

## Ungroundedness im Büro

In Germany, residents with dependent children can receive child benefit (*Kindergeld*) to contribute to the costs of caring for children. According to the regulations,

Child benefit is not payable if there exists for the child an entitlement to ... child benefits paid by an interstate or supranational agency or institution that are comparable with German child benefit. (Familienkasse, §8, p. 11)

The Alexander von Humboldt Foundation offers to its fellowship holders with dependent children the entitlement to a

substitutional payment [equivalent to] child benefit according to German law... On principle, the Alexander von Humboldt Foundation can only grant a substitutional payment if it can be confirmed that, during the period applied for, child benefit according to German law is not being or has not been paid. (Alexander von Humboldt Foundation, p. 1)

We need to assume that the Humboldt foundation counts as an institution that pays comparable child benefit, and that the application is unproblematically eligible for child benefit in other respects. If so, as can be readily foreseen, there may be a problem here when someone makes an application to the Familienkasse for child benefit.

- Suppose the Familienkasse decides to pay child benefit to an applicant; then the Humboldt foundation cannot grant the substitutional payment, and hence there is no entitlement to a comparable child benefit payment – so the decision by the Familienkasse is correct.
- Suppose the Familienkasse decides *not* to pay child benefit to an applicant; then the Humboldt foundation will grant the substitutional payment, and hence there is an entitlement to a comparable child benefit payment – so the decision by the Familienkasse is correct.

It seems that no matter what decision the Familienkasse makes, it will retrospectively turn out to be vindicated. But how can the decision be made in advance, except arbitrarily? It is often observed that bureaucratic decision making is arbitrary. It is not often observed that this can be a good thing.

The connection between this situation, and the semantic value to be assigned to the sentence *the applicant is entitled to receive child benefit*, will also make the truth value of the latter sentence arbitrary, and give us the actual existence of arbitrary truths (assuming that the applicant receives a decision in a finite time). It also makes its pronouncement by an appropriate functionary of the Familienkasse an interesting kind of performative – one that cannot plausibly be claimed to lack a truth value given its syntax, but also a clear case where saying really makes it so.

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### References

Alexander von Humboldt Foundation (07/2016), 'Information Sheet: Child benefit according to German law / substitutional payment by the Foundation'. [https://www.humboldt-foundation.de/pls/web/docs/F355763790/information\\_child\\_benefit.pdf](https://www.humboldt-foundation.de/pls/web/docs/F355763790/information_child_benefit.pdf) Accessed 2016-12-02

Familienkasse (2016) 'Child benefit leaflet'. <https://www.arbeitsagentur.de/web/wcm/idc/groups/public/documents/webdatei/mdaw/mtm5/~edis/p/16019022dstbai743997.pdf> Accessed 2016-12-02