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## Chapter 16



### Democracy and Bureaucracy in the U.S.

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What do we think of when we hear the word "bureaucracy"? Dreary buildings with doors even harder to get through than to find? Corridors with offices labeled everything but what we're looking for? Perhaps we see ourselves tiredly trudging from this floor to that, this office to that, finally coming to that "faceless bureaucrat" who once again tells us "That's not my department!" Perhaps we find our time tied up indefinitely in endless "red tape" that entangles us in our personal lives as well as in our businesses. If we read the newspapers we will time and again be told of the hapless 87-year-old widower who is not getting his social security check because the Social Security Administration has official records declaring him dead—and of course the fact that he is at their downtown office wielding his cane is not going to change the official minds of those bureaucrats. Those same newspapers tell us of the sort of Catch-22 business can find itself in with government, as when the Occupational Safety and Health Administration requires dangerous premises to be equipped with warning sirens whose sound the Environmental Protection Agency has declared noise pollution.

This popular press depicts bureaucracy as “a brontosaurus of unimaginable size, appetite, ubiquity and complexity,” “over-staffed, inflexible, unresponsive, and power-hungry,” with bureaucrats who are “lazy or snarling, or both . . . bungling or inhumane, or both.”<sup>1</sup> In more out-of-the-way academic corners, economists call bureaucracy inefficient because it lacks those healthy incentives provided in the business world by competition and profit. Similarly, sociologists accuse government bureaucrats of getting so obsessed with their routines of doing things that they forget why they’re doing them—when they see us only as another number (my third appendectomy/speeder/conviction/F today!)—and consequently alienate us, their clients and, ultimately, themselves. Even political scientists complain. They say that legislators enact fine new policies, but that these are rendered useless by bureaucrats who fail to implement them properly because they hate change and thus resist any new policies. With such accusations of failing to perform, pigeon-holing or even repressing people, and abusing political power, it’s a wonder that our bureaucracies do all that they do—and that, in fact, the majority of the people at the receiving end of bureaucratic actions are as satisfied with them as surveys consistently show them to be.<sup>2</sup>

But because these negative perceptions and accusations of bureaucracy nonetheless remain so common, so nearly all-pervasive in modern society, I’ll attempt to explain historically why bureaucracy is subject to them, particularly in our own American society. And I’ll attempt, as well, to offer a more positive and, indeed, more realistic view of American bureaucracy that will also show why these worries are unwarranted.

### *Bureaucracy: Origins of a Word and of Our Worries*

The negative stereotype of bureaucracy is, instructively, not a new phenomenon. Nor is the term bureaucracy a German invention, as one might have expected; it is, in fact, a French coinage. The term was first used by Vincent de Gournay, one of the 18th-century French economists known as physiocrats, the Milton Friedman of his day you might say, who thought that government should not interfere in the economy. He diagnosed a “French illness” in government which he labeled “bureaumania.”<sup>3</sup> “Mania” is of course the standard word or suffix for diseases of a psychological nature such as kleptomania or pyromania. “Bureau” itself is simply a French word that refers to a writing table, especially one with drawers, a usage one still encounters shopping in antique stores. The word quickly came to refer to the room in which the writing was done, and thus the office, and from that it expanded to the more abstract meaning that we see in contemporary governmental usage—the Bureau

of Indian Affairs, the Census Bureau, the Federal Bureau of Investigation, and so forth. From this etymology, with its desks and drawers, it is easy to see the association with an excess of writing (records and red tape) and of compartmentalization (pigeon-holing).

De Gournay occasionally also used the ending we use on bureaucracy, and we must ask what that means because it will explain the underlying reason bureaucracy is so worrisome to people. To get a fix on that we might ask, as we did with bureaumania, what other words share that suffix? (No, hypocrisy isn’t one of them.) Perhaps the first one to come to mind is “democracy.” Perhaps we will also think of “aristocracy,” and thereafter a mass of others. “Cracy,” in the original Greek, signifies power or strength, and attached to such words as “demo” and “aristo” it indicates where or with whom the power resides: “aristo” means “the best” so that aristocracy signifies rule by the best; “demo” of course refers to the people, hence democracy is rule by the people. That gives us an idea of the real worry of early writers on bureaucracy—and their counterparts today: rule by those in the bureaus, rule by this secretive, all-recording bunch of scribblers which, since it commanded all the government’s knowledge, could gain totalitarian control over government and exercise its power exclusively for its own benefit.

Such true total rule by bureaucracy in de Gournay’s sense was classically portrayed in George Orwell’s 1984. A brief recollection of this fictional totalitarian state will show some fairly immediate reasons why we have no likely cause to fear such bureaucracy here. In Orwell’s vast superpower, Oceania, absolutely all aspects of life are subordinated to four superagencies which are centrally empowered to manage everything from art to war. Oceania’s Ministry of Truth is in charge of education and entertainment, arts and news, and all such cultural matters; its Ministry of Peace deals with all foreign relations, diplomacy and defense; its Ministry of Plenty takes care of all economic affairs, agriculture, commerce, and industry all included; finally, its Ministry of Love handles all matters of law and order—social and personal, moral and legal behavior—and all related internal affairs.

In the U.S., in sharp contrast, one quick glance at its *Government Manual* reveals that, instead of four such superagencies, we have, to begin with, fourteen departments. And right along with those cabinet departments, there are some three score and more government agencies, corporations, and quasi-governmental organizations ranging from the CIA to the TVA, from Amtrak to the Smithsonian. And while in Oceania, for example, that one central Ministry of Love is responsible for law and order, these so-called “police powers” that affect individual citizens are not even in the hands of the national government in the U.S. Instead,

they're in the hands of the states and their local governments, precisely because of the Founders' fear of such centralized power and their consequent effort to ensure that no such remote national bureaucracy could interfere in the daily lives of Americans.

That's decentralization in the form of American federalism. But American bureaucracy is significantly decentralized in other ways as well. For one thing, it wasn't all decreed into being by government directive in 1789. Thus it did not start, in fact, as a single bureaucracy but rather developed and grew as a loose collection, often likened to a holding company, of distinctly individual and strongly independent bureaucracies which, rather than submitting to harnessed coordination from a single head, vigorously compete in overlapping policy arenas. Where Orwell's Oceania has its monolithic Ministry of Truth, for example, we have a Department of Education, the Federal Communications Commission, the National Foundation on the Arts and the Humanities, the National Science Foundation, the Smithsonian Institution, the Commission of Fine Arts, the U.S. Information Agency with its Voice of America broadcasts and its Fulbright scholarships, and the Office of Science and Technology Policy in the White House and the Office of Technology Assessment in Congress. Just as it might have been envisioned by the Founders, the competition is epitomized in the bureaucratic jockeying between the legislative and the executive branch: To keep track of the powerful managerial and financial control presidents could exercise through their Office of Management and Budget, Congress created its own "counter-bureaucracy," the Congressional Budget Office.<sup>4</sup> While we may thus seem to have a large bureaucracy it is a highly decentralized one in which every organization, in true Madisonian fashion, is prominently concerned to defend its turf, and this great proliferation of agencies and their competition have kept us from becoming an Oceanic bureaucracy (in terms of centralization as well of size). An apt local illustration was provided via the Houston Ship Channel recently: The Environmental Protection Agency supported the U.S. Army Corps of Engineers in its plans to enlarge the channel, while the U.S. Fish and Wildlife Service and the National Marine Fisheries Service strenuously opposed it.<sup>5</sup>

Not only is our governmental bureaucracy federally and organizationally decentralized, our national bureaucracy is also not as centrally concentrated as the common usage of the term "Washington" for some remote, impersonal national government bureaucracy would suggest. Only about 12 percent of our civilian bureaucrats are concentrated in the greater Washington area; the remaining 88 percent are spread across regional and local offices throughout the country.<sup>6</sup> (This is a trend that is increasing as computers render physical proximity unnecessary.

Shifting organs of the federal government to one's home state or district has thus become a new form of congressional pork barrel in which Senator Robert Byrd of West Virginia has led the way, moving units of the CIA, IRS, FBI, and even the Coast Guard's computer operations to his land-locked home state.)<sup>7</sup> Moreover, while there are indeed some agencies of the federal government that employ thousands in one place, like our own NASA—Johnson Space Center, 85 percent of the units of federal administration have fewer than 25 employees—like the neighborhood post office—and the overall average is 58. (The Johnson Space Center has had as many as 10,000 employees, but here it is important to note also that only about 3,000 of those were government employees; the rest were privately contracted individuals and firms.)<sup>8</sup> And if one is worried about the size and costs of the federal bureaucracy itself, it might be heartening to know that the federal civilian labor force has hardly grown since the early '50s, and its proportionate payroll costs have been steadily declining.<sup>9</sup>

### *The Emergence of Bureaucracy in America*

As the French coiner of our word suggests, and as we know from European history, bureaucracy had long been established there and been subordinate to the monarchist governments. Their rulers had used bureaucracy as the central instrument in their nation and empire building from the Renaissance forward. In European countries, therefore, the complete bureaucratic machinery of state was already fully in place when the new democratic forms of government began to displace the autocratic regimes of kings and emperors. But in the United States the founding of the new nation itself began with the creation of a new government, both more democratic in form and with little or no native bureaucracy in place. (What government bureaucracy there was during colonial times, of course, was in England.) As a consequence, since our bureaucracy was grafted onto our democracy it has always had an extra smack of illegitimacy in the American mind.

Among the many who complain about bureaucracy there are those who claim, for example, that it does not, in fact, have any legitimate place in American government because it has no constitutional charter like the three branches. A more scrupulous review of the Constitution, and of the Declaration of Independence, however, can quickly serve to refute this argument.

To begin with, it must be recalled that the colonists made this Declaration, and translated it into action in their Revolution, precisely because of the *bureaucratic* malfeasance of the British. Yes, taxation

without representation was a political issue for the colonists, but except for that "almost all their complaints involved the abuse of *administrative* powers."<sup>10</sup> The Declaration of Independence charged, for example, that King George "has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their subsistence."<sup>11</sup>

More important, once they were independent, the Founders' depressing experience with chaotic and inefficient management under the Articles of Confederation and their Continental Congress—essentially the result of their lack of an effective bureaucracy of their own—was a chief reason that they assembled in Philadelphia to create a more efficacious government. In that Convention the Founders were of course concerned with broad political matters of constitutional design such as the structure of the government and the distribution of power, but because of these highly instructive lessons of experience they did not altogether neglect this administrative side.

As we know from the resulting Constitution, "The executive Power shall be vested in a President of the United States of America" (Article II, Section 1). The following section names this president as Commander in Chief of all the armed forces and, parallel with that, states that he "may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices. . . ." And this Section 2 goes on to say that the president "shall appoint . . . all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law." This, in that document's singularly concise fashion, firmly establishes the legitimate constitutional existence of the American bureaucracy: Parallel to being the Commander in Chief of the armed forces of the country, then, the president is what today might be called the CEO, the chief executive officer, of the nation's civilian employees, the head of its bureaucracy. Like so much else only briefly intimated in the Constitution, the matter of administration was more thoroughly expounded in *The Federalist Papers*: Fully ten of these (68–77) are devoted to it and "are widely regarded as the first and perhaps the best treatise ever written on Public Administration."<sup>12</sup> Moreover, that bureaucracy was as much on the minds of the Founders as it had been on the minds of those declaring their independence some dozen years before is underscored by the fact that "administration" is referred to more often in *The Federalist Papers* than the Congress, the President, or the Supreme Court.<sup>13</sup>

This new emphasis on administration came, as noted, out of the depressing experience the newly independent Americans had had administering their new nation under the Articles of Confederation. Orig-

inally the colonists had become revolutionaries because of their violent objections to King George's "abuse of administrative power," particularly his excessive use of patronage to reward office-seekers at the colonists' expense. The Articles of Confederation that they drew up to govern themselves, therefore, rejected all forms of centralized executive power as potentially tyrannical and, instead, vested all administrative powers in the Congress itself. But administration by congressional committees resulted, not surprisingly, in "inefficiency and waste, if not downright speculation and corruption," and revealed an "inherent Principle of Delay," as General George Washington found when he was trying to win the war.<sup>14</sup> At the same time, then-Congressman John Adams, who had initially liked his cousin Sam's idea of legislative administration, found that he was working eighteen-hour days just to keep up with the tasks of his ninety committee assignments.

Unworkable as this was, departments separate from Congress and headed by single executives were quickly set up and were well established by the time of the Constitutional Convention. It is very likely because these existing departments were thus simply taken for granted that there was no further ado made about them in the Constitution itself. (Who controls these departments, though, has remained somewhat ambiguous to this day. Being firmly bound neither to the Congress nor to the president, agencies found themselves on their own; this had led both to their comparative independence, playing one branch off against another, and to their reliance on law per se.<sup>15</sup> This is an additional source of the pluralism that prevents Orwellian bureaucracy. And it is probably one reason the bureaucracy is frequently referred to as the fourth branch, which makes the government even more decentralized *and* more representative.)

This original bureaucracy was one of exceedingly small proportions though and barely warranted the name: To begin with, there were only the Departments of State, War, and the Treasury. There was an attorney general, but he was simply a lawyer for whom the federal government was just another client. (The Post Office was created in 1792.) The "bureaucrats" in these departments were outnumbered by Congressmen until the 1820s. We will take up the development of today's bureaucracy after a look at the evolution of the American bureaucrat.

### *The Development of the American Civil Service*

What kept more bureaucrats from being necessary were the vastly simpler governmental needs of the U.S., compared with European nations, throughout much of the nineteenth century. Three factors may be

cited to explain this lack of a burgeoning bureaucracy, and these also help to explain the seemingly ingrained American antipathy to it.

First, because of its geographical situation, the U.S. was long able to practice a policy of isolationism, which rendered it unnecessary to have a strong national standing army and the large bureaucratic hierarchy that entails. Then, too, nine out of ten Americans were engaged in farming, and hence not much dependent on large-scale interstate or international trade and commerce, which likewise made a substantial domestic bureaucracy superfluous. (Trade and commerce were indeed thriving but were vigorously enough supported by state and local governments which went so far as to finance the railroads.) Finally, what government tasks there remained were still quite simple which, in turn, meant that what government employees were needed, except on the highest level, could largely be hired on the principle of popular participation that Jefferson and subsequently Jackson espoused, without much concern for modern technical or professional qualifications.

But the accelerated industrialization—with its commensurate growth in manufacturing, commerce, and the military expansion necessary to command markets—which occurred throughout the 19th century and positively mushroomed in its last decades necessarily placed extraordinary demands on government. As the society, at the same time, experienced such radical transformation from a rural, agricultural life to a highly urbanized, industrial one, the informal, local exercise of government administration had to undergo an equally radical transformation. Let us have a look at these developments in somewhat more detail to see how American bureaucracy was shaped to meet these demands.

American administrative development has been chronicled in six stages:

- Government by Gentlemen, 1789–1829
- Government by the Common Man, 1829–1883
- Government by the Good, 1883–1906
- Government by the Efficient, 1906–1937
- Government by Managers, 1937–1957
- Government by Professionals, 1957 to the Present<sup>16</sup>

#### **Government by Gentlemen, 1789–1829**

The Constitution, through the Connecticut or Great Compromise, sought to reconcile the conflict between demands for a strong, centralized, national government and demands for individually autonomous states in a symbiosis of federally shared powers. Similarly, American administration has developed via a dialectic of elitist representation and

popular participation which eventually resulted in today's administrative synthesis of a permanent civil service and its politically appointed leadership. Founding Federalists like Hamilton and Washington, though they had rebelled against monarchy, were clearly not in favor of genuinely popular democracy—they had a rather Hobbesian view of people and, consequently, to use a familiar phrase, they preferred government *for* the people to government *by* the people. Thus Washington hired officials for the new government on the basis of “fitness of character”—good family background, educational attainment, community esteem, and public honors. Since these characteristics were pretty limited to a small group of well-to-do and substantial property owners, basically the “landed aristocracy” of the new country, such criteria for serving in the bureaucracy amounted to a self-perpetuating elitism, and more thoroughgoing democrats like Jefferson strongly opposed it.

#### **Government by the Common Man, 1829–1883**

A more Jeffersonian approach to administrative employment was ushered in with the election of Andrew Jackson. He owed his election in part to the fact that by 1828 the franchise had been extended beyond that property-owning elite. But this did more than just enable the propertyless “common man” to vote; it also enabled him to participate in the work of government. How did this common man manage to get a job in government, which had hitherto been largely the prerogative of the propertied classes? He got it through more of the same system that already prevailed in American government: Patronage.

Many traditionally associate the introduction of patronage—the spoils system—with the election and administration of Jackson, but this is a mistake. The preceding administrations, whether they had been Federalist or Democratic-Republican (even Jefferson's), had practiced patronage to near perfection, giving over 90 percent of their higher civil service appointments to individuals of their own—very exclusive upper—class. Nepotism similarly was rampant and a goodly number of such appointees not only asserted that the positions that they had been appointed to were their property but even that their offspring should be able to inherit them—which was hardly democratic and would have taken Americans right back to the sort of hereditary aristocracy they'd just gotten away from. It was, in fact, precisely such pervasive abuse of administrative and appointive privilege among this elite that compelled the socially and economically much more diverse new voters of 1828 to help elect Jackson.

Jackson, in turn, countered such elitist perpetuation of offices with the notion that, in a democracy, a new administration should bring in new officers. The philosophical principle here, as articulated by Jeremy

Bentham, was "rotation in office," but the political practice was better expressed in Senator William Marcy's famous phrase, "To the victor belong the spoils," which meant that whoever won the election would get to make those cozy appointments—with the result that the initial "gentlemen's" patronage system was expanded to the "common man."

Ironically, though, this Jacksonian expansion of the spoils system laid the very foundations of the modern bureaucratic system in America. In principle, a system of pure political patronage should have made a federal job available to anyone on the basis of his contribution to the party—e.g., those who give the most money to the campaign get the most important Department (State, Defense, Treasury) or the best ambassadorship (London, Paris, Berlin) so on down the line to lesser jobs for lesser contributions (customs houses and post offices, for example). In practice, though, Jackson realized of course that while federal jobs might still be fairly simple, they were hardly so simple that just any fresh-baked backwoods Democrat voter could fill one—or if they were so filled, the Democratic administration would quickly look rather incompetent. Since Jackson could obviously neither change these voters nor renege on the principle of popular participation, he set about to change the nature of federal jobs, and this is where some see the real beginnings of bureaucracy proper in American administration.

"The duties of all public officers," Jackson had told Congress, "are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance." Putting the emphasis on "'admit of being made' so simple that any intelligent person could do them," the Jackson administration thus sought "to organize the executive department as a rationalized complex of offices, ordered by function, and defined by rules and regulations."<sup>17</sup> This specifically, then, amounted to the beginning in federal government of the classic bureaucratic divisions of labor with its functional job definitions, and shows Jackson to have been in the forefront of modern organizational or bureaucratic thinking.

Nonetheless, spoils flourished and gave rise to two increasing, indeed often mutually exacerbating problems. For one thing, excessive rotation in office—in one year, out the other—clearly prevented government officials from developing the necessary expertise demanded by an increasingly less simple state; for another, corruption expanded exponentially as more and more officials were able to use their offices to enrich themselves, particularly in the notorious city machines like Tammany Hall.

### Government by the Good, 1883–1906

Both those who had not benefited from spoils and those with a sincere interest in reform had long been advocating remedies. In 1853 the Senate actually moved to have department heads classify clerks and to arrange for their promotions on the basis of specific qualifications. This would have amounted to the beginnings of a "merit" system of employment, in which people are hired and promoted on the basis of their qualifications rather than patronage. That very same year the same problems had come to a head in Britain, and the prime minister appointed an appropriately paired team—a politician and a bureaucrat—to devise a new civil service system to clean up their spoils and corruption. This team recommended "the abolition of patronage and the substitution of recruitment by open competitive examination under the supervision of a central examining board . . . and the filling of the higher posts by promotion from inside on the basis of merit rather than seniority."<sup>18</sup> Their work is directly pertinent to us because it became the virtual foundation of the civil service reform legislation eventually to be passed.

### Excursus: Making Policy in a Democracy

That these civil service reforms were not implemented in the U.S. for three decades can be easily understood if one recalls the issues that took political priority in that era, which culminated in the Civil War. It was only well after that that Rutherford B. Hayes, who had been elected to the presidency with a civil service reform plank in his platform, set about to make up for this failure. Hayes now sent Dorman Eaton, the former chairman of the Civil Service Commission that Congress had previously established but left dormant, to Britain to study what had been done in the twenty-odd years since reform had begun over there. Eaton's report on that system and its success provided the actual blueprint for the legislative founding of the modern American bureaucracy in the Pendleton Act of 1883.

Yet as with most major American public policymaking, it was not enough to have a clear precept and example; there had to be a crisis, more, an actual catalyst to act on it. The crisis in civil service employment had certainly been reached, but that single little catalyst that sparks a "public" cry for action was still lacking. This catalyst finally came in the form of the assassination of President Garfield by a "disappointed office-seeker," as the textbooks all have it. A brief look into this event will give us an instructive insight into our public policymaking process. Following Hayes, James Garfield ran for president in 1880, likewise with civil service reform on his agenda. But there was a factional split in the

Republican party between reformers like Garfield (the "Half-Breeds" who wanted the Civil War wounds healed and to work with Southerners as well as to clean up the civil service) and the so-called Stalwarts (who remained steadfast in their opposition to both). And to get the nomination to begin with, Garfield, like the proverbial northern presidential candidate who needs a Southerner to balance the ticket, had to take a Stalwart on the ticket with him to do so.

That is why the reformist Garfield was shot by the "disappointed" office seeker. This was one Charles J. Giteau who had been trying to get himself one of those cushy patronage posts—ambassador to Paris, consul to Vienna—but the spoils system had simply not been working for him. In the election of Garfield with the Stalwart Chester Arthur as vice president, though, Giteau saw his big break: He shot Garfield, shouting, "I am a Stalwart and now Arthur is president," fancying that with the reputed spoilsman Arthur in charge he should now get his appointment. Shooting Garfield rather limited his eligibility, but it did give the necessary final impetus to legislative action which took the form of "An Act to Regulate and Improve the Civil Service of the United States," better known as the Pendleton Act of 1883. It must be added that the Act's passage was smoothed considerably by the fact that, with it, the Republican majority in Congress perpetuated the party faithful in the offices to which they had just appointed them through the old spoils system.

### **Government by the Good, Continued**

The Pendleton Act, the charter of modern American bureaucracy, was based on a draft by Dorman Eaton and set forth, among others, the following familiar bureaucratic principles and practices: It stipulated that the president appoint a bipartisan, three-member Civil Service Commission; it provided for examinations for applicants to the classified service (then still only the lowest levels such as clerical, comprising roughly 10 percent of the federal workforce; today the classified service comprises over 90 percent of it); it stipulated that those who did best on the examinations should be appointed; and there was to be a probationary period preceding permanent appointment.<sup>19</sup>

This was the beginning of the "Government by the Good" period. It was "good" because, following the abuses of spoils, such a reform of government employment had become nearly universally considered a "good," indeed, a moral imperative. It was good because it was in principle open to all on the basis of the individual's merit, and hence genuinely egalitarian and democratic. It was good, more specifically, because it was based on "merit"—what one knew—rather than "spoils"—who one knew (or paid): neutral competence rather than political favoritism.

Shortly after the Pendleton Act, an Act to Regulate Commerce established the Interstate Commerce Commission, the first of the independent regulatory agencies. Its creation confirmed the emergence of the bureaucratic state and conformed wholly with the principles of the progressive reformers, for an agency independent of the three political branches, neutral like the new civil service, "was seen as the proper means of bringing scientific expertise to bear on problems and of shielding the experts from partisan—hence self-seeking—influence."<sup>20</sup> With these foundations of a professional system of public service in place, the further development of American bureaucracy was chiefly a matter of building the system up and enabling it to meet the exigencies of new times.

### **Government by the Efficient, 1906–1937**

While "Government by the Good" brought many of the Progressive reformers into public service, being "good" alone did not suffice to meet the increasingly complex needs of government in this era. If industrialization was just beginning to take off in Jackson's era, it was now at full steam, in huge manufacturing plants in city after city and on the network of railroads connecting them. In the same year as the establishment of the ICC—created precisely to deal with all this traffic—1887, Woodrow Wilson, then a professor of political science, had already asserted that "a technically schooled civil service will presently have become indispensable" in order that government may carry out its tasks "with the utmost possible efficiency and at the least possible cost."<sup>21</sup> By roughly 1906 enough had been learned to translate the demands for good as well as efficient government into action, and as in the case of the former, "efficient," too, came to be a moral imperative, a value that we still hold today and that persists in maligning bureaucracy.

The move towards "Government by the Efficient" received its impetus from the new world of engineering, particularly through Frederick Taylor's "scientific management" which applied modern science and technology to the organization of work and drew intellectual support from the social interpretation of Darwinism (i.e., that organisms evolved toward their greatest efficiency in order to survive). Scientific management succeeded with some of the new notions of specialization and technique, and by bringing technical expertise into bureaucracy rendered government more capable of dealing with its routine tasks such as street maintenance. Because techniques like Taylor's enabled "good" reformers to measure, for example, just how much it should cost to pave so-and-so many miles of streets with a specific quantity and quality of

materials, they were able to tell whether local government officials had spent citizens' tax dollars efficiently or not—and thus hold those officials accountable.

Efficiency, however, is purely instrumental, puts too much emphasis on technical factors, and thus proved far from adequate to cope with more profound and pervasive problems such as those produced by the Depression. We can, for example, make our present automobiles more and more fuel-efficient, but the exhaust will still pollute the air and our oil resources will still be exhausted—and we'll still be running around in cars; what we really need, perhaps, is to find an altogether different way to fuel vehicles or an altogether different way to get around that does neither. (The ultimate absurdity of the value of efficiency can be seen in the stock market practices that led up to the Great Crash of 1929: The less money is put up for a given investment, obviously, the more efficient is the investment. So, many people bought "on margin," paying, for instance, only 10 percent of the cost of their investment. The trouble came when they didn't have the other 90 percent when those were needed, and the whole thing collapsed upon them—and the rest of American society—not unlike today's savings and loan fiasco. And it was this spectacular failure that discredited the business world and its values in that era.)

### **Government by Managers, 1937–1957**

Before the 1930s, the U.S. government had confined itself chiefly to agencies that took care of its own needs (the Treasury for collecting taxes and the Department of the Interior for managing federal lands) and to creating such new agencies as needed to respond to prominent interests such as those of agriculture, trade, and industry. Thus, as indicated, it had created the ICC in 1887 to deal with those interests (and the conflicts between them). But to cope with the pervasive devastation of the Depression, the government would have to shift its stance from such a "reactive" one to a "proactive" one. It was therefore this greatest modern American domestic crisis that led to the creation of the so-called positive state and hence the creation of a bureaucracy to meet the needs of a 20th-century society and economy. Crises of such scope had previously only come in the form of wars and, for all its evils, World War I had just palpably demonstrated the efficacy of bureaucratic organization to Americans whom it had enabled to mobilize a great, and victorious, force of arms.

A crisis such as this Depression meant that, similarly, government had itself to initiate policies and programs, what with the total bankruptcy of the business interests that had previously generated most policy demands. And this in turn meant that government had to find individuals

who, like generals, could take the lead with new policy initiatives—policy entrepreneurs, we have come to call them—and who could equally manage the effective implementation of these policies on the home front.

It is worth noting that while we associate bureaucracy with government, businesses such as our corporations are every bit as much bureaucracies, and while from them we are familiar with the American business hero, the entrepreneur, such enterprising individuals are to be found equally in government bureaucracy, emerging especially in this innovative Roosevelt era of government. Such "public entrepreneurs" include, among many others, David Lilienthal, who forged the Tennessee Valley Authority and brought that whole region into the twentieth century; J. Edgar Hoover, who built a small subsidiary in the Justice Department into one of the most visible and familiar of federal government agencies; Robert Moses who practically single-handedly built, for better or worse, the modern American city in the form of the greater New York megalopolitan area; and Hyman Rickover, the father of the nuclear navy.<sup>22</sup>

These examples should give an idea of how the term "managers" is to be interpreted in this context—it has more of an enterprising, "take-charge" meaning to it here than it does in our conventional usage today. These managers created new organizations to implement the new policies and programs, particularly in the social realm, and this gave us the familiar array of "alphabet" agencies and, in fact, put in place very much the concrete framework for our contemporary bureaucracy.

Following his most immediate emergency efforts to shore up American's pocketbooks and psyches, respectively, by declaring a bank holiday and legalizing 3.2 beer, President Roosevelt thus proposed to Congress the creation of such agencies as the SEC, the WPA, the TVA, the FDIC, and the forerunner of HUD, the U.S. Housing Authority.

### **Excursus: Creating Bureaucracy in Democracy**

While the first three departments—State, War, and Treasury—as their creation hand-in-hand with the new government suggests, exist because they perform the most essential functions of government, the creation of subsequent ones can be seen to reflect different evolutionary needs. The first of these, Interior (1849) and Justice (1870) were simply responses to growth, in territory and in population. The next three departments to emerge, however, were created not because of such express administrative needs of the government itself but rather in response to pressures from interest groups which had become nationally dominant. The first of these so-called clientele departments was, understandably,



Agriculture (1862/1889), and increasing industrialization soon produced Commerce and Labor (1903/1913).<sup>23</sup> The remaining departments, in contrast, were established in response to pressing national needs, such as the Department of Housing and Urban Development (1965) and the Department of Transportation (1966), which were meant to give national attention to the building urban crisis, or to give priority recognition to certain problems, such as Energy (1977) and Education (1979).<sup>24</sup>

Lesser crises spawned other new agencies. The Stock Market Crash of 1929 had led to the formation of the Securities and Exchange Commission (1934); as the Second World War turned into the underground cold war, the Office of Strategic Services was transformed into the Central Intelligence Agency (1947). The war had likewise engendered a great deal of research such as that which had produced the atomic bomb and now needed to be applied to constructive use, hence the Atomic Energy Commission of 1946. In this and other areas, World War II had shown the importance of basic research and thus produced as well the National Science Foundation in 1950; but it took another crisis, the Russian launch of Sputnik in 1957, to jolt the government into giving top priority to space in the form of a top-flight independent agency, the National Aeronautics and Space Administration (1958).<sup>25</sup> The important point, evident here too, is that while our bureaucracies are indeed created at the top—by Congress—it is usually in response to a problem, a crisis, that has pressed its way to this top level of consideration from below rather than being done by congressional, or even presidential, fiat.

### **Government by Professionals, 1957 to the Present**

Following its triumphant success in World War II, U.S. administration had not maintained the same high level of aggressive “management” and thus had failed to keep up with the explosive postwar growth of technology and found itself, out of the blue, behind in a space race. Sputnik symbolizes another of those crises that mobilize American policymakers, much as Garfield’s assassination had mobilized civil service reform and, in our own time, Rock Hudson’s death finally mobilized government AIDS action. In addition to NASA, Sputnik administratively sparked President Eisenhower’s installation of a White House special assistant on science whose position President Kennedy in 1962 turned into a full-fledged Office of Science and Technology. Legislatively, it produced the National Defense Education Act of 1958 which provided the financial support for creating veritable armies of professionals. (Here, too, it is worth observing that citing the “defense” need in the title of the act made giving money for education more palatable to Congress be-

cause it likewise gave it that crisis character—the same premise, moreover, on which the whole network of Interstate Highways was built.)

Ultimately, these efforts made the government the largest employer of professionals in the country—over 45 percent of federal civilian employees are “professional” as opposed to just under 11 percent in the private sector<sup>26</sup>—this applies whether we think of researchers in the National Science Foundation, space scientists and engineers in NASA and DOD, nuclear physicists at Los Alamos, doctors in the Public Health Service, lawyers in the Justice Department, economists and other social scientists in Commerce, HUD, or the multitude of other specialists in other agencies, from agronomists in Agriculture to zoologists in the National Zoo.<sup>27</sup> This high degree of professionalism in the government has occasionally given rise to a newer version of the fear of bureaucracy, and that is the fear of technocracy—the fear that all these folks who have all this “high-tech” knowledge and power that we ordinary people can’t access will use it to run our lives to their own advantage. Here, too, all the competitive jockeying for recognition and funding and all the secretive jealousies and infighting among the different disciplines and fields will doubtless preserve us from such a fate.

### ***Bureaucracy and Democracy Today***

If we review these periods, we see that there has been a tension between two sides, between the professional (permanent civil service, merit system employment) side and the political (patronage and temporary appointment) side. On the one hand, we do want to have the best and the most expert people doing our government’s work for us and hence have their employment based on their professional credentials and not on their political connections or their ability to “buy” offices. On the other hand, though, we also want to participate in the decisions that affect us, to have a say in what these professional bureaucrats do.

There are several ways in which these demands and desires for professional bureaucracy and political democracy have been reconciled. Today’s U.S. civil service consists of nearly 95 percent permanent civil servants who ensure the federal government the greatest reservoir of expertise anywhere. The remaining 5-plus percent of the bureaucracy are the political appointees of the president, and party in power. The simple underlying notion here, reconciling bureaucracy with democracy, is that the bureaucracy will indeed carry out the voters’ desires because it is led by these appointees of our elected officials.

### Responsiveness and Representativeness

There is a good deal of skepticism, though, as to whether bureaucrats actually do what the voters want them to do. Do those bureaucrats actually change tack with shifting political winds or don't they rather exclusively follow agendas of their own? The latter is the traditional view of those who see only conflict between bureaucracy and democracy.

While it is clear that bureaucrats, like all other people, will have their individual political preferences, their own professional priorities, and their own organizational and policy agendas, we find that the behavior of bureaucrats produces actions more positive and reassuring than bureaucracy bashers might suspect. Those who would say, for example, that it doesn't matter which party is in power, bureaucrats follow their own agendas anyway, are refuted by research that shows that policies implemented when one party was in power differ quite substantially from those implemented under another party. Apart from the fact that any policy is going to be subject to a great deal of bargaining and negotiating between bureaucrats and politicians, it is important to remember that bureaucrats, though they do have the expertise, ultimately always have to have the political endorsement and the fiscal support of our duly elected public officials.<sup>28</sup>

If we believe that we are ruled by a bureaucracy which does what it will without regard for the wishes of the public as expressed at the polls, we need only consider the far-reaching policy changes effectively implemented by recent administrations—all accomplished with essentially the same bureaucracy. Think simply of the vast social policy changes achieved through Lyndon Johnson's Great Society programs on the one hand and the broad deregulation initiatives undertaken by the Ford and Carter administrations. Clearly our bureaucracy is not, after all, the intractable bugbear it is so often made out to be, but a responsive and effective instrument of democratic government.

And to stress again, it's a mistake, too, to think of "the bureaucracy" in such monolithic terms, as if it were a single entity, populated by absolutely like-minded bureaucrats with a single given political point of view. Many have argued that, on the contrary, the bureaucracy is perhaps the most representative institution in the federal government. The people in the federal bureaucracy do, despite their higher degree of professionalism, come much closer to representing a cross-section of the American populace than any of our elected or appointed officials. Nobody would argue, or demand, that the Supreme Court be representative, but even our popularly elected Congress is far from representative of the population in race, gender, income, education, etc. The bureaucracy, therefore, compensates considerably for this lack of representativeness in our political democracy.<sup>29</sup>

### Equity and Efficiency

Much as this representativeness of our bureaucracy helps promote equity, its high degree of professionalism helps ensure efficiency. Inefficiency is perhaps the most frequent accusation leveled at government bureaucracy. Inefficiency, or efficiency, is something that can really only be measured in comparative terms (i.e., one organization delivering some good or service at a lesser cost than another), as among different firms providing the same good or service competitively. And where such comparative measures can be used, in services ranging from air travel to waste disposal, governmental agencies, all other factors being equal, have proven quite as capable of efficient performance as private ones. For every seatbelt regulation Americans don't want to obey, there's an Edsel they don't want to buy.<sup>30</sup>

All other factors are not usually equal, however. For one thing, the goods and services provided by government are usually those that no other organization can or will provide, such as space exploration or environmental protection, because there is no profit in it. For another, there are services which we, as a community, want to make sure are provided by organizations which we, as a community, control, such as police protection. We would not want police powers to be in the hands of some private individual because we would, for good reason, worry that we might not be treated fairly by that individual's police force.

This reaffirms that equity, not efficiency, is really the primary value we're looking for from government. We want fair and equal treatment, as promised by our Constitution. And it is the rules and regulations, the "red tape" of bureaucracy, that ensures that we receive that equal treatment.

### Notes

1. Charles T. Goodsell, *The Case for Bureaucracy: A Public Administration Polemic*, 2nd. Edition (Chatham, NJ: Chatham House, 1985), p. 2.
2. Goodsell, pp. 6–11.
3. Martin Albrow, *Bureaucracy* (New York: Praeger, 1970), pp. 16–18.
4. Louis Galambos, "By Way of Introduction," *The New American State: Bureaucracies and Policies since World War II*, edited by Louis Galambos (Baltimore: Johns Hopkins, 1987), p. 2.
5. *Houston Chronicle*, February 14, 1989.
6. Kenneth J. Meier, *Politics and the Bureaucracy: Policymaking in the Fourth Branch of Government*, 2nd Edition (Monterey, CA: Brooks/Cole, 1987), p. 30.

7. Michael Kinsley, "Why Not Move the Government," *Time*, January 20, 1992, p. 64.
8. Goodsell, p. 113.
9. The substantial growth in bureaucracy that has, however, occurred and that people rightly perceive to have occurred has been in state and local government.
10. James Q. Wilson, "The Rise of the Bureaucratic State," *Bureaucratic Power in National Policy Making*, 4th Edition, edited by Francis E. Rourke (Boston: Little, Brown, 1986), p. 125.
11. Michael Nelson, "The Irony of American Bureaucracy," *Bureaucratic Power in National Policy Making*, 4th Edition, edited by Francis E. Rourke (Boston: Little, Brown, 1986), p. 165.
12. John Rohr, *To Run A Constitution: The Legitimacy of the Administrative State* (Lawrence: University Press of Kansas, 1986), p. 1.
13. In Federalist LXXII, Hamilton makes this relationship between the "CEO" and the "bureaucracy" quite explicit: "The administration of government, in its largest sense, comprehends all the operations of the body politic, whether legislative, executive, or judiciary; but in its most usual and perhaps most precise signification, it is limited to executive details, and falls peculiarly within the province of the executive department. The actual conduct of foreign negotiations, the preparatory plans of finance, the application and disbursement of the public moneys in conformity to the general appropriations of the legislature, the arrangement of the army and navy, the direction of the operations of war—these, and other matters of a like nature, constitute what seems to be most properly understood by the administration of government. The persons, therefore, to whose immediate management these different matters are committed ought to be considered as the assistants or deputies of the Chief Magistrate, and on this account they ought to derive their offices from his appointment, at least from his nomination, and ought to be subject to his superintendence." James Madison; Alexander Hamilton; & John Jay, *The Federalist Papers*, edited by Isaac Kramnick (New York: Penguin, 1987), pp. 412–413.
14. Nelson, p. 166.
15. Nelson, p. 169.
16. Frederick C. Mosher, *Democracy and the Public Service*, 2nd Edition (New York: Oxford, 1982), 56–142.
17. Nelson, pp. 172–174.
18. E. N. Gladden, *A History of Public Administration*, 2 vols. (London: Frank Cass, 1972), Vol. II, p. 312.
19. This civil service system remained in place until the Carter administration's Civil Service Reform Act of 1978 which abolished the Civil Service Commission and split its conflicting functions into two agencies: the Office of Personnel Management which administers the civil service and the Merit Systems Protection Board which protects federal civil servants.
20. Galambos, p. 11.
21. Woodrow Wilson, "The Study of Administration," *Classics of Public Administration*, edited by Jay M. Shafritz & Albert C. Hyde (Oak Park, IL: Moore, 1978), p. 3.
22. Eugene Lewis, *Public Entrepreneurship* (Bloomington: Indiana University Press, 1980).
23. Meier, p. 21. Though originally created in 1862, the Department of Agriculture did not acquire cabinet status and a secretary at its head until 1889. Commerce and Labor were originally created as a Department of Commerce and Labor in 1903 and lasted as such until the divergence of interests between their two constituencies was recognized in 1913 at which time they were, accordingly, split up.
24. Matthew A. Crenson & Francis E. Rourke, "By Way of Conclusion: American Bureaucracy since World War II," *The New American State: Bureaucracies and Policies since World War II*, edited by Louis Galambos (Baltimore: Johns Hopkins, 1987), p. 147.
25. Richard J. Stillman II, *The American Bureaucracy* (Chicago: Nelson-Hall, 1987), passim.
26. Stillman, p. 9.
27. Matthew A. Crenson & Francis E. Rourke, "By Way of Conclusion: American Bureaucracy since World War II," *The New American State*, edited by Louis Galambos (Baltimore: Johns Hopkins, 1987), p. 147.
28. Joel D. Aberbach; Robert D. Putnam; & Bert A. Rockman, *Bureaucrats and Politicians in Western Democracies* (Cambridge, MA: Harvard, 1981), 248. The importance of political appointees in the achievement of federal government policy objectives has also been underlined by a new study of the National Academy of Public Administration which demonstrates how much more our system relies on such appointments than that of any other democratic country. See also: Robert Pear, "Agencies Without Bosses Keep Going—But Where?" *New York Times*, March 5, 1989. But perhaps the single most instructive (and hilarious) account of the interaction of politicians and bureaucrats is to be found in *The Complete Yes Minister* by Jonathan Lynn & Anthony Jay (New York: Harper & Row, 1988).
29. Rohr, *To Run A Constitution*, pp. 45ff.
30. Meier, pp. 5–6.