

## **Administrative Principles and Complex Politics in Postwar Italian Law**

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### **Abstract**

This project examines how politics influences the introduction of administrative principles into statutory law. Our argument that legislatures rely more on administrative principles when legislative bargaining is more complex and political conditions more uncertain builds on four diverse literatures: (1) on the distinction between rules and principles in legal theory (cf. Dworkin 1967; Raz 1972); (2) on observations that principles serve as “oppositional tools” that can bake the interests of political actors into the law (e.g., McCubbins, Noll and Weingast 1987; Braithwaite and Drahos 2000); (3) on the distinction between governance and management principles in organization theory (Selznick 1969; 1992) and (4) on arguments that legislators insulate the administrative process from politics when political outcomes become more uncertain (e.g., McCubbins 1985; de Figuereido 2002). To test implications of our argument, we conceive of administrative law somewhat differently than existing treatments. We construct a “network of principles” through statutory references from the entire corpus of Italian law – more than 74,000 laws passed between 1948-2023 – and test our hypotheses in this context. After presenting a descriptive account of the network of principles, we show evidence in support of our argument. This research is part of a larger project funded by the European Research Council, and we conclude by cataloging our next steps.