The Myth of the Bureaucratic Paradigm: What Traditional Public Administration Really Stood For

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Abstract

For a decade, public administration and management literature has featured a riveting story: the transformation of the field's orientation from an old paradigm to a new one. While many doubt claims concerning a new paradigm — a "new public management" — no one questions that there was an old one. An ingrained and narrowly-focused pattern of thought, a "bureaucratic paradigm", is routinely attributed to public administration's traditional literature. A careful reading of that literature reveals, however, that the bureaucratic paradigm is, at best, a caricature and, at worst, an demonstrable distortion of traditional thought, which exhibited far more respect for law, politics, citizens, and values than the new, customer-oriented managerialism and its variants. In failing to contest the revisionists, public administration as a profession has been unduly careless of its own traditions, deserting vital and significant insights and acquiescing in calumnies that, even if they have a grain of truth, disfigure a fine intellectual heritage. The result is an intellectual rootlessness and an analytical negligence that allow vague, anti- or pseudo-democratic ideas to flourish and basic issues of responsible management to go unaddressed.

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We can safely pronounce that the true test of a good government is its aptitude and tendency to produce a good administration.

Alexander Hamilton

The student of administration must . . . concern himself with the history of his subject, and will gain a real appreciation of existing conditions and problems only as he becomes familiar with their background.

Leonard D. White ⁱ

Introduction

For a decade, public administration and management literature has featured a riveting story: the transformation of the field's orientation from an old paradigm to a new one. ⁱⁱ While many doubt that there is a new paradigm ⁱⁱⁱ — a "new public management" (Pollitt 2000) — no one doubts that there was an old one. Variously termed the "bureaucratic paradigm," the "old orthodoxy," the "old-time religion," or simply "traditional public administration," an ingrained and narrowly-focused pattern of thought is routinely attributed to public administration's scholars and practitioners from the publication of Woodrow Wilson's 1887 essay (Wilson 1887) until the 1990s, when the old habits and their brainchild, "bureaucracy," ^{iv} began to crumble under the forces of global change.

Ironically, the traditional paradigm now under attack was declared dead over 50 years ago by some of public administration's own intellectual leaders. A profession that has abandoned its traditions can hardly be expected to come to their defense. From my vantage point in an adjacent profession, the ritual denunciation of traditional thought seems odd. A careful reading of the traditional literature reveals that the "old orthodoxy" is, at best, a caricature and, at worst, an outright distortion of traditional thought. The old orthodoxy better depicts the views of the judges, legislators, increasingly powerful business community, and urban professional elites that shaped the emerging administrative state than the profession's scholars, who supplied broader, more thoughtful perspectives on practical issues of state building based on their grasp of Constitutional and democratic theory and values.

In this article, I first identify those habits of thought that are attributed to traditional public administration. Next, I address the question: How did the traditional public administration mind actually work? Does the "old orthodoxy" shoe fit? I conclude with comments about the consequences of a profession's being careless about its past.

In undertaking this analysis, several ideas have helped bring a sprawling, heterodox literature into clearer focus. Gerald Garvey (1995) succinctly summarized the dilemma of democratic administration as follows:

Administrative action in any political system, but especially in a democracy, must somehow realize two objectives simultaneously. It is necessary to construct and maintain administrative capacity, and it is equally necessary to control it in order to ensure the responsiveness of the public bureaucracy to higher authority . . . (87).

Herbert Kaufman (1956) saw administrative institutions as having been organized and operated in pursuit, successively, of three values: representativeness, neutral competence, and executive leadership. "The shift," he said, "from one to another generally appears to have occurred as a consequence of the difficulties encountered in the period preceding the change" (1057). Barry Karl (1976) noted the consequences of the American commitment to democratic compromise. Reforms, he argued "tended to institutionalize defeated oppositions . . . The result is often to sustain in the new administrative structure . . . the old opposition and to give that opposition a lifeline to continuity" (495). Finally, according to James Morone (1990), "The institutions designed to enhance democracy expand the scope and authority of the state, especially its administrative capacity. A great irony propels American political development: the search for more direct democracy builds up the bureaucracy" (1).

My argument is based on a selective reconsideration of the literature, not the practice, of public administration. Relying on literature is not altogether satisfactory; authors were not always clear or consistent, and differing interpretations of their views are possible. This reconsideration is, moreover, based on not on literary content but on sociological analysis. The historian Karl (1976) has suggested that the popularity of a particular work or idea may owe as much to affection for the author or to the prestige an author confers on the field than to intellectual merit. Perhaps intramural rivalries of a personal or professional nature played a role. But that is a subject for another essay.

What Is "The Traditional Paradigm?"

Public administration literature contains both retrospective accounts of traditional thinking and summaries of such thinking found in the traditional literature itself.

Retrospective Views

Retrospective critics of traditional thinking tend to cite relatively few sources, so it is not always clear whose habits of mind are at issue. The well-springs of tradition apparently are to be found primarily in Woodrow Wilson's famous 1887 lecture, in the works of Frederick Taylor, Max Weber, and Luther Gulick, and in the Report of the President's Committee on Administrative Management (1937): the "Brownlow Report". Less widely known authors such as Frank J. Goodnow, Leonard D. White, and W. F. Willoughby are cited only occasionally. ^v

The assault on traditional thinking began with the well-known critiques of scientific principles of administration by Herbert A, Simon and Robert A. Dahl (Simon 1946, 1947; Dahl 1947). Their criticisms — that such principles were inconsistent and unscientific — were

quickly embraced and embellished by mainstream public administrationists, notably by Dwight Waldo and Wallace Sayre.

"[S]ince publication of the *Papers [on the Science of Administration]* in 1937," Waldo said (*cf.* Gulick and Urwick 1937), "a generation of younger students have demolished the classical theory, again and again; they have uprooted it, threshed it, thrown most of it away. By and large, the criticisms of the new generation have been well-founded. In many ways the classical theory was crude, presumptuous, incomplete — wrong in some of its conclusions, naive in its scientific methodology, parochial in its outlook. In many ways it was the End of a Movement, not the foundation for a science" (Waldo 1961, p. 220 quoted by Hammond 1990, p. 145). In *The Administrative State* (1948), Waldo subjected "orthodox" administrative doctrine to devastating criticism. "The indictment against public administration can only be that, at the theoretical level, it has contributed little to the 'solution' or even the systematic statement of [fundamental] problems," (101) producing instead "a spate of shallow and spurious answers" (102). Public administration, he concluded, "is only now freeing itself from a strait jacket of its own devising — the instrumentalist philosophy of the politics-administration formula — that has limited its breadth and scope" (208).

Sayre (1951, 1958) terminally stigmatized traditional public administration with his reference to "the high noon of orthodoxy" achieved with the 1937 publication of Gulick and Urwick's *Papers* and the Brownlow Report. In Sayre's view, the underlying orthodoxy had first been "codified" in Leonard White's *Introduction to the Study of Public Administration* (1926) and W. F. Willoughby's *Principles of Public Administration* (1927), which espoused, according to Sayre, "a closely knit set of values, confidently and incisively presented" (1951, 1): "the politics-administration dichotomy," "scientific management," the executive budget, scientific personnel management, "neutral competence," and control by administrative law. Sayre, like Waldo, found it easy to declare these values obsolete and to applaud the field's movement toward "heterodoxy." vi

In the early 1970s, the public policy schools' progenitors, perhaps unaware that traditional doctrine was already dead, piled on, charging traditional public administration with insufficient rigor and an affinity for institutional description rather than analysis of choice and action (Lynn 1996). Concurrently, from within public administration, Vincent Ostrom (1973) proclaimed an intellectual crisis in a public administration that "presumed that technical solutions were available to solve public problems. Once decisions specifying policy objectives were reached, [traditional public administration] assumed that the translation of these objectives into social realities was a technical problem within the competence of professional administrative expertise" (5).

The most recent flogging of the dead Beast of Orthodoxy, also by outsiders, began with two 1992 publications. To an academic audience, Michael Barzelay (1992) described traditional public administration in terms of a "bureaucratic paradigm". Its essence was "the prescribed separation between substance and institutional administration *within* the administration component of the politics/administration dichotomy" (1992, 179, n. 18). Barzelay summarized the bureaucratic paradigm first in a series of normative principles and then in a series of assertions used to set off the post-bureaucratic paradigm he favored. Thus, in Barzelay's view, a bureaucratic agency is focused on its own needs and perspectives and on the roles and

responsibilities of the parts; defines itself both by the amount of resources it controls and by the tasks it performs; controls costs; sticks to routine; fights for turf; insists on following standard procedures; announces policies and plans; and separates the work of thinking from that of doing (1992, 8-9).

In David Osborne and Ted Gaebler's immensely influential *Reinventing Government* (Osborne and Gaebler 1992), they argued that

American society embarked on a gigantic effort to *control* what went on inside government — to keep the politicians and bureaucrats from doing anything that might endanger the public interest or purse. . . . In attempting to control virtually everything, we became so obsessed with dictating *how* things should be done — regulating the process, controlling the inputs — that we ignored the outcomes, the *results* (14).

Bureaucratic government had been appropriate, Osborne and Gaebler said, for the conditions prevailing until roughly the 1960s and 1970s. But those conditions have been swept away, and new forms of governance have begun to emerge, first at the local level, then more broadly. ^{vii}

The Barzelay-Osborne-Gaebler line of argument caught on inside and outside of public administration. Mark Moore (1995), dismissing traditional public administration as merely "politically neutral competence," asserted that

... the classic tradition of public administration does not focus a manager's attention on questions of purpose and value or on the development of legitimacy and support. The classic tradition assumes that these questions have been answered in the development of the organization's legislative or policy mandate managers must pursue the downward- and inward-looking tasks of deploying available resources to achieve the mandated objectives as efficiently as possible. In accomplishing this goal, managers rely on their administrative expertise in wielding the instruments of internal managerial influence: organizational design, budgeting, human resource development, and management control (74).

B. Guy Peters (1996) cited six ideas that constituted "the old time religion": an apolitical civil service, hierarchy and rules, permanence and stability, an institutionalized civil service, internal regulation, and equality of outcomes.

That there had been an old orthodoxy thus became the new orthodoxy. Based on the above accounts, the essence of traditional public administration was the design and defense of a largely self-serving, Weberian bureaucracy that was strictly insulated from politics and that justified its actions based on a technocratic "science of administration." Facts were to be separated from values, politics from administration, and policy from implementation. Traditional administration was sluggish, rigid, rule-bound, centralized, insular, self-protective, and profoundly anti-democratic. To use Garvey's terms, the traditional paradigm was thought to be preoccupied with capacity to the almost total neglect of democratic control.

Contemporaneous Views

Interestingly, numerous "paradigms" or synopses of traditional premises and values are to be found in the traditional literature itself.

- Charles E. Merriam (1926) summarized the late Progressive view of the "outstanding features in the development of institutions and the theory of the executive branch of the government" as "(1) The strengthening of the prestige of the executive and the development of the idea of executive leadership and initiative"; "(2) The development of a new tendency toward expertness and efficiency in democratic administration"; and "(3) The tendency toward administrative consolidation and centralization" (126-127).
- In a monograph prepared for President Hoover's Research Committee on Social Trends, Leonard White (1933) summarized the "New Management" as "a contemporary philosophy of administration" which had been concisely summarized in a series of principles by Governor William T. Gardner of Maine on January 21, 1931: consolidation and integration in departments of similar functions; fixed and definite assignments of administrative responsibility; proper coordination in the interests of harmony; executive responsibility centered in a single individual rather than a board (144).
- Schuyler Wallace (1941) believed the thinking of the New York Bureau of Municipal Research to be seminal and identified seven essential elements: the centrality of the executive budget; an "integrated administrative system, departmentalized and coordinated . . . subject to legislative scrutiny" (15); personnel administration; a central purchasing system; systematic legislative review of the budget; a planning and advisory staff; and a scheme of accounts and controls.
- Both Sayre (1958) and Van Riper (1987) provided codified summaries of the traditional bureaucratic paradigm, including some of the Weberian formulas derided by contemporary critics.
- These critics might also have quoted Frank Goodnow (1900), who said: "The necessity for this separation of politics from administration is very marked in the case of municipal government" (84), and White (1927), who said,

It ought to be possible in this country to separate politics from administration. Sound administration can develop and continue only if this separation can be achieved. Over a century, they have been confused, with evil results beyond measure. . . . [T]heir job is to administer the affairs of the city with integrity and efficiency and loyalty to the council, without participating in or allowing their work to be affected by contending programs or partisans (301).

Such pronouncements might seem to many to justify recurring attempts to slay the Beast of Orthodoxy. ^{viii} Why haven't critics of orthodoxy simply taken as its authentic expression these self-characterizations? Inadequate scholarship might be one reason. An additional reason

might be that such complex characterizations are embedded in a wider intellectual and historical context that make "out of context" interpretations and "out of hand" pejorative dismissals plainly suspect. A caricature serves polemical ends better than scrupulous historical scholarship. As we shall see, the story that emerges from such scholarship is quite incongruous with current criticism.

Traditional Thinking: A Reconsideration

If the roster of traditional authors is restricted to those most often cited by their critics, the case for a traditional paradigm is surprisingly shaky. Wilson's 1887 article wasn't widely read or cited until it was reprinted in 1941 (Fesler and Kettl 1991, Van Riper 1987); ^{ix} Weber's 1911- 1913 work on bureaucracy wasn't available in English translation or cited here until after World War II; Weber and Taylor were not even associated with the profession; and scholars have convincingly refuted simplistic interpretations of Wilson, Goodnow, and Gulick. Moreover, most traditional authors, whose habits of thought would seem to be at issue if an entire profession is to be denounced, are simply ignored. To know what traditional public administration really stood for requires a much more scrupulous look at its literature.

The Classical Period

In its first century, the American state was pre-bureaucratic. Administrative officers, a great many of them elected, functioned independently of executive authority with funds appropriated directly to their offices (Merriam 1926). ^x According to Waldo, "the lack of a strong tradition of administrative action . . . contributed to . . . public servants acting more or less in their private capacities" (Waldo 1948, 11). ^{xi} A "spoils system" governed 19th century selection and control of administrators (Rosenbloom 1998; White 1954, 1965), ^{xii} and haphazard oversight of administration was exercised by legislators, political parties, and the courts (White 1933). ^{xiii}

The gradual emergence of permanent government beginning in the latter part of the 19th century created considerable confusion concerning the nature of administrative responsibility. As Frederick Mosher (1968) noted, "the rise of representative democracy in the Western countries . . . resulted in contests for political control of administration . . . and recognition of the need for a permanent, protected and specialized civil service" (5). At the federal level, argued Steven Skowronek (1982),

[a]s the American state was being fortified with an independent arm of national administrative action, it was also becoming mired in operational confusion... The national administrative apparatus was freed from the clutches of party domination, direct court supervision, and localistic orientations only to be thrust into the center of an amorphous new institutional politics (286-287).

Issues relating to control of the regulatory state divided President and party and left administrative officials without a clear definition of political responsibility (Skowronek 1982, p. 212). ^{xiv} This practical and intellectual void encouraged scholarly activity.

Foundations

Reconciling the emerging tensions between creating adequate administrative capacity and insuring that it was under firm democratic control was the intellectual project facing scholars concerned with defining and understanding public administration. The most significant of these were Woodrow Wilson, Frank Goodnow, and Frederick Cleveland. They appeared to share the idea of assigning primary, but not exclusive, responsibility for establishing collective purposes ("politics") and for carrying out these purposes ("administration") to separate spheres: the legislature and the administrative state, respectively. That this subtle idea was to be reduced to the simplistic "politics-administration dichotomy" should not obscure its intellectual and practical merit.

Earlier readers of Wilson scarcely remarked upon his so-called dichotomy. Anna Haddow's pre-World War II assessment of "The Study of Administration," did not mention it, noting instead that Wilson saw administration as reform, a solution to the governmental problems of the day (Haddow 1939). More recently, Walker (1990) argued that "Wilson never sought to erect a strong wall between politics and administration. In his lectures and writings after 1887, Wilson backtracked considerably from the strong dichotomistic expressions in the 1887 essay . . ." (85). His primary influence as a scholar lay in his contributions to the political reform movement of his day and to the emergence of academic public administration (87). ^{xv}

Frank Goodnow (1900) offered the more definitive perspective on the distinctive roles of politics and administration. ^{xvi} Goodnow argued that "politics" and "administration" constitute separate spheres of governance in order to preclude undue political and judicial interference in the performance of administrative tasks. ^{xvii} In explicating this distinction, Goodnow was careful to disavow the implication that each sphere was the province of a separate branch of government. His subtle argument was that "The great complexity of political conditions makes it practically impossible for the same governmental organ to be intrusted in equal degree with the discharge of both [politics and administration]" (10). According to Haddow, Goodnow's purpose was "to show that the formal governmental system as set forth in the law is not always the same as the actual system, and to suggest remedies to make the actual system conform to the political ideas upon which the formal system is based" (1939, 251).

While Goodnow held that the executive function was subject to "the expression of the state will" (1990, 9ff, 79), he noted that the "semi-scientific, quasi-judicial, and quasi-business or commercial" functions of administration might be relieved from the control of political bodies" (1900, 85). ^{xviii} In lieu of political control, officials charged with executing the law concerning such functions were to be subject to the control of judicial authorities upon the application of aggrieved parties. ^{xix} In advancing this complex scheme, Goodnow was prescient, perfectly expressing the dilemma in reconciling capacity with control:

[D]etailed legislation and judicial control over its execution are not sufficient to produce harmony between the governmental body which expresses the will of the state, and the governmental authority which executes that will. . . . The executive officers may or may not enforce the law as it was intended by the legislature. Judicial officers, in exercising control over such executive officers, may or may

not take the same view of the law as did the legislature. No provision is thus made in the governmental organization for securing harmony between the expression and the execution of the will of the state. The people, the ultimate sovereign in a popular government, must . . . have a control over the officers who execute their will, as well as over those who express it (97-98).

V. O. Key, Jr. (1942) argued that the notion that politics and administration are compartmentalized is "a perversion of Goodnow's doctrine" (146). "[Goodnow] saw that 'practical political necessity makes impossible the consideration of the function of politics apart from that of administration" (146), a view Goodnow expressed as follows: "That administrative hierarchies have profound influence on the course of legislative policy is elementary" (1900, 24). Merriam (1926) interpreted Goodnow as follows: "[H]e drew a line between political officials who are properly elective and the administrative officials, who are properly appointive. 'Politics' should supervise and control 'administration,' but should not extend this control farther than is necessary for the main purpose" (142). Merriam cites Goodnow and Wilson in urging us to think "less of separation of functions and more of the synthesis and action" (142). Paul Appleby (1949) believed that "... Goodnow's early discussion drew a line less abrupt between policy and administration than some who later quoted him" care to acknowledge (16). ^{xx}

While Frederick A. Cleveland was a founder of the New York Bureau of Municipal Research, he was also the author of *The Growth of Democracy in the United States* (1898), in which he advocated "studying political life as a continuous process" (vi) and enumerated the problems reformed government was to address: "incompetency in office; . . . inequality in elections; . . . the employment of the spoils system in appointments; . . . the corruption of our legislatures; . . . the subversion of municipal government in the interest of organized spoliation" (387). To Cleveland, the expansion of a civil service would lead to a government to which every citizen could in principle aspire rather than constituting a class-based fiefdom, as in Germany and Great Britain (*cf.* W. W. Willoughby 1919).

Cleveland introduced his book *Organized Democracy* (1913) as follows: "The picture drawn [in this book] is one of the continuing evolution of the means devised by organized citizenship for making its will effective; for determining what the government shall be, and what the government shall do; for making the qualified voter an efficient instrument through which the will of the people may be expressed; for making officers both responsive and responsible . . .government should exist for common welfare" (v). The contemporary problem, he argued, "is to provide the means whereby the acts of governmental agents may be made known to the people — to supply the link which is missing between the government and citizenship" (454).

Cleveland was undoubtedly a technocrat, but not the kind derided by contemporary critics. "Technically," he said, "the problem is to supply a procedure which will enable the people to obtain information about what is being planned and how plans are being executed — information needed to make the sovereign will an enlightened expression on subjects of welfare" (1913, 454-455). To Cleveland, "a budget, a balance sheet, an operation account, a detail individual efficiency record and report, a system of cost accounts, and a means for obtaining a detail statement of costs" were means whereby government could be made transparent to citizens. His entire goal was "an enlightened people" and "an informed public conscience" (465)

and a government that provided service to the people to counter "the threatened dominancy of a privileged class and of institutions inconsistent with the spirit of democracy" (1919, 26).

Early Textbooks

Public administration, Wilson had argued, was a field of business. Business-like professionalism in public administration was given content by Frederick Taylor's ideas concerning "scientific management," which divided formal responsibility for administration between a managerial group and a group that performed the work (Taylor 1911). This division of labor, i.e., between those who are managing, i.e., "figuring out what to do and how to do it," and those who are working, i.e., "doing it," became popular in both business and public administration practice. Organization and management came into the foreground.

In the profession's first textbook, published in 1926, Leonard White focused on the organization and management of the bureaucratic state. He took pains to rebuke the public law tradition, arguing that "The study of administration should start from the base of management rather than the foundation of law, and is therefore more absorbed in the affairs of the American Management Association than in the decisions of the courts" (White 1926, Preface). ^{xxi} At the same time, White acknowledged the "traditional evils of bureaucracy," noting that "[t]he action of the administration has now become so important and touches such varied interests" that means must be found "to ensure that the acts of administrative officers shall be consistent not only with the law but equally with the purposes and temper of the mass of citizens" (1935, 420, 419). Capacity and control go hand in hand.

In his 1927 textbook *Principles of Public Administration*, W. F. Willoughby saw the task of administrators as establishing an appropriate formal organization and insuring adequate constraints on the administrator. Willoughby's was an "institutional" (or what we would today term a "structural") approach to administration in which "... the emphasis is shifted from legal rules and cases to the formal framework and procedures of the administrative machine" (Dimock 1936a, 7). His preface reveals his purpose. "[I]t is now recognized," he said, "that, if anything, a popularly controlled government is one which is peculiarly prone to financial extravagances and administrative inefficiency" (1927, viii). Thus the separation of powers needed to be reconsidered, administrative responsibility centralized and coordinated, and the new, highly technical tasks of government be held to no lower standards of efficiency and honesty than are operative in the business world. In other words, to Willoughby, efficient bureaucracy was a solution to the manifold problems of democratic governance.

White and Willoughby can be understood, then, as attempting to advance the democratic project in America that had been systematically assayed by Wilson, Goodnow, and Cleveland. But, as Sayre (1958) noted, "In these pioneer texts the responsibility of administrative agencies to popular control was a value taken-for-granted" (103), i.e., it was paradigmatic. A new logic of democratic control, superceding the premises of the spoils system, had begun to take form: bureaucratic, technocratic government was a way to ensure transparent governance that is obedient and accountable to the expressed public will and duly elected officials.

Consolidation

From the appearance of the first textbooks until the "high noon of orthodoxy" — a conservative era when the public was electing Harding, Coolidge and Hoover to the presidency — White, John Dickinson, John Gaus, Marshal Dimock, and Pendleton Herring, among others, probed issues of democratic governance more deeply.

Dickinson (1927) considered the proper role of the courts, troublesome opponents of legislative delegation of power to administrators, in the emerging administrative state:

Within the field of matters which do not admit of reduction to hard and fast rules, but must be trusted to the discretion of the adjudicating body, can we say that there is a régime of law? . . . It would be unfortunate, if it were possible, for men to commit all their decisions to minds which run in legal grooves. The needs of the moment, the circumstances of the particular case, all that we mean and express by the word 'policy,' have an importance which professional lawyers do not always allow to them (150-151).

He distinguished administrative adjudication in regulation and in "matters as to which the government is a direct party in interest, i.e., the distribution of pensions or public lands, collection of the revenue, direct governmental performance of public services and the like" (156). He asked: "If . . . we . . . imply that the main purpose of the technical agency is to adjudicate according to rules, will we not have abandoned the characteristic and special advantages of a system of administrative justice, which consists in a union of legislative, executive, and judicial functions in the same body to secure promptness of action, and the freedom to arrive at decisions based on policy?" (156).

John Gaus (1931) called attention to "the increasing role of the public servant in the determination of policy, through either the preparation of legislation or the making of rules under which general legislative policy is given meaning and application" (123). He called for more extended inquiry into the "relationship between representatives of 'pressure groups'... the political heads, legislative committees, and permanent civil servants or semi-judicial administrative commissions" (124). He noted the contributions to "the techniques of public management" (130) of "extra-legal" organizations, such as associations of government professionals, functionally-oriented study/advocacy organizations, and new institutions of governmental research.

In monograph prepared for the President Hoover's Research Committee on Social Trends, White (1933) argued that strong central administration was an antidote to the centrifugal forces of the spoils system still prevalent in local government. ^{xxii} Owing to pressure from organizations such as the United States Chamber of Commerce, interests engaged in foreign commerce, and the demands for administering relief, administrative power should be further consolidated. White noted the proliferation of [good government] organizations pressing for efficient administration: the National Municipal League, the Governmental Research Association, the state Leagues of Municipalities, the American Municipal Association, the National Legislators Association, the Public Administration Clearing House (5). But, White warned, "we have not been deeply concerned on the whole with more effective ways and means of citizen participation in

administration . . . [or] with developing machinery for employee participation . . . [or] with the fundamental alteration of administrative relations between federal and state governments" (4-5).

In 1936, Gaus, White, and Dimock, produced a remarkable little book that still repays careful reading: *Frontiers of Public Administration* (Gaus, White and Dimock, 1936). In it, Dimock enunciated an expansive view of the public manager's role: "Those who view administrative action as simple commands . . . fail to comprehend the extent to which administration is called upon to help formulate policy and to fashion important realms of discretion in our modern democracies" (1936c, 127). He held that "[t]he important problem is the manner in which discretion is exercised and the safeguards against abuse of power which are provided" (1936b, 60).

Gaus (1936a) expatiated on his ideas concerning democratic participation.

Much of the effort of public administration today is rightly expended upon establishing procedures and agencies whereby the general policy enacted in the law is given precision and application with the active collaboration of groups of citizens most affected. . . . [O]nly this process of conference, adjustment, statement and restatement of facts and opinions will bring any widespread conviction to a substantial group of citizens that the resulting policy is their policy and that the administrators of it are their officials" (89).

He noted "the fact of the contemporary delegation of wide discretionary powers by electorates, constitutions, and legislatures to the administrators. They must, of necessity, determine some part of the purpose and a large part of the means whereby it will be achieved in the modern state" (91). Thus "[u]nless [the civil servant's] sense of responsibility is encouraged, the responsibility of administration is incomplete, negative, and external" (1936b, 43-44).

In *Public Administration and the Public Interest*, noting that "... the despised bureaus are in a sense the creations of their critics and (15), Herring (1936) explored the tensions between administrative capacity and popular sovereignty. "The bureaucrat ... does not suffer so much from an inability to execute the law unhampered as from an uncertainty in direction. Where is the official to look for guidance on the broad plain of public interest?"(22). On the one hand, he argued, "the bureaucracy must be guarded from domination by economic groups or social classes. On the other hand, it must be kept free of the abuses of aloof, arbitrary, and irresponsible behavior to which public servants are so often prone. ... In short, it must not develop a group interest within itself that will become its raison d'être" (384). To preclude such aloofness, "Consultation with the persons and groups most directly concerned must ... become a regular feature of administration. This is the greatest safeguard against arbitrary or ill-considered action" (388). xxiii

Thus we find among the habits of thought characteristic of public administration a recognition of the policy making role of civil servants, the inevitability of administrative discretion, the importance of the courts formally recognizing the necessity for administrative discretion, the concomitant requirement for responsible conduct by managers and civil servants,

and the necessity for ensuring that citizens can somehow participate actively in matters affecting their well being based on adequate information.

High Noon

It is against this background that we must assess Sayre's assertion that the 1937 publication of Gulick and Urwick's *Papers* and the Brownlow Report represented the "high noon of orthodoxy" in which "administration was perceived as a self-contained world, with its own separate values, rules, and methods" (1958, 102). Exactly who held such perceptions is not clear.

Not long after these momentous 1937 publications, for example, White, in the 1939 revision of his textbook, said that "A responsible administration, cherished and strengthened by those to whom it is responsible, is one of the principal foundations of the modern democratic state" (p. 578). Charles A Beard cited as an axiom or aphorism of public administration that "Unless the members of an administrative system . . . are subjected to internal and external criticism of a constructive nature, then the public personnel will become a bureaucracy dangerous to society and to popular government" (1940, 234). Gaus and Leon Wolcott (1940), asked: "At what point in the evolution of policies in the life of the community shall the process take place of transforming a specialist point of view and program, through compromise and adjustment, into a more balanced public program?" Their answer was that

Much of this process must take place in the administrative agencies through the selection of personnel, their continued in-service training, the content and discipline of their professions, researches, and responsibilities, and attrition of inter-bureau and inter-department contact and association, and the scrutiny of their work by the over-all administrative staff and auxiliary agencies and by Congress. If there is the proper attention to these matters, the viewpoint of the civil service will differ from the surrogacy that one expects from the officials of a pressure group (283).

The literature of the "high noon" period was ripe with insightful commentary. In his profoundly analytical *Federal Departmentalization* (1941), Schuyler Wallace scorned the notions that organization could be designed by rote application of abstract principles or that administration could be a true science. "That administrative hierarchies have profound influence on the course of legislative policy," said V. O. Key, Jr. in a volume honoring Brownlow Committee member Charles Merriam, "is elementary" (1942, 146). ^{xxiv} In fact, said Key, "The close communion of pressure group, congressional bloc, and subordinate elements of the administrative hierarchies" are "will-less instruments wielded by politicians," said Key, is "not now widely held" (160).

In the same volume, White (1942) quoted Merriam and his colleagues on the Brownlow Committee: "The safeguarding of the citizen from narrow-minded and dictatorial bureaucratic interference and control is one of the primary obligations of democratic government" (212). ^{xxv} Said White, "A formal system of responsibility is . . . essential; it is unsafe to rely wholly on official codes and a sense of inner responsibility; but, on the other hand, a formal system in itself

is inadequate" (215). Charles Hyneman (1945) argued that "The essential feature of democratic government lies in the ability of the people to control the individuals who have political power" (310).

Controversies

Skepticism that there was a closely-knit "orthodoxy" in traditional thinking deepens when reviewing the period's two great controversies concerning the administrative state: the debate over the Walter-Logan Act and the Friedrich-Finer debate over administrative responsibility.

The Walter-Logan Act

The issue of executive control of administration from an administrative law perspective came into sharp focus in the period surrounding the enactment and veto of the Walter-Logan bill (H.R. 6324, 76th Congress [1939]). Dean Roscoe Pound had argued that administrative agencies are under none of the safeguards that characterize judicial proceedings, especially when they are engaged in adjudication and thus acting as prosecutor and judge in the same case (Pound 1942). He advocated stringent procedural safeguards. In contrast, supporters of the New Deal urged that, in the absence of relevant standards, narrow procedural safeguards and private law values were an inadequate basis for defining administrative jurisdiction and responsibility in the welfare state.

Inspired in part by anti-New Deal sentiment and in part by a desire, supported by the American Bar Association, to harness Federal agencies and their haphazard approach to rule making to the rule of law, Congress enacted the Walter-Logan bill. xxvi According to Don K. Price, the act established "a single rigid method for the issuing of regulations" (Price 1959, 484). The act allowed anyone significantly affected by an administrative rule to challenge that rule in federal court and required agencies to issue rules within a year of authorization to do so. President Roosevelt vetoed it, calling it the result of "repeated efforts by a combination of lawyers who desire to have all the processes of government conducted through lawsuits and of interests which desire to escape regulation" (Breyer et al, 22). He acknowledged the legitimacy of the issue by appointing the Attorney General's Committee on Administrative Procedure to study procedural reform of administrative law. The Governor of New York appointed Robert Benjamin to do the same thing. The resulting reports "agreed that the courts could not do the job the administrative agencies were doing, and that the administrative agencies themselves could not do it if anyone made them imitate the court" (Price 1959, 485). The Administrative Procedure Act of 1946 was a compromise between New Dealers who had engineered the veto of the Walter-Logan Bill in 1940 and the Attorney General's commission that had made its report in 1941. xxvii

Friedrich, Finer, and Administrative Responsibility

Within public administration, Carl J. Friederich and Herman Finer were debating the nature of administrative responsibility. Finer (1940) doubted that a *sense* of duty, the conscience of the official, "is sufficient to keep a civil service wholesome and zealous" Thus political responsibility must be introduced as the adamant monitor of the public service? "[T]he first commandment," he argued "is Subservience" (335). Finer cited Rousseau: the people can be unwise but cannot be wrong. He acknowledged the many "drawback of political control" but said

that they could be remedied and that their consequences were less ominous than of granting administrators additional discretion. "... the result to be feared is the enhancement of official conceit ..." (340). He goes on: "Moral responsibility is likely to operate in direct proportion to the strictness and efficiency of political responsibility, and to fall away into all sorts of perversions when the latter is weakly enforced" (350).

Friederich's (1940) argument had two parts. First, "Public policy, to put it flatly, is a continuous process, the formation of which is inseparable from its execution. . . . Politics and administration play a continuous role in both formation and execution, though there is probably more politics in the formation of policy, more administration in the execution of it." (6) Second, "[W]e have a right to call . . . a policy irresponsible if it can be shown that it was adopted without proper regard to the existing sum of human knowledge concerning the technical issues involved" or that "it was adopted without proper regard for existing preferences in the community, and more particularly its prevailing majority. . . . Any policy which violates either standard, or which fails to crystallize in spite of their urgent imperatives, renders the official responsible for it liable to the charge of irresponsible conduct" (12). ^{xxviii} Specialists with a passion for impartiality and objectivity, he argued, will know when to shrink from arbitrary and rash decisions and await the expression of the "will of the people" (1946, 413).

Death in the Afternoon

What happened next is surely the most puzzling development in the intellectual history of public administration. At a time of seemingly robust heterodoxy, when traditional thought had identified the central issues of democratic governance but hardly resolved them, Herbert Simon and Robert A. Dahl brought a profession to its knees by attacking the relatively innocuous tendency of Gulick and others to assert scientific principles of administration.

Both Sayre and Waldo, who were thoroughly familiar with the pre-war literature, nonetheless endorsed an intellectual redirection of the field, celebrating not so much the behavioralism of Simon as what they saw as the emergent heterodoxy of public administration literature following World War II. Said Sayre, "Our values . . . have moved from a stress upon the managerial techniques of organization and management to an emphasis upon the broad sweep of public policy — its formulation, its evolution, its execution, all either within or intimately related to the frame of administration" (1958, 4).

Thus tradition was dead, stuffed, and mounted on the wall. Or was it? Did the contributions of the post-war literature constitute the sharp departure from the past that Sayre and Waldo claimed?

Voices from the Grave

Simon and Dahl notwithstanding, Paul Appleby, Charles Hyneman, Gaus, John Millett, Arthur Macmahon, Herbert Kaufman, Fritz Morstein Marx, Frederick Mosher, and Emmette Redford continued to shape the profession's agenda in ways that sounded suspiciously in tune with the traditional theme of democratically responsible public management, though with less emphasis on administrative capacity. Lauded by Sayre as a post-orthodox thinker, Paul Appleby (1949) argued the pre-war theme that "adequate centralization of responsibility for performance of the function agreed upon at the level agreed upon is essential to popular control" (162). Why? "Public administration is policy-making. **B**ut it is not autonomous, exclusive or isolated policy-making. It is policymaking on a field where mighty forces contend, forces engendered in and by the society. It is policy-making subject to still other and various policy-makers. Public administration is one of a number of basic political processes by which this people achieves and controls governance" (170).

In an incisively argued book, Charles Hyneman, concerned that bureaucracy might otherwise act in a manner inimical to the public interest, argued that elected officials must be our primary reliance for direction and control (1950, 6). There must, he said, be "a structure of government which enables the elected officials really to run the government" (15). ^{xxix} Conceding "that the administrative official cannot obtain from the political branches of the government all of the guidance he needs" (52), Hyneman nonetheless argued that other methods for obtaining guidance must supplement, not replace or supplant, political direction. "The American people have authorized nobody except their elected officials to speak for them" (52).

According to Gaus (1950), "The fact is that administration is an aspect, a process, of every phase of government, from the first diagnosis of an emerging problem by a chemist in a health department to the final enforcement in detail of a resulting statute and regulation" (165). Thus we must "steer between the extremes of a vague, general, ambiguous comprehensiveness without savor or focus, and a refinement and specialization that detaches us from the tang and urgency of human action" (166). He famously concluded: "A theory of public administration means in our time a theory of politics also" (168).

Like Gaus, John Millett (1954) had much to say about politics and administration.

Are administrative agencies . . . to be regarded as a 'fourth branch' of government? I believe that they have no such exalted status. Rather, they are a kind of subordinate echelon of government subject in our scheme of things to the supervision of legislature, chief executive, and judiciary. . . . The administrator in the public service is concerned with all three, and ignores any one branch only at his peril. So it seems to me that the politics of public administration is concerned with how administrative agencies in our government are kept subject to popular direction and restraint in the interests of a free society, through the operation of three coordinate branches (vii-viii).

In a discussion of public management that rebukes contemporary critics, Millett said that "The challenge to any administrator is to overcome obstacles, to understand and master problems, to use imagination and insight in devising new goals of public service. No able administrator can be content to be simply a good caretaker. He seeks rather to review the ends of organized effort and to advance the goals of administrative endeavor toward better public service" (401). But, Millett went on, "in a democratic society this questing is not guided solely by the administrator's own

personal sense of desirable social ends. . . .Management guided by [the value of responsible performance] abhors the idea of arbitrary authority present in its own wisdom and recognizes the reality of external direction and constraint" (401, 403).

In Arthur Macmahon's view, "Our main problem lies where the law imposes a special purpose while it leaves some leeway for judgment. What is the bearing of the public interest in such a situation?" (1955, 38). His answer was that "The essence of rational structure for any purpose frequently lies in recognizing how far administration is an argumentative as well as a deliberative process that goes on within the frame of legislation" (40). The safeguards against misuse of discretion or poor judgement concerning legislative intent "lie in attitudes that should be diffused throughout administration" or a "perspective of public interest" (50).

In reviewing the values governing administration and their interrelationships, Kaufman (1956) noted that ". . .the quest for neutral competence has normally been made not as an alternative to representativeness, but as a fulfillment of it" (1060), valued at least as much by the public as by civil servants themselves. But representativeness and neutral competence tended to produce fragmentation. The answer was to build up the power of the chief executive to insure executive leadership as the counterforce. Kaufman stressed, however, that neutral competence and its successor, executive leadership, nonetheless acknowledged representativeness as the governing value.

In his book on the administrative state, Morstein Marx (1957) listed four essentials of administration: "(1) the essential of rationality, (2) the essential of responsibility, (3) the essential of competence, and (4) the essential of continuity" (34). Rationality had numerous aspects or meanings: the pursuit of purpose (administration itself is a means to an end); source of cohesion (as opposed to "countless clusters of personal influence" (36); application of knowledge; application of reason; as a gatherer of intelligence. Concerning responsibility, he argued that "In structures as elaborate and hence as rich in opportunities for obstruction as is large scale organization, control could not accomplish co-ordination in the interplay of human wills. Control requires as well "well-formed habits of deference sustained by reason" (43).

The logic of administrative responsibility was summarized by Emmette Redford in his 1958 book, *Ideal and Practice in Public Administration*. He argued that "[t]hough administration is permeated and circumscribed by law, discretion is vital to its performance. . . . Discretion is necessary in administration [because] law is rigid, and policy must be made pragmatically" (43). Integrated and hierarchical structures, he argued, are essential to ensuring that bureaucracy is subject to control from outside. In other words, exercising authority over subordinates is not anti-democratic but the opposite; capacity and control are two sides of the same coin.

"Responsibility," Mosher argued, "may well be the most important word in all the vocabulary of administration, public and private" (1968, 7). The threats to objective responsibility are not, he said, in politics but, echoing Herring, in "both professionalization and unionization with their narrower objectives and their foci upon the welfare and advancement of their members" (209). As for representativeness, "who represents that majority of citizens who are not in any [represented group or interest]?" (209). In general, "The harder and infinitely more important issue of administrative morality today attends the reaching of decisions on questions of public

policy which involve competitions in loyalty and perspective between broad goals of the polity . . . and the narrower goals of a group, bureau, clientele, or union" (210).

Post-war public administrationists were perhaps more sensitive to the nuances of administrative policy making and the dangers of unaccountable power than were the earlier writers, for whom the organization and management of the fledgling state were more pressing issues. But the arguments that post-war ideas represented a sharp break from pe-war "orthodoxy" and that this orthodoxy resembled the recent caricatures of it are clearly unsustainable.

Was There A "Traditional Paradigm"?

In a remarkable letter to George Frederickson regarding the latter's ideas on "new public administration," Frederick Mosher, one of the few to defend tradition, protested that "Almost all of the early leaders — until about 1950 — were devoted to government that is representative, responsive, compassionate, concerned with equal opportunity. Structure, like personnel, budgeting, and planning, was purely instrumental to a more humane and just society" (1992, 200-201). It is true that one can discern in traditional literature a professional reasoning process that explored the interrelationships among the values of democracy, the dangers of an uncontrolled, politically corrupted, or irresponsible bureaucracy, the instruments of popular control of administration, and judicial and executive institutions that can balance capacity with control.

These traditional habits of thought raised fundamental questions: To what extent should powers be separated? In the exercise of administrative discretion, what values should guide administrative behavior? How might the public interest be identified? What are the sources of legitimacy for administration action? There was hardly unanimity on the answers: electorallysupervised hierarchy or expertise and an "inner check" on the discretionary behavior of officials? statutes and judicial rulings or public opinion and group pressures as the expression of the public will? technical solutions or human judgment as a basis for operational decisions? management or organization as the source of "good government"? "public will" or "public interest" as the basis of legitimacy?

If there was an "answer" in traditional thought, it was a recognition that the structures and techniques of the administrative state must be justified by the purposes they serve, and these purposes are inexorably bound up with the promotion of public well-being. From a more analytic perspective, as James G. March later noted, ". . . what everyone knows about administration [is] that organizational actions are located in particular historical, political, and social contexts and that the fine details of organizational structure and procedures, as well as of the sequencing of events in partially interacting streams of history and the networks of linkages among organizations. . . ." (March 1997, 694). Would Goodnow or Gaus or Friedrich have disagreed?

Conclusion

One thing seems clear. Though a narrow, self-serving view of bureaucracy might have characterized the informal thinking of practitioners and academics or the content of classroom instruction prior to the 1950s (or the 1990s), it is difficult to identify such an emphasis in the broad sweep of public administration's traditional literature. Traditional thinking as I grasp it exhibited far more respect for both law and politics than post-war approaches to values-based administration or the new, customer-oriented managerialism. The idea of separating administration from politics seems to me to be more clearly expressed in the Gore Report (is not "steering" versus "rowing" a dichotomy?) than in Wilson or Goodnow, White or Herring, Merriam or Dimock. ^{xxx} In the guise of performance, efficiency as the ultimate value permeates the New Public Management more than it does the old public administration. There are far more "principles" in the reinvention literature than there ever were in Willoughby or Gulick.

If I am right, then public administration as a profession, by failing to contest the revisionists, has been unduly careless of its own intellectual heritage, deserting what was vital and significant and acquiescing in calumnies that, even if they contain a grain of truth, disfigure a fine intellectual heritage. Public administration has been too opportunistic, eager to acknowledge or even embrace prominent personalities and ideas in order to appropriate their reflected glory (*cf.* the National Academy of Public Administration's uncritical embrace of the popular *Reinventing Government*) rather than insisting on careful intellectual scrutiny of arguable claims and propositions. The result is an intellectual rootlessness and an analytical negligence that allow vague, anti- or pseudo-democratic ideas to flourish and basic issues of responsible management to go unaddressed. Such a result ill becomes a profession that once owned impressive insight into public administration in a democracy.

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End Notes

ⁱⁱ Howard Margolis (1993) says of paradigmatic thinking: ". . . shared habits of mind are the only *essential* constituents tying together a community in the way that makes talk of sharing a paradigm fruitful. . . . the essential component of a Kuhnian paradigm is an intrinsically invisible (though not undetectable) component, habits of mind A paradigm shift . . . is a special sort of change in habits of mind" (23). Margolis distinguishes between "points of view," of which an individual is conscious, and "habits of mind," of which the individual is unconscious. He says we cannot identify complete paradigms and we don't need to. We need only identify "those habits of mind that are critical for distinguishing the community from outsiders or rivals" (26).

Barzelay's definition of "paradigm" is drawn from Harmon (1970) and Barker (1985): "the basic way of perceiving, thinking, valuing, and doing associated with a particular vision of reality. A dominant paradigm is seldom if ever stated explicitly; it exists as unquestioned, tacit understanding that is transmitted through culture and in succeeding generations through direct experience rather than being taught" (Barzelay 1992, 178),

ⁱⁱⁱ James D. Carroll (1998) characterizes New Public Management in paradigmatic terms: reducing and deregulating bureaucracy, using market mechanisms and simulated markets to conduct government action, devolving responsibility downward and outward in organizations, increasing productivity, energizing agencies and empowering employees to pursue results, improve quality, and satisfy customers" (402).

^{iv} Morstein Marx (1957) attributes the first coinage of the term "bureaucracy" ("bureaucratie") to Vincent de Gournay, "an eighteenth-century French minister of commerce. In all probability he intended to express the critical point of view of private enterprise... the new word gained a footing because of its nice argumentative edge" (17-18).

^v Sayre (1951), "at the risk of oversimplification," equates "the dominant administrative values" as of 1940 with Gulick and Urwick's *Papers on the Science of Administration* and the Brownlow Report. Though he makes passing reference to traditional sources, Barzelay has no attributions or citations to support his assertion that he has identified "habits of thought." Moore cites Woodrow Wilson's 1887 article and excerpts from Goodnow's *Politics and Administration*, White's 1926 edition of *Introduction to the Study of Public Administration*, and Gulick's "Notes on the Theory of Organization," all of which were quoted from material reprinted in Shafritz and Hyde (1987). In defining the administrative state, Van Riper's (1983, 1987, 1998) most frequent reference is to Weber; Ostrom (1973, 1989) cites the high point of the "pre-Simon era" as the publication of Gulick and Urwick's *Papers* and the Brownlow Report ("The *Papers* stated the theoretical foundations for the science of administration . . ." (5)); Fesler and Kettl (1991) cite a single historical source: Wilson's 1887 essay; and Gabrielian and Fischer (1996) attribute "The American Model of Public Administration" to the work of Wilson (1887 essay), Taylor, and Weber.

^{vi} Sayre makes this argument "at the risk of oversimplification" (1951, 1), and he points out that there was not unanimity, citing a number of authors, e.g., John Gaus and Pendleton Herring, as examples of how "the values of public administration were not yet settled and finite" (2).

ⁱ White (1935), p. 463.

^{vii} The chief virtue of Osborne and Gaebler's argument is its recognition that the form of the administrative state is endogenous to the prevailing political, economic, and social context; to them, the traditional paradigm is a political, not an intellectual, construct. However, they failed to justify the view that governmental accountability and reliability are no longer political priorities.

^{viii} Peering into the future, White (1942) argued that "Science, the professions, technology, and management press steadily toward the technical improvement of public administration; localism, humanitarianism, and 'politics' tend to delay the emergence of forms of organization which seem technically superior but which run counter to deep-seated American preferences" (200). Further, he said, "[I]t seems probable that a slow and gradual differentiation of function in the public service may develop, leading to a clearer recognition of the special tasks of higher administration, of business management, of the professions, of middle management, and possibly of other management zones" (203-204).

^{ix} Van Riper (1983) argues that "any connection between the [Wilson] essay and the later development of the literature is pure fantasy!" (9).

^x Charles Merriam (1926) noted "the almost unqualified adherence to the practice of popular election of a very large number of officials, most with administrative duties" (7).

xi With respect to the capacity and control of the pre-bureaucratic state, Leonard White said:

So long as American administrative systems remained decentralized, disintegrated, and self-governmental and discharged only a minimum of responsibilities, the necessity of highly developed machinery for its control was unknown. Administration was weak and threatened no civil liberties; it was unorganized and possessed no power of resistance; it was elective and quickly responsive to the color and tone of local feeling (White 1935, 418).

xⁱⁱ Criteria for executive appointments prior to the Jacksonian era were "fitness of character," political loyalty, and, after Jefferson, "representativeness," to insure that a unitary political philosophy did not dominate administration (White 1965). After Jackson, ordinary citizens were considered qualified for public office in accordance with their political loyalties (White 1954).
xⁱⁱⁱ White (1933) quoted De Tocqueville: "[T]here is no point which serves as a center to the radii of the administration." As a result, said White, "responsibility, both of a civil and public order, was . . . determined and enforced by the courts, not by order of a chief executive."
x^{iiv} With respect to judicial review of administrative decisions, Skowronek argues that although "[m]odern American state building shattered an outmoded judicial discipline [, . . .] it failed to reconstruct a vital role for the judiciary in regulating the new political economy" (Skowronek 1982, 286).

^{xv} According to Wilson: "There is no danger in power, if only it be not irresponsible" (Wilson 1941, 481). Charles Merriam attributed to Wilson the view that "Power and strict accountability for its use are the essential constituents of a good government . . . The chief significance of his method lay in the importance attached to the study of politics as made up of living facts and forces, institutional as well as constitutional, organic rather than mechanic" (1926, 381-382). ^{xvi} To Charles Beard (1935), Goodnow was the first scholar to recognize the importance of administration in modern society and to sketch the outlines of the field.

^{xvii} This distinction is implied by the Constitution's "faithful execution of the laws" clause. Deliberations that gave rise to this clause contemplated the idea of specific legislative delegations of authority to carry the will of the legislature into effect (Newland 1997).

^{xviii} Thus Goodnow might be considered a founder of New Public Management. As we shall see, a distinction between so-called technical and quasi-judicial activities and activities infused with policy significance is crucial to understanding how public administration and administrative law are conjoined (Bertelli and Lynn 2000).

xix As we shall see, a distinction between so-called technical and quasi-judicial activities and activities infused with policy significance is crucial to understanding how public administration and administrative law are conjoined (Bertelli and Lynn 2000).

^{xx} In an essay published in 1919, W. F. Willoughby (1919) provides the earliest attribution that I have found to Goodnow as initiating the idea of a dichotomy between politics and administration. John Rohr, who sees a very sharp distinction in Goodnow, notes that commentators differ on this point. Appleby also noted that "Gulick as far back as 1933 positively denied their separation" (1949, 16).

xxi The courts had become a hindrance, in White's view, particularly with respect to "... new aspects of social policy, the conditions and effects of which are in the process of discovery and exploration ..." (White 1935, 456).

^{xxii} White noted the persistence of the spoils system in the larger cities and "the almost unqualified adherence to the practice of popular election of a very large number of officials, most with administrative duties (1933, 7).

^{xxiii} For Herring, citizen participation occurred through the pressure of "public opinion" and through association with "pressure groups" that combined interest with expertise.

^{xxiv} Merriam himself had said (1940): "It cannot escape observation . . . that the ends or purposes of policy are very general in nature and must be so, and that the practical application of the end is often as important or more important than the original end itself. This application is often in the hands of administrative officials, however, and therefore the nature and forms of their activities are often as significant as the ends themselves" (299).

^{xxv} Said Merriam (1940): "The pathology of administration for a long time was marked by the presence of corruption, ignorance, indolence, incompetence, favoritism, oppression." But there are new difficulties: "arrogance and indifference to the public, lack of sympathy approaching harshness and cruelty, devotion to inflexibility and routine, grumbling at theory and change, procrastination, quibbling and delay; or the opposite of too much great and rash speed without adequate preparation of the public for change" (305-306).

^{xxvi} I am indebted to David H. Rosenbloom for his insights on the Walter-Logan bill. ^{xxvii} In reviewing the Walter-Logan episode, Don K. Price had the significant insight that the debate was on "the margins of the problem [of administration]." (Price 1959, 483). That is, the debate had focused on agencies that issue rules and adjudicate private rights through formal administrative procedure, whereas the role of government was becoming "more dynamic and more diversified," requiring "dispatch and flexibility" in administration. For regulatory agencies, the proposition that behavior is safeguarded by their imitating courts was at least arguable. For the New Deal agencies, Price insisted, administrative behavior is better safeguarded by the authority of the legislature to punish departures from legislative intent than by enforced conformity to judicial procedure. ^{xxviii} To Friederich can also be attributed to idea of customer orientation: "There is a laudable tendency... to adopt the department store slogan: 'The customer is always right'" (1940, 19). ^{xxix} Hyneman (1950) enumerates the harms that a bureaucracy can do: (1) administrative officials and employees may interfere with or prejudice elections; (2) they may misinform the people about the issues that confront the public about how these issues may be dealt with, and about what is being done to meet them; (3) they may inaugurate and pursue policies of government that are positively contrary to the public will; (4) they may fail to take the initiative and supply the leadership that is required of them in view of their relation to particular sectors of public affairs; and (5) they may, by sheer inefficiency in their operations, destroy popular faith in democratic government" (26).

^{xxx} James Q. Wilson observed that "The near absence of any reference to democratic accountability is perhaps the most striking feature of the Gore report" (Wilson 1994). Indeed, in downgrading citizenship in favor of customership, the Gore report is actively hostile to republican principles of accountability.