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Introduction: Office as a Vocation

Paul du Gay

Over the last two decades there has been an upsurge of interest in the concept of ‘office’ within the humanities and social sciences (Minson, 1993; 1998; 2004; Condren, 1994; 1997; 2004; Orren, 1994; 2000; Uhr, 1994; 2001; 2005; Dobel, 1999; Rohr, 1999; du Gay, 2000; 2007; Geuss, 2001; Hunter, 2001; Sabl, 2002; Loughlin, 2004; Strathern, 2008; Agamben, 2013). This has had two notable dimensions. First, a rekindled interest in the moral attributes of public agency, of the ethics of ‘office’ and the conduct of ‘office-holding’, inspired not only by a number of well-publicised political controversies – such as those surrounding the decision to go to war in Iraq in 2003 – but also by growing ethical uncertainties related to controversial reforms of a wide range of public institutions. For instance, while it used to be reasonably easy to outline the contours of the administrative state, to distinguish public administration from other forms of organised activity, and to identify the professional role of state bureaucrats, public administrators or career civil servants in the conduct of government, in recent times the public administration as an institution of government (particularly, but not exclusively, its Anglo-Saxon variants), has been subject to extraordinary degrees of turbulence, not least as a result of its re-framing in terms of the principles of the so-called New Public Management and its progeny. As Gerald Caiden (2006: 515) put it, there have been periods in the past when the public administration as an institution of government ‘has undergone considerable upheavals ... but rarely ... at so fast and furious a pace, rarely so radical and revolutionary’. For Michael Lind (2005: 37), this continuous reform of the public administration is best seen as a vast politico-managerial

experiment ‘as audacious in its own way, as that of Soviet Collectivism’. And among its most significant consequences has been what Alan Supiot (2006: 2) termed the *délitement* or ‘unbedding’ of public institutions. For Supiot, one significant casualty of this *délitement* has been a prized achievement of Western political and juridical practice—the distinction between a public office and the person who occupies it.

Initially intended to characterize the office of sovereign, this distinction signifies that the office does not die, that it has a dignity transcending the human being who provisionally occupies it and who must respect it. When that respect is erased, public office from the highest to the most modest, is perceived as the private property of the present holder who can use it as he sees fit (Supiot, 2006: 3).

At the time of writing, a significant battle is currently being waged over this issue of ‘respect for office’ in the USA, with the Director of the U S Office of Government Ethics, Walter M. Shaub Jr, lining up against President Donald J. Trump, concerning the latter’s refusal to effectively divest himself of his business assets on assuming high office (and thus to comport himself with an established tradition of the Office of the Presidency over the last forty years), thus promoting serious potential conflicts between ‘personal’ and ‘official’ interests (Brookings Institution, 2017).

The second significant strand of the recent ‘turn’ to Office is a historical, philosophical, and practical concern with the manner in which many prominent contemporary conceptions of moral agency presume a dichotomy between moral autonomy, on the one hand, and subordination to higher authority, on the other, such that to exercise moral agency and hold a subaltern status are represented as fundamentally incompatible (Schneewind, 1990). The now commonplace philosophical opposition between universalist deontology, on the one hand, and consequentialism, on the other, for instance, presumes just such a dichotomy between

the principles of the right (*honestas*) and the useful (*utilitas*), respectively. In the tradition of the ethics of ‘office’ these latter doctrines are practically combined, as Wilhelm Hennis (2009:219ff) indicated only too clearly in reflecting on his own and Max Weber’s understanding of politics as a ‘vocation’ and a ‘practical science’, for instance.

If we turn, once again, to questions of ethics in government, and in public administration in particular, we can see how debilitating such a presumed dichotomy between ‘moral autonomy’ and ‘subjection to higher authority’ can be. Indeed while the relation between autonomy and authority most certainly matters in this context, their practical ethical significance is often underplayed or misdirected precisely because they are frequently discussed without reference to ‘office’. As John Rohr (1998: xi), among many others, has noted, the New Public Management ‘movement’ has much to say about managing individual performance and responsibility for results, but nothing to say about how this relates to the function, duties, and obligations pertaining to the conduct of public office, no matter how ‘high’ or ‘mundane’ the latter may be. Why might this be significant? Well, not least because context is vital. After all, the public administration as an institution of state is at core a highly structured domain of offices; and because relatedly those occupying those offices do not do so as ‘individuals’ but as ‘personae’ tied to roles – to their official duties, obligations, and associated areas of autonomy and discretion. Ethics in public administration is thus primarily about meeting the demands of *official*, not individual, personal responsibility and accountability. And while ethics in this context does indeed involve ‘choices’, such ‘choices’ are not purely personal ones, but *official* ones: choices facing us in our official role as professional public servants, however

humble our particular stations may be (Uhr, 1994:166). As Weber (1994a) (and Hennis, 2009) indicates, ethical problems emerge primarily in relation to uncertainty – ‘Fraglichkeit der Situation’ (‘the uncertainty of the situation’) – over what types of conduct our professional role or office might require of us. As Weber (1994b) made clear in his discussion of the ethos of bureaucratic office-holding, there will be many instances where our official obligations require us to pursue a course of action that conflicts with our own deeply held ‘personal’ views. But, putting it very crudely, we are not employed in a ‘personal’ capacity, but as an official with specific duties, rights and obligations pertaining to that role. We are not paid to act out our own personal agenda, but to act as agents of the ‘public interest’ as determined by duly constituted public authority. This is not to reduce matters simply to ‘obeying orders’, for ethical questions arise precisely because duties in office can conflict, and because there can be contradictions among the duly-constituted authorities. In short, casuistry shadows the whole repertoire of practice, and it constitutes a necessary, indeed crucial, dimension of public administrative reasoning and conduct, most significantly when people are caught between conflicting patterns of duty in relation to their official duties (Jonsen & Toulmin, 1988). The point though is that the primary ethical question for public servants is not: ‘What is my *personal preference* as to this or that course of action?’ Rather it is: ‘What is my *duty or responsibility as a public official* in relation to this or that course of action?’ (Uhr, 1994:167). Much of the moral hoo-ha and fog-horning pertaining to public ethics or ‘ethics in government’ could be avoided if more attention was paid to the ‘ethics of office’, where expectations about the right conduct pertaining to public personae – whether ‘political’ or ‘public administrative’, for instance – derive from the nature of the specific office in question. As Weber (1994b) made clear in *The Profession and Vocation of Politics*, ethical responsibilities vary

with role or office.¹ This approach to questions of public ethics undercuts the ‘autonomy vs authority’ distinction and indeed all other ‘one size fits all’ principled positions on ethical conduct, deferring instead to a wide range of clusters of ethical duties and obligations varying with different types of public office. While the tradition of the ethics of office is largely absent from most histories of ethical thought, the tradition has survived so long in practice because it matches the living realities of the public realm, where what is considered appropriate ethical conduct for officials derives substantially from the nature and function of the office they happen to occupy (for a brilliantly worked example, see Rohr, 1998:113-15). Take the occupant into a different public office and you probably change most of their official ethical obligations. John Uhr (2005:78-9) points, for example, to the ‘office’ relative ethics ‘performed by leaders of the opposition and just as properly resisted by those performing the role and office of a national government’ in Westminster-style parliamentary systems. As he indicates, ‘[W]hen political leaders move between these two public offices, we are not surprised to see their public conduct change, consistent with the socially valuable interests being protected by each.’²

What therefore connects these two strands of the renewed interest in ‘office’ and its ethics is a focus on the forms of moral agency appropriate to the performance of public offices. This in turn has a double-edge. On the one hand, a recovery of, and

¹ ‘Is it then possible that any ethic in the world could establish substantively identical commandments applicable to all relationships whether erotic, business, family, or official, to one’s relations with one’s wife, greengrocer, son, competitor, with a friend or an accused man?’ (Weber, 1994b: 357)

² One of the most pertinent criticisms of the current leader of HM Opposition in the UK, Jeremy Corbyn, is that he is precisely unable to practically live up to the obligations consequent upon his occupancy of this office – the Office of the Opposition. See, for instance, the Editorial in the *Financial Times* (November 20th, 2015)

renewed focus upon the ethics of office is held to assist in equipping public servants, for instance, with a language, habits of thought and practical techniques, through which they might meaningfully reflect upon the responsible conduct of their distinctive and non-reducible official duties. It thus enables officials to avoid unnecessary abstraction in ethical thinking by keeping a focus on concrete circumstances and the immediate responsibilities of their office or role. On the other, it also provides a resource for public discussion of 'ethics in government' which can avoid the convenient but simplistic abstractions of (post) Kantian de-ontology, on the one hand, and utilitarianism, on the other, neither of which accounts well for the ethical complexity of the world of public service, and much else besides.

But the turn to an ethics of office also puts into question several received assumptions of contemporary public management discourse and indeed of various forms of critical social science. As we have already indicated, over several decades, advocates of radical reform from a number of intellectual movements have offered what they view as fundamental criticisms of public service and office. The New Public Management movement, for instance, achieved its most programmatic form in the advocacy of 'entrepreneurial governance' (Osborne and Gaebler 1993) which promoted and valorised the construction of an enterprise culture and entrepreneurial forms of life and subjectivity throughout the public sector via the use of market mimicking mechanisms, or 'the imagined market' (Law, 2002; MacKenzie, 2002). Thus, for instance, the persona of the public administrator was thought to be best managed through performance-based contracts and performance management systems, and required to cultivate certain idealized attributes of the entrepreneur. Needless to say, this left the core institutional features of the classical conception of office, including

permanent tenure, and the exercise of discretion in decision-making, in some disarray (Painter, 2000). More recently, the emergence of 'network governance' has sought to boost the role of third-sector organisations in the delivery of core public services and the deliberative engagement of citizens in planning and decision-making (Bourgon 2007). It presents itself as a rebalancing of the earlier reform emphasis on markets, but at the same time retains the desire to open up the public sector to its outside, this time conceived more like civil society, and to engage in partnerships with the philanthropic and the not-for-profit sectors. If office is at risk from an ethic and comportment derived from the entrepreneurial ideal in New Public Management, here it is at risk of colonisation by diverse enthusiasms promoted by social movements and civil society actors.

What is common to these public management movements is a systematic disregard for the state and its various branches and institutions as a separate, highly structured domain of offices, with their own office based morality and ethics. As a number of commentators have pointed out (du Gay & Scott, 2011; Dean and Villadsen, 2014), 'critical' social and human science has frequently been unable or unwilling to contest this characterisation precisely because it shares the same fundamental critique of office-based ethics, whether articulated in terms of its lack of responsiveness to the individualisation uncovered by social theorists (Beck & Beck-Gernsheim, 2001; Giddens 1991), the application of uniform and expert knowledge in a welfare-state form of governmentality (Rose 1999), to, at its most extreme, its culpabilities in the horrors of totalitarianism, despotism and genocide in the twentieth century (Bauman 1987, Agamben 1998).

While much contemporary sociology can seem to accede to elements of the critique of public officialdom (though without endorsing their NPM or ‘Network Governance’ alternatives, let it be said), there are resources within both classical and contemporary sociology and social theory that can be utilised to develop the analysis and characterisation of office in this otherwise unpropitious terrain. We have already pointed to the work of Max Weber, whom both Condren (2006) and Hennis(2009) describe as a late, great proponent of the ethics of office, and whose work provides a remarkable example of how office-based reasoning and conduct might be maintained in an increasingly alien environment, for example, through his theorisation of bureaucracy as *officium* and of politics and science as vocations. To Weber we might usefully add classic sociological and social theoretical work on ‘persona’ ‘conduct’, and ‘role morality’, such as Mauss’s (1985) ‘Category of the Person’ lecture, T.H Marshall’s (1977) ‘Note on Status’, and Bourdieu’s (1987) somewhat neglected essay, ‘The Biographical Illusion’, as well as Elias’s (1978;1982;1983) *The Civilizing Process* and *Court Society*, and volumes two and three of Foucault’s (1984;1986) *The History of Sexuality*, for example. In their very different ways and, obviously enough, deploying very different conceptual vocabularies, these works can all be seen to provide useful resources for developing a sociology of ‘office’ and indeed for re-emphasising the significance of office-based ethical thinking for the conduct of public life more generally. Which brings us, neatly or otherwise, to the subject of this Special Section: a debate between two eminent scholars with an explicit interest in ‘office’ - Ian Hunter, an historian of early modern political, legal and religious thought and of the rise and proliferation of ‘high theory’ in the humanities and social sciences since the 1960s, and Mitchell Dean, a political and historical sociologist and renowned expert on the work of Michel Foucault - on Giorgio Agamben’s (2013)

Opus Dei: An archeology of duty. The latter is an important work for anyone interested in the contemporary turn to ‘office’ because it seeks to offer what Agamben terms ‘a genealogy of Office’ and, among many other things, also exhibits a concern with separating the ethics of office from the individual morality of the person occupying it. While Agamben’s standing within contemporary political and cultural sociology and social theory does not match that of other ‘continental’ philosophers – such as Deleuze or Levinas, for instance – it is clear enough that his star is on the rise in these circles, as a cursory examination of journals in the field will testify. For our current purposes, however, the question is less about the potential utility or explanatory power and reach of Agamben’s *oeuvre* for sociology and social theory more generally, but specifically about the analysis and characterisation of office Agamben develops in *Opus Dei*, and its usefulness, or otherwise, for understanding and indeed for practically revitalizing the ethics of office. What is more, the two contributions to this special section offer, in their different ways, something of a meditation on the relationship between Weber’s historical-anthropological approach to the ethics of office as a ‘practical science’ and Agamben’s ‘genealogy of office’, and the extent to which they occupy the same intellectual space or operate in entirely different registers, and what follows from this.

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