Call for Papers

Authors' workshop

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Volume 5: Administrative Multinormativity

Which normative standards are able to guide administrative action? Irrespective of the era or administrative culture under analysis, it should be clear that administration is not merely a dispassionate enforcer of legal norms or an executor of political programmes. Rather, administrations operate within a network of different normativities. Neither a law-like, differentiated programme of norms nor a binding force that derives its strength from judicial enforceability or from the authority of higher political instances are necessary features thereof; it can be the case that normativities only are diffuse and informal; sometimes they first become visible when conflicts over norms erupt.

But beyond legal programming and political guidelines, what normativities are we actually talking about? First of all, it can be generally said that administrative differentiation often goes hand in hand with normative differentiation - but not necessarily so. Thus, economic administration - especially if it is closely connected with its clientele - can orient itself to a large extent on economic imperatives and rationales, even if these are not reflected to this extent in the existing law. Technical administration can identify with the technical rationality of engineers. Social administration can adopt dispositions inspired by social welfare principles that might stand in opposition to the law's narrow possibilities for action.

What is clear is that the administration itself is normatively differentiated. The law often absorbs these special rationalities in the form of special laws and thus translates them back into legal regulation (but this does not always occur). On the other hand, normative plurality does not exhibit itself only in such functional differences. Certain ideas of honour and conceptions of loyalty generate their own normative power in a variety of different ways. At the same time, it is also clear that the standards of diplomatic courtesy mean that Foreign Service officials can act differently than officials belonging to a domestic regulatory agency.

However, conflicts of standards, generally speaking, can arise in many everyday contexts. There has always been a certain conflict between the economic imperative of conserving various resources and the appropriate fulfilment of administrative tasks, between official requirements and the routines tied to the pragmatic performance of service subcutaneously converted into normative categories, between the rules of cleverness of subaltern 'stubbornness' and hierarchical command logic, as well as between local and central rationalities of action.

Administration thus proves to be a particularly difficult venue to comprehend when it comes to ideas about what can be regarded as 'right' and 'appropriate'. Such contradictory entanglements can manifest in the agencies themselves, in the relationship between different agencies, or in the relationship between the administration and the administrative audience.

Contributions mapping out this landscape are now being collected for the special issue of *Administory*: 'Administrative Multinormativity', edited by Peter Becker (Vienna) and Peter Collin (Frankfurt am Main). Case studies involving 19th- and 20th-century administration should show how cooperation and conflict between different normativities were carried out, how new normative arrangements emerged, and how normative conflicts were made manageable.

First versions of the texts will be discussed at an author workshop to be held on 27-28 September 2019 at the Max Planck Institute for European Legal History, Frankfurt am Main; travel and accommodation costs will be covered. We invite historians, jurists, sociologists and cultural and political scientists to submit contributions (in German or English). Proposals (maximum 500 words) should be submitted to collin@rg.mpg.de or peter.becker@univie.ac.at by **15 May 2019**.