

Workshop 23: Empires of Norms and Law: Longer Description

Outline of the topic

Politics involves the study of systematic power and authority in human affairs. One important context in which such power and authority are manifest is in the formal institutions of coercive law. But there is a second highly significant context in which power and authority are also manifest, namely, in the structures we call social norms. Like laws, social norms are instruments of social control and influence, framing choices and constraining conduct. Moreover, like laws, norms claim a certain authority; they impose requirements on those who are subject to them and possess a certain normative jurisdiction.

The first has received considerable attention from political theorists. Indeed, there is even a branch of political theory – jurisprudence – that is charged specifically with the task of investigating the kind of power and authority that law possesses (descriptive jurisprudence), and considering how and to what extent it helps realise, or might be made to help realise, things we have reason to want (normative jurisprudence).

But the analogous questions in the case of norms have not received anything like the same kind of sustained attention from political theorists, an omission that would seem to have the consequence of excluding a crucial part of the proper subject of political inquiry. On the other hand, norms have been extensively studied by sociologists, economists, empirical political scientists, international relations scholars, anthropologists, philosophers, and so on. Much of this work is at least officially focused on questions about the explanatory significance of norms: what (if anything) explains how and why they arise, persist, evolve and disappear; and how (if at all) they themselves help explain a range of socially important phenomena. But it also engages in some measure, and obviously has important implications for, questions about the nature and normative credentials of the power and authority manifest in norms.

The aim of this workshop will be to bring together individuals from diverse perspectives and disciplinary orientations in order to try to develop a better understanding of the following questions. What kinds of power and authority are manifest in social norms and how? And in what ways, and to what extent, might they be made to help realise things that we have reason to want? We are particularly interested in papers that can help us develop a better understanding of the *relation* between norms and law: the different kinds of power and authority at issue; their respective strengths and weaknesses as regulatory tools; and how they do and ought to work alongside one another.

Relation to existing research

The main contribution of the workshop to the existing research is to help put questions about the power and authority of norms more squarely on the agenda of descriptive and normative political theory. Also important is the inter-disciplinary and comparative perspective it brings to bear. The literature on norms is voluminous. Much of this work, as we said above, we regard as bearing on the questions we raise.

However, it is also rather radically fragmented. Work on norms from diverse disciplines is rarely brought into joint focus. The two Directors in this project have a strong record of operating across disciplinary boundaries – and each brings a somewhat different mix of skills and disciplinary orientations to the task.

Participants

Both Directors are well connected with many scholars working on norms both within Europe (Germany, the Netherlands, the United Kingdom, France, Sweden) and elsewhere (especially Australia and the USA) whom we shall invite to apply as well as their colleagues and graduate students. However, we would obviously encourage a wide range of others to apply.

Type of Paper

Since our aim is to be interdisciplinary, we would encourage papers from a wide variety of approaches, theoretical, empirical and comparative.

Funding

If our proposal is accepted, we shall approach a number of different agencies in several countries to raise funds for the workshop, in particular to help PhD students attend.

Biographical Note

Dr Nicholas Southwood is an assistant professor in the Philosophy and Social and Political Theory Program in the Research School of Social Sciences at the Australian National University, currently visiting the University of Leiden. He will also be starting as a Junior Research Fellow at Jesus College, Oxford in October. He works mainly in normative political philosophy, especially on the nature of norms and normativity. His book, *Contractualism and the Foundations of Morality* is forthcoming with OUP. He is also co-writing a book (as principal author) with Geoffrey Brennan, Lina Eriksson and Robert Goodin, provisionally entitled, *Normative Explanation*. He has papers on norms forthcoming in journals including *Ethics, Politics, Philosophy and Economics* and *Nous*.

Professor Dr Michael Baumann is Professor of Sociology at the Institute of Social Sciences at the University of Dusseldorf. He is permanent research fellow at the Research School of Social Sciences at the Australian National University, recently he was Visiting Professor at the NYU. He works in general theory of sociology, Rational-Choice theory, law and ethics and on social epistemology. He has written numerous books and articles on norms including *The Market of Virtues: Morality and Commitment in a Liberal Society*. He is co-editor of the international renowned journal *Analyse & Kritik*. Currently he is working on a book about the sociology of fundamentalism.