular Relations (1963) (Ministry for Foreign Affairs, n.d.b). It is noteworthy that both of these treaties recognise that diplomatic/consular relations have been established since ancient times (United Nations, 1961; United Nations, 1961). These notions of historical continuity of

diplomatic/consular relations reflect Weber's concept of traditional legitimacy. Similar aspects of Weber's traditional legitimacy can be identified in the practices of Finland's foreign service missions. Finland's foreign service partakes in multiple customs, such as the official presentation of Letters of Credence to the head of state of the receiving state when an ambassador begins a new posting (Ministry for Foreign Affairs, 2010). Public celebrations of Finland's Independence Day at diplomatic and consular postings abroad can also be identified as an effort to maintain traditional legitimacy (e.g., Nicosia, Finland Abroad, 2023). As exemplified before, Finland's foreign service missions' practices are to some extent in line with Weber's theoretical type of traditional legitimacy, contributing to the larger framework of *belief in legitimacy*. Weber's third type of traditional authority, charismatic authority, isn't particularly compatible with the bureaucratic nature of Finland's foreign service missions. For Weber (1968), charismatic authority rests on extraordinary, even supernatural, qualities of an individual person (p. 215). As stated before, Finland's foreign service missions and its organisational structure are governed by international treaties and national law, making the rise of a person of purely charismatic authority unlikely.

The concepts of Weber's *belief in legitimacy* or Suchman's cognitive legitimacy do not provide an exhaustive theoretical outlook on the legitimacy of Finland's foreign service missions. However, they do provide an interesting perspective in examining legitimacy as something that is constructed in the interpretations of subjects. The actions of Finland's foreign service missions affect multiple entities in a multi-dimensional organisational structure, which makes the interpretative approach of Weber and Suchman particularly useful for this study.

4.4 Synthesis of the Theoretical Legitimacy of Finland's Foreign Service Missions

In Section 4.3, this study has recognised three fundamental theoretical dimensions of legitimacy: legal-rational legitimacy, public discourse and consent of legitimacy, and

cognition and belief in legitimacy. These dimensions have been recognised in the canon of legitimacy literature to exemplify the theoretical elements that construct the legitimacy of Finland's foreign service missions. Aspects from all 3 theoretical dimensions of legitimacy can be identified in the theoretical legitimacy of Finland's foreign service missions (see Figure 6). As presented by the Ministry for Foreign Affairs (n.d.b), the base for the legitimacy of Finland's foreign service is in the national legislation and international treaties. This aligns with the ideals of the four chosen legitimacy scholars, who all view legal-rational grounds for legitimacy as fundamental, except Suchman, who views legality only as a component in examining the procedural legitimacy of an organisation. Nonetheless, none of the chosen theories view law itself as sufficient in constructing legitimacy.

Forms of Legitimacy	Weber (1968)	Habermas (1996)	Beetham (1991)	Suchman (1995)	Finnish Foreign Service Missions
Legal-rational Legitimacy	x	x	x	x	x
Public Discourse and Consent of Legitimacy		x	x		x
Cognition and Belief in Legitimacy	x			x	x

Figure 6. Theoretical Compatibility of the Legitimacy of Finland's Foreign Service Missions

Aspects from all three theoretical dimensions can be identified in the legitimacy of Finland's foreign service missions. They can be exemplified by advance voting that missions offer to the citizens of Finland abroad. The legal-rational component comes from the fact that the foreign missions of Finland are mandated by law as advance voting locations (Election Act, (714/1998, § 9). Elements from Habermas's public discourse and communicative legitimacy can also be identified as the result of a public discourse is communicated through elections. Beetham's ideal of consent as an attribute of

legitimacy can be recognised in the act of interacting with the mission through advance voting as a contribution to forming its legitimacy. In addition to the legal-rational component of Weberian *belief in legitimacy*, facets of traditional authority can be identified in organising advance voting, as voting, democracy, and elections have relatively long traditions in the Finnish cultural sphere. This cultural tradition has, in addition, parallels to Suchman's concept of cognitive legitimacy, where the legitimacy of an organisation is viewed as inevitable based on a cultural aspect.

All individual theoretical concepts of legitimacy presented in this study have multiple sub-categories, which are, in many cases, interdependent, thus not constructing legitimacy by themselves. However, it is notable that the Finnish Foreign Service Missions and especially its services abroad, resonate with multiple theoretical aspects of legitimacy from all four major theorists applied in this study.

5 Conclusions

This study set out to examine the theoretical concept of legitimacy through the example of Finnish foreign service missions. The purpose, history, and legal foundation were presented to offer a contextualised understanding of Finnish foreign service missions. The study sought to construct a multifaceted theoretical framework of legitimacy from the canon of legitimacy theory, identifying four of the most adaptable theories. These theories, their typologies, and their use for the study were deliberated. The theories themselves were compared, recognising divergences and parallels in their approach, source and level of legitimacy.

The most fundamental difference between the chosen theories was the approach to legitimacy, as some sought to illustrate and describe forms of legitimacy, while others reflected normatively on how legitimacy should be formed. While the classifications in the approaches by the chosen scholars are noteworthy in forming a comparative understanding of legitimacy, the lines between descriptive and normative approaches overlapped on multiple occasions. An attempt at a comprehensive distinction between the approaches is more of a philosophical nature and therefore not the core intent of this study. Multiple later scholars deliberately employed aspects from both approaches in their deliberations on legitimacy, as noted in section 2.3.

In research, the Finnish Foreign Ministry presented the rule of law as the primary source of legitimacy for both the internal legitimacy within a mission and for the holistic justifiability of the Finnish foreign service missions abroad. Notably, all four chosen theoretical interpretations saw the rule of law as central to forming legitimacy, except for Suchman, for whom legality is just one component in the assessment of an organisation's legitimacy. However, none of them saw law by itself as adequate in forming or describing legitimacy, presenting the need for further justification for the legitimacy of Finnish foreign service missions.

In relation to the research question “which theoretical elements construct the legitimacy of Finland’s foreign service missions”, the research identified that the legitimacy of Finland’s foreign service missions builds upon theoretical elements of legal-rational legitimacy, public discourse and consent of legitimacy, and cognition and belief in legitimacy. The study found that the source of legitimacy of Finland’s foreign service missions often stemmed from the services provided by the missions to Finnish citizens abroad, together with Finland’s democratic governance structure through law. Paradoxically, this suggests a potential avenue for further research into the administrative legitimacy of foreign service missions by non-democratic states operating in Finland. Finally, the study underlines that, as stated in international treaties, the fundamental basis of the legitimacy of a foreign service mission is founded on and ultimately subordinate to the consent of the host state.

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