

Call for Articles
Special Issue of *Perspectives on Public Management and Governance* (PPMG)
on
“Law & Governance”

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Public administration in democratic countries is of law and from law. “Public organizations exist to administer the law, and every element of their being—their structure, staffing, budget, and purpose—is the product of legal authority” (Kettl, 2015, p. 55). The actions of public administrators, their essential discretion, “must be traceable to a legal grant of authority” (Gortner, Mahler, & Nicholson, 1987, p. 26). Accordingly, Rosenbloom, O’Leary, & Chanin (2010), argue “any vision of public administration that ignores the contemporary legal dimension is seriously inadequate” (p. 4). Furthermore, because the “material object of public administration is governance” (Meier, 2005, p. 659), understanding the legal dimension is vital for developing the collaborative processes and structures necessary to span jurisdictions and the public-private divide in order to address wicked problems.

Yet a generation ago, Dwight Waldo noted the “anti-legal temper” of public administration scholarship (Waldo, 1984, p. 80). More recent critics of this anti-legal temper have charged that the field has thereby forfeited some of its claim to democratic legitimacy and theoretical substance (Cooper, 2007; Lynn, 2009; Moe & Gilmour, 1995; Reed, 2009; Rohr, 2002; Szypszak, 2011). Neglecting the legal dimension also may have led the field to miss important empirical questions related to how administrators and administrative institutions respond to, and actively construct, their authority and their practice (see, e.g., Edelman, 2016; Epp, 2009; Epp, Maynard-Moody, & Haider-Markel, 2014; Melnick, 2018; Teles, 2009). Public Administration’s anti-legal temper has thus undoubtedly resulted in relative neglect of important legal dimensions, both normative and empirical, of contemporary public administration and management.

Over the past quarter century, few public administration scholars have published work primarily engaging with matters of law or legal institutions (Osorio, 2018), and the growing normative and empirical literatures in other fields on law’s influence on administration are rarely cited in major public administration journals (see, e.g., Wright, 2011). These omissions are especially striking in the expanding literature

on collaboration (Amsler, 2016). Likewise, the field's particular emphasis on federal administrative law overlooks the legal dimensions of the work of public bureaucracies at every level of government (Osorio, 2018). Judicial management—the planning and operation of courts—is also increasingly studied in other fields (see, e.g., Kohler-Hausmann, 2018) but infrequently studied by public administration scholars, although courts are both important public institutions in their own right, and exercise substantial influence over members of the public and the work of other public actors (see, e.g., O'Leary & Straussman, 1993). The time has never been better for scholars of public administration to systematically reengage intellectually with the study of law and courts and their implications for public administration.

The following is a non-exhaustive list of timely, important topics for scholars interested in submitting an abstract:

- The role of law in creating or constraining possibilities for effective collaboration.
- The continued development of administrative law (Warren, 2011), and possibilities for public administration scholars to broaden the field of administrative law, or constructively intervene in the evolution of law itself (Bertelli & Lynn, 2006; Christensen, Goerdel, & Nicholson-Crotty, 2011).
- The role and effects of judicial oversight of public organizations, a matter where many of the field's received ideas merit serious reconsideration (Osorio & O'Leary, 2017; see also, Epp, 2009).
- The legal dimensions of intergovernmental relations, and the growing role of legal disputes in resolving key governance issues such as school finance, the working of social welfare programs, voting rights, and elections administration.
- The legal dimensions of inter-branch conflicts and accommodations, and the development of administrative policy and practices amidst these interactions (see, e.g., Barnes, 2007).
- Empirical study and reform of law enforcement and the criminal justice system.
- The changing legal status of public servants, including such matters as public sector labor unions and free speech protections.
- The role of law and legal forms of reasoning in public administration education and ethics (Spicer, 2009; Szypszak, 2011).
- Interactions between non-governmental organizations and administrative agencies in shaping the development of law, the structure of administrative institutions, and the substance of administrative policy and practice (Epp, 2009; Mulroy, forthcoming).
- The role of governmental lawyers in shaping administrative policy and practice.
- The role of identity in shaping understandings of legal legitimacy and reform in public organizations.
- The effects of private lawsuits on public agencies.
- Executive challenges to judicial independence and the democratic rule of law.

Although the scholarship and examples discussed here are mostly American in their focus, many of the governance matters are universal, and we are interested in thoughtful work on law and governance from any national or international setting.

Timeline

April 5, 2019	Call for proposals for the special issue
July 1, 2019	Abstracts (2-3 pages) due to Rosemary O’Leary via Anya Waters (anyawaters@ku.edu)
August 15, 2019	Authors notified of approval to submit article
January 1, 2020	Articles due to Rosemary O’Leary via Anya Waters (anyawaters@ku.edu); Peer review
April 1, 2020	Reviews returned to authors with reviewer feedback
June 1, 2020	Revised articles submitted to Rosemary O’Leary via Anya Waters (anyawaters@ku.edu) for 2 nd round of peer review if needed
August 15, 2020	Final articles selected; authors notified of final decisions
October 1, 2020	Entire final special issue sent to Kirk Emerson, Editor of PPMG
March, 2021	Estimated publication date

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