The politics-administration dichotomy : a reconstruction

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3 | Classical Formulations

> "The beginning of wisdom lies in recognizing the *achievement* of the old formulation." (Waldo 1971: 264)

3.1 Revising revisionism

In debates about the politics-administration dichotomy, as in many long-standing academic debates, some contributions have come to be regarded as more important than others. These classics, as they can be called, are continuously debated, reinterpreted, and referred to. Whether one defines a classic as a text with "enduring value" that is "still worth reading today and will be tomorrow" (Shafritz, Hyde, and Parkes 2004: xii) or, more cynically, as a text one should take serious to be taken serious, there seems little disagreement as to what the classics are with regard to the politics-administration dichotomy. Two Americans clearly stand out: Woodrow Wilson for his essay 'The Study of Administration' (1887), and Frank J. Goodnow for his book *Politics and Administration: A Study in Government* (1900). A third undisputed classic is Max Weber, whose articulations of the dichotomy in several of his political writings have become highly authoritative in America as well as in Europe. In this chapter I concentrate on these three major authors only. Other early writers sometimes treated together with them, such as William F. Willoughby, are left aside, not because they have nothing to say about public administration and its role in government, but because they have not specifically influenced later understandings and discussions of the dichotomy.[1]

Many theorists regard a re-examination of classic formulations of the politics-administration dichotomy as a barren enterprise from the outset. In their view the classic texts have been analyzed so often that another reading cannot be expected to yield much further insight: "One can not now make a useful career of harassing the ghosts of Wilson, Goodnow, and Willoughby" (Fesler 1957: 139). Yet a re-examination of the classics very well serves the historical-interpretative

[1] Willoughby (1927; 1936) extensively discussed administration as one of five powers of government, the others being the legislative, executive, judicial, and the electoral power. For this and other contributions, he is definitely a classical author on public administration, but not on the politics-administration dichotomy (*pace* Waldo 1948: 111-114).

and theoretical aims of this study. Svara has forcefully expressed the value of historiographical accuracy: "It is important for academics to get their intellectual history right and stop presenting simplistic and historically inaccurate explanations of how the field began and evolved" (1998: 51). Although in my analysis Svara himself turns out to have contributed to the distortion of the historical narrative, his call is surely justified and underlines the relevance of trying to determine the position of the classics. What is more, Wilson, Goodnow, and Weber have articulated some of the most powerful conceptualizations and justifications of the dichotomy that have served and still serve as landmarks in the literature. Because their positions still carry weight in the broader theoretical debate about the viability of the dichotomy, returning to their writings is imperative.

Apart from these general reasons, a re-examination of the classics now seems especially pertinent because of a particular reading of the history of (American) Public Administration that has gained wide support during the last few decades of the twentieth century. According to this interpretation, which has aptly been called "revisionist" (Shafritz, Hyde, and Parkes 2004: 9 n.16), the classics did not actually endorse the politics-administration dichotomy at all. Wilson and Goodnow in particular (more so than Weber) are absolved from responsibility for the development of the dichotomy. The most important contributors to the revisionist interpretation are Van Riper and Svara. Apart from their objections to the dichotomy itself (see Chapter Four), they have doubted, qualified, and denied that the classics endorsed the dichotomy between politics and administration and argued that whoever may have introduced the dichotomy, Wilson and Goodnow are not among them.

In Svara's case, in particular, this revisionist interpretation has wider consequences for the role of the dichotomy in the history of Public Administration. He emphatically opposes the view that the "dichotomy model" can be regarded as the "founding theory" of Public Administration as an academic discipline (1999: 676; 2002: 1): "Although appropriately criticized for being irrelevant, the [dichotomy] model is still given a historical legitimacy it does not deserve" (1998: 52). In his view, the belief that the dichotomy model was accepted dogma in pre-war Public Administration is a "creation myth" – "in the beginning was dichotomy" (1999: 676). He believes this is a distorted view of the early years of the field, constructed only in the late 1950s (1999: 693), and argues that the dichotomy model found hardly any support in the decades before the Second World War: "The dichotomy model, standing alone, is an aberration. It is associated with the dominance of orthodox public administration during the twenties and thirties and is essentially different from concepts of democracy and administration that preceded and followed it" (1998: 52; cf. pp. 54, 57; 1999:

678; 2001: 177). For this reason Svara wants to see the dichotomy not only dead, but also buried (2002: 1).

This chapter seeks to revise this revisionism. Although one must applaud efforts to exonerate the classics from simplistic ideas they never held, I believe the revisionists do not duly acknowledge the classics' real understanding and endorsement of the politics-administration dichotomy. In order to remedy this situation, I trace the understandings of the dichotomy held by Wilson, Goodnow, and Weber in sections 3.2 to 3.4, respectively. In three short sections I cannot of course do justice to the full thought of these authors. They have written extensively on a wide range of topics and especially for Wilson and Weber the wealth of secondary literature is enormous. Hence I concentrate on the meaning of the politics-administration dichotomy in the threefold sense explained in Chapter One: what did they mean by it (content), what did they mean it for (purpose), and what did it mean to them (relevance)? In section 3.5, then, I distill two diverging variants of the dichotomy from their accounts. At the end of the chapter (section 3.6), finally, I give a double-edged assessment of their position, defending them against common charges, but also subjecting them to another, less current line of criticism.

3.2 Wilson: 'Administrative questions are not political questions'

Wilson's essay 'The Study of Administration' is undeniably the *locus classicus* in the literature on the politics-administration dichotomy. The text has been read and discussed more than perhaps any other source in the Public Administration literature. It is not only the point around which much of the dichotomy debate has circled, but the essay itself has come under a crossfire of academic dispute as well.[2] Cook has given a helpful summary of what he calls the "deliciously unsettled intellectual skirmish" about Wilson's essay:

> "Scholars have contested whether Wilson actually articulated the idea of a separation of politics and administration and whether it was a true dichotomy or not. They have disagreed about the source of Wilson's articulation of the idea of a dichotomy. They have debated whether Wilson's identification of a separation was an accurate portrayal of reality and a defensible normative argument for the operation of democratic government, or a naive misrepresentation detrimental to understanding

[2] Among the wealth of literature about Wilson, three sources stand out as particularly relevant for students of public administration, namely Rabin and Bowman 1984, Pestritto 2005a, and Cook 2007. More general is Thorsen 1988.

> the organization of liberal democratic government and how it should work. Finally, as a result of all these they have contested Wilson's contribution to both the study and practice of public administration" (1995: 19).

Besides the points mentioned by Cook there are two other historiographic issues at stake. The first is the question whether the essay is representative of Wilson's thought more generally. From Wilson's correspondence we know that he himself thought little of the piece at the time, regarding it as "too *slight*" (1968a: 388; cf. Cooper 1984: 81-82). Moreover, it has been argued that he changed his position after 1887 and no longer advocated the dichotomy in his later writings. His lecture notes for a course on administrative law he taught at Johns Hopkins University in the early 1890s testify that he came to regard public administration not merely as "the detailed and systematic execution of public law," as he had said in the essay (1887: 212), but as "indirectly a constant source of public law" itself (1968a: 138; cf. Cooper 1984: 84-85). Moreover, whereas in the essay he stressed that public administration could learn from private business, in his later writings he recognized that it cannot and should not be business-like (Martin 1988: 633-634). Thus, between *Congressional Government* (1885), his first book, and *Constitutional Government* (1908), his last, Wilson's constitutional and administrative thought seems to have changed considerably.

The second issue concerns the reception history and *Wirkungsgeschichte* of Wilson's essay. Historical research has shown that the now-famous essay received scant attention in the four or five decades after its publication. The first scholarly reference to it appeared in Leonard D. White's 1926 textbook, and until the 1950s comments upon the essay remained scarce. When it was mentioned at all this was mostly because of other topics than the politics-administration dichotomy (e.g., Dimock 1937). Therefore, the revisionists have argued, Wilson's essay hardly contributed to the early development of Public Administration and to the promotion of the politics-administration dichotomy (Van Riper 1983: 478-479; 1984: 204-207; 1987a: 3-4, 8-9; 1987b: 403-405; cf. Martin 1988: 631-633). Cynics have further added that the essay has become famous only because of Wilson's later elevation to the American presidency (Harmon 2006: 8).[3]

These are interesting historiographic issues, but the question may be raised whether they carry much weight for assessing the contemporary relevance of Wilson's essay. As even Van Riper has acknowledged, the piece remains after all "the first modern effort to describe at length the general nature and role of

[3] A related issue, much debated by historians of administrative thought, is whether Wilson can rightly be seen as *a* or perhaps even *the* founder of the (American) study of public administration (cf. Pestritto 2005a: 244-246). This debate must be left aside here.

public administration in the United States" (1987b: 402-403). Moreover, it has an argumentative power that still makes it important in its own right. The relevance of its theoretical arguments goes beyond its immediate historical impact. At any rate, its peculiar reception history has not sufficed to send Wilson's essay into oblivion, nor is it likely to do so. On the contrary, recent years have seen a renewed interest in Wilson's political and administrative thought (Pestritto 2003, 2005a, 2005b, 2007; Cook 2007). Without inconsistency one can easily grant that the essay was not representative of Wilson's thought and little noticed until after some decades, and still regard it as an important piece – both in its own right and because of its influence on later debates.

Partly because the 1887 essay is a compilation of three earlier papers and partly because it was first delivered as a speech, it is notoriously difficult to distil Wilson's view on the politics-administration dichotomy from his text. Its line of argumentation is highly ambiguous and even self-contradictory: "[A]t crucial junctures in his argument Wilson strongly affirms precisely what, at other points, he denies, namely the political nature of public administration" (Kirwan 1977: 338; cf. Rohr 1989: 33-34). The reason, it seems to me, is that Wilson attempts to keep administration isolated from the kinds of politics he disapproves of (the spoils system in America and despotism in Europe), while at the same time trying to infuse or at least reconcile it with the kind of politics he approves of (viz., American democracy). Because of this fundamental ambiguity it is often hard to determine Wilson's stance towards the dichotomy, and the literature shows a variety of interpretations of Wilson's position (cf. Van Riper 1990b: 18-19). Some have argued that we can say nothing decisive about Wilson's views on the relation between politics and administration. In their view, he simply had no clear and coherent position on the dichotomy: "Wilson's essay thus vacillates between the two poles of thought regarding the separability of administration from politics (thereby providing generations of later scholars with ample footnote ammunition for both sides of the argument)" (Stillman 1973: 586). Ultimately, this view amounts to the sad conclusion that Wilson's argument is "simply so contradictory and confusing on the subject as to preclude any precise interpretations as to what he meant" (Van Riper 1984: 208-209). With others (Waldo 1984b; Kirwan 1987), however, I object to this view. Despite its ambiguities Wilson's essay does have a general thrust. Its main message is that – notwithstanding connections and overlap – politics and administration ought to be disentangled and kept apart. The case he was pressing is that of the dissimilarity between politics and administration in

theory and their disentanglement in practice.[4]

Wilson's endorsement of the dichotomy is not limited to the 1887 essay only. He already formulated "a robust conception of a distinction between politics and administration in *Congressional Government*" (Cook 1995: 24). In that book, his doctoral dissertation and the source on which the essay is mainly built (Stillman 1973), Wilson argued against Montesquieu's doctrine of the separation of powers and in favor of the politics-administration dichotomy for the cause of administrative reform:

> "Amongst the chief difficulties that have stood in its way, and which still block its perfect realization, is that peculiarity of structure which I have (…) pointed out as intrinsic in the scheme of divided power which runs through the Constitution. One of the preconditions precedent to any real and lasting reform of the civil service, in a country whose public service is moulded by the conditions of self-government, is the drawing of a sharp line of distinction between those officers which are political and those which are non-political" (Wilson 1925 [1885]: 290).

Wilson advocated the dichotomy after 1887 as well. Although he mitigated some of his earlier claims about the instrumental and business-like character of public administration, he did not substantially change his mind with regard to the politics-administration dichotomy (Cook 1995; Pestritto 2005a). In his lectures on administrative law in the 1890s, for instance, he maintained that "we must make the distinction between *offices of policy* and *offices of administration proper*: the distinction between policy and administrative instrumentalities" (1968c: 393; cf. Cook 1995: 26 n.2).[5]

As important as the fact that Wilson really advocated the dichotomy is the question *why* he did so. Overall, he seems to have been motivated less by theoretical than by practical concerns. These can be summarized under the two related but distinct headings of administrative and political reform. The effort

[4] In another reading, some have claimed that Wilson was not sincere about the dichotomy. Thus, Clements has argued that asserting the dichotomy "was not really what he meant to say" (1998: 322), while according to Marion "the politics/administration dichotomy [was] more a temporarily useful tool for Wilson, one might say almost a type of 'noble lie,' than an accurate reflection of the substance of his thinking" (1990: 40). Now it is certainly true that for Wilson the dichotomy had a "practical" or "functional" value (Marion 1990: 42, 48) in the sense that it served as a means to achieve broader political ends, but that does not imply he did not seriously advocate the dichotomy in his writings. It seems better to stick to the basic hermeneutical rule that a text must be taken *au serieux* as long as there is no compelling reason for the contrary (the 'presumption of sincerity'; Bevir 1999: 145).

[5] Note that Wilson here opposes administration to 'policy' rather than 'politics' – an apparently marginal terminological shift, but one that would cause substantial theoretical confusion later (see section 4.2).

towards administrative reform is probably the best known of the two. Administrative reform was a two-tiered project: administration had first to be made 'responsible' and then it had to be made 'business-like'. Primarily the Reformers combated what Wilson called the "poisonous atmosphere of city government, the crooked secrets of state administration, the confusion, sinecurism, and corruption ever and again discovered in the bureaux at Washington" (1887: 201; cf. Hoogenboom 1961; Skowronek 1982). They opposed the 'rotation in office' system, as it was euphemistically called, introduced under President Jackson, which developed into an endemically corrupt spoils system. Therefore Wilson opposed the influence of partisan politics on administration rather than that of politics per se (Van Riper 1984: 209; Rosenbloom 2008). Even Svara has acknowledged that before 1958 the phrase 'politics-administration dichotomy,' although "rarely used" by then, "connoted a limited sense of insulating administrators from partisan interference, along with recognizing that administrators influence policy in nonpublic ways" (2001: 181 n.9). Following the example of Europe, particularly Germany, Wilson and other Reformers favored a merit system of administrative appointment based on training and written exams. Responsibility and efficiency were the two key values of the Reform Movement (Kirwan 1981: 343). There is, however, a tension between them: to make administration more business-like it must be separated from politics, but to make administration more responsible it must be subordinated to politics. The tension between these two aims was deeply ingrained in Reformist thinking and (as we will see in section 3.5) it still haunts Western thinking about the dichotomy.

It is unwarranted, however, to limit Wilson's concern to administrative reform only, for he advocated the politics-administration dichotomy for reasons of political reform as well (Cook 1995: 26 n.2). The Progressives, including Wilson and Goodnow, were unhappy with the American constitutional constellation. What made the American system particularly problematic, in their view, was the separation of powers structure, which hampered the establishment of clear lines of responsibility between politics and administration. Hence Wilson opined that "Montesquieu did not (…) say the last word" in the field of constitutional study (1887: 213). Against Montesquieu's mechanistic or "Newtonian" separation-of-powers doctrine, Wilson preferred an organic or "Darwinian" approach (Rohr 1984: 43; Kirwan 1981: 343; Cook 1995: 23; Pestritto 2005a). This preference betrays his reliance on Hegelianism, but he had another source of inspiration as well, for if the Reformers and Progressives looked to Germany for better models of administration, they looked to England, especially, for better models of politics. Wilson in particular was a strong anglophile, and inspired by Burke and Bagehot, he greatly admired the British system of parliamentary government (Montjoy and

Watson 1995: 235). In *Congressional Government*, in particular, he argued that Congress had become too dominant vis-à-vis the other two branches, particularly the executive. Therefore, he sought to strengthen the executive and administrative parts of government.[6] Later in his career, he turned away from parliamentarism, and came to seek political leadership in a strong and rather populist form of presidentialism (Wolfe 1979; Rohr 1984: 46 n.1).[7] In both phases, however, he combined a good amount of democratic radicalism with an expanding vision of administrative power (Pestritto 2005a).

An important but often overlooked point is that Wilson's essay contains not one, but two dichotomies. In the opening sentences of the essay's second section, Wilson demarcates administrative questions from both political questions and constitutional questions: "The field of administration is a field of business. It is removed from the hurry and strife of politics; it at most points stands apart even from the debatable ground of constitutional study" (1887: 209-210). He treats the two dichotomies consecutively.

First Wilson demarcates administration from politics: "Administration lies outside the proper sphere of *politics*. Administrative questions are not political questions. Although politics sets the tasks for administration, it should not be suffered to manipulate its offices" (1887: 210). Wilson adopted the exact conceptualization of the distinction between politics and administration from Bluntschli's writings, already discussed in Chapter Two:

> "Bluntschli (…) bids us separate administration alike from politics and from law. Politics, he says, is state activity 'in things great and universal,' while 'administration, on the other hand,' is 'the activity of the state in individual and small things. Politics is thus the special province of the statesman, administration of the technical official'" (1887: 210).

Thus, the basic difference between political and administrative questions is that the former are important and general, whereas the latter are of secondary importance and particular. Significantly, this implies that the difference between politics and administration is not so much a sharp and qualitative one, but rather

[6] In this respect, Wilson initiated a long tradition in the study of Public Administration in the twentieth century, of pleading for a shift in the balance of powers, and favoring a stronger executive at the cost of both the legislative and the judiciary (Waldo 1948: 105-106; O'Toole 1987: 17-18).

[7] Wilson had rather 'conservative' preferences at the time. He feared democratic excesses and believed that in England and certainly in the United States the development of public administration had been hindered by popular government. Public opinion is too crude and too varied, and in multi-ethnic America also too diverse, to guide the improvement of administration adequately. For this reason he was also deeply concerned about the mass immigration in his days (Rohr 1984: 41-44; 1986: 69-73; Kirwan 1977: 347-348).

a fluid one (*ein flieszender*, as Bluntschli had put it). As we will see, this is not the conceptualization of politics/administration that has been ascribed to or associated with Wilson in many later commentaries on his essay.

Wilson next turns to the constitution/administration distinction, which in his view is "another distinction (…) though but another side of that between administration and politics" (1887: 211). In former times constitutional and political questions were paramount, but with the highly increased complexity of modern society and the corresponding "extension of administrative functions" (1887: 201), administrative questions are becoming more urgent: "It is getting harder to *run* a constitution than to frame one" (1887: 200). On this point Wilson was inspired by European, especially German, historicism. According to Wilson's historicist argument, there are several stages or periods that all governments go through. As he explains in the essay, first come absolutism and absolutist administration, then a democratic revolution ("in which administration is neglected"), and finally the development of administration under a democratic constitution (1887: 204). Thus, he saw a general process of the gradual elimination of constitutional questions and its replacement by administration. This has been called Wilson's "evolutionary" distinction between politics and administration (Kirwan 1977).[8]

Wilson's two dichotomies are of course closely related. His endorsement of the dichotomy between politics and administration was made possible by his endorsement of the dichotomy between constitution and administration. Precisely because administration was not a regular part of the constitutional order, he was able to propose the separation of administration from political interference. In other words, he endorsed a *polity*-administration dichotomy and therefore also a *politics*-administration dichotomy. Moreover, in the politics-administration dichotomy as well as the constitution-administration dichotomy the general/particular distinction plays a pivotal role. This is also evident from another passage, where Wilson speaks of "studying administration as a means of putting our own politics into convenient practice, as a means of making what is democratically politic towards all administratively possible towards each" (p. 220). This distinction between *all* and *each* is only a conceptualization of the more basic general/particular distinction.

With regard to both dichotomies Wilson closely followed Bluntschli's argument. This must be stressed, because it is widely believed that Wilson, who took much

[8] Wilson did not believe that constitutional *principles* are no longer relevant: "Liberty cannot live apart from constitutional principle; and no administration, however perfect and liberal its methods, can give men more than a poor counterfeit of liberty if it rests upon illiberal principles of government" (1887: 212). All major constitutional *questions*, however, have been answered.

effort to teach himself reading German, mistranslated and misinterpreted the passage in Bluntschli's work from which he derived his dichotomy.[9] According to this view, Bluntschli criticized and even denied the very distinctions Wilson derived from him. As we have seen in Chapter Two, however, Bluntschli actually did nothing of the sort. Wilson understood Bluntschli's argument better than his later critics recognize.[10]

Two important nuances must be added. The first is that Wilson's dichotomy between politics and administration was functional rather than institutional. He was well aware of the difference between distinguishing politics and administration as functions, and distributing them over different institutions and he elaborately explained that the latter is almost unfeasible:

> "One cannot easily make clear to every one just where administration resides in the various departments of any practicable government without entering upon particulars so numerous as to confuse and distinctions so minute as to distract. No lines of demarcation, setting apart administrative from non-administrative functions, can be run between this and that department of government without being run up hill and down dale, over dizzy heights of distinction and through dense jungles of statutory enactment, hither and thither around 'ifs' and 'buts,' 'whens' and 'howevers,' until they become altogether lost to the common eye not accustomed to this sort of surveying, and consequently not acquainted with the use of the theodolite of logical discernment. A great deal of administration goes about *incognito* to most of the world, being confounded now with political 'management,' and again with constitutional principle" (1887: 211).

To put it briefly, sharp distinctions between administration and politics in theory are often hazy in practice. This corresponds to the view Wilson derived from Bluntschli, that the distinction between politics and administration is fluid and gradual rather than sharp and fundamental. Hence Wilson's dichotomy was not simplistic: he was well aware that there is no neat institutional division

[9] This was first suggested by Kirwan (1977: 31-332) and has since been uncritically accepted by many others (e.g., Miewald 1984: 22; Cooper 1984: 87; Martin 1989: 223; Rabin and Bowman 1984: 8; Van Riper 1990a: 3; Cook 1995: 26 n.2; Pestritto 2005a: 233-234; Richardson 1997: 33, 38).

[10] There is only a difference of order, as Bluntschli first contrasted *Verwaltung* with *Verfassung* and then with *Politik*, whereas Wilson first contrasted administration with politics and then with constitution, but this difference is of no consequence. Wilson was incorrect in saying that Bluntschli "bids us separate administration alike from politics and law" (1887: 210). Bluntschli did not *bid*, but only made an observation about what is customary: "One is used to contrast administration to politics as well, so that it is excluded both from law and from politics". Bluntschli referred, however, to a general usage he himself was willing to accept. Apart from these minor points nothing is wrong with Wilson's reference to Bluntschli. For the conceptualization of administration and its contrast to politics, Bluntschli simply offered him a very useful source.

between politics and administration in practice. This point would later be elaborated by Goodnow.

The second nuance is that, although functional, Wilson's dichotomy is not instrumentalist in the sense that administrators merely execute the decisions made by politicians. It is true that Wilson, as Bluntschli before him, associated constitutional questions with the making of general laws, and administrative questions with their particular execution. He made use of the deciding/executing distinction, for instance when he stated that "politics sets the tasks for administration" (1887: 210).[11] Thus, a general and qualitative distinction between deciding and executing certainly underlies Wilson's dichotomy. Again like Bluntschli, however, he criticized the tendency to simplify this distinction in terms of will/deed: "[T]he administrator should have and does have a will of his own in the choice of means for accomplishing his work. He is not and ought not to be a mere passive instrument. The distinction is between general plans and special means" (1887: 212). In this conceptualization, we again see that the distinction is not simply instrumental; Wilson credited administration with much discretion and did not reduce it to the automatic execution of political orders. Instead, administration is "raised very far above the dull level of mere technical detail by the fact that through its greater principles it is directly connected with the lasting maxims of political wisdom, the permanent truths of political progress" (1887: 210). In other words, whereas he advocated a *politics*-administration dichotomy and a *polity*-administration dichotomy, he did not endorse a *policy*-administration dichotomy.

Echoing the revisionist interpretation of Van Riper, particularly, even Waldo has asserted that "it misreads history to charge Wilson with inventing and perpetrating the 'politics-administration dichotomy'" (1984a: 191). This position is untenable, however. Re-examination of Wilson's essay and other relevant writings allows no other conclusion than that he did in fact advocate a subtle though robust dichotomy between politics and administration and a logically prior dichotomy between constitution and administration. Motivated by the practical purpose of political and administrative reform, and inspired by neo-Hegelian thinkers such as Bluntschli, he aimed to elevate the public administration within the state and to insulate it from political (particularly partisan) interference.

[11] In this connection, Kirwan speaks of an "analytical" distinction "between questions of setting or formulating tasks and questions of carrying them out" (1977: 331).

3.3 Goodnow: Two primary functions of government

Goodnow's *Politics and Administration* is often mentioned, but much less read and less well-known than Wilson's essay. It is, however, certainly no less instructive, and it offers an elaboration and specification of many of Wilson's arguments (Pestritto 2007). Compared to Wilson's rhetorical and ambiguous essay Goodnow's book is much more sober, rigorous, and coherent. Wilson himself called him "one of the most lucid of our own writers" (1968b: 6). Goodnow was the founder of the field of administrative law in the United States and his juridical outlook certainly disciplined his thinking (for his other contributions and biography, see Rourke 1968; Reussing 1994; Patterson 2001).

Like Wilson, Goodnow was also deeply influenced by European thought, particularly by German idealism. His support for governmental unity and his opposition to the American separation of powers result from the "Hegelian foundations of [his] political philosophy" (Rohr 1986: 85; cf. Rohr 2003: xxi-xxii, xxviii). Friedrich even referred to Goodnow's concept of the will of the state as a "neo-Hegelian (and Fascist) notion" (1981: 198). The latter qualification is exaggerated, but it is true that Goodnow shared Wilson's objections to American constitutionalism and called Montesquieu's separation-of-powers doctrine "unworkable" (2003 [1900]: 11-15). In his neo-Hegelian view the bureaucracy plays a special role in the state. Because it represents the general interest, it must be demarcated from politics, which deals primarily with particular interests.[12]

At the same time, Goodnow was also quite practical in his approach to public administration. Patterson calls him "a realist, an exemplar of the comparative-historical method" (2001: 878). He insisted on the importance of knowing the actual workings of government rather than its formal set-up, arguing that "the constitution cannot be understood without a knowledge of the administrative system" (1900: 6). And like Wilson, Goodnow was oriented on the reform and improvement of public administration. In his words, the "spoils system" resulted from the "failure to distinguish administration from politics" (2003 [1900]: 111). And the "ultimate object" of the Civil Service Reform movement was "the recognition of a function of government whose discharge, like that of the administration of justice, shall be free from the influences of politics" (2003 [1900]: 120).

In *Politics and Administration*, Goodnow attempts to find a way to enable the American state to cope with the emerging challenges of the industrialized mass society and at the same time remain democratically accountable. For

[12] In this light Goodnow's strong dependence on the political party for the coordination of government functions seems rather inconsistent with his neo-Hegelianism.

that purpose, he proposed a new arrangement of political and administrative authority.[13] He understands politics and administration as two different functions and contends that in all kinds of governments "the action of the state as a political entity consists either in operations necessary to the expression of its will, or in operations necessary to the execution of that will" (2003 [1900]: 9).[14] He derives this distinction from the organic analogy of the state to a human being. The distinction between expression and execution underlies Goodnow's conceptualization of the politics-administration dichotomy: "These two functions may for purposes of convenience be designated respectively as Politics and Administration. Politics has to do with policies or expressions of the state will. Administration has to do with the execution of these policies" (2003 [1900]: 18).

Goodnow makes an important distinction between *functions* and *organs*. This distinction "is inevitable both because of psychological necessity and for reasons of economic expediency" (2003 [1900]: 11). What makes the separation-of-powers doctrine particularly unworkable, he argues, is that it usually implies the attribution of one function to one organ (2003 [1900]: 23). In modern states, however, the two functions of politics and administration are usually attributed to several organs at once: "That is, while the two primary functions of government are susceptible of differentiation, the organs of government to which the discharge of these functions is intrusted cannot be clearly defined" (2003 [1900]: 16). The expression of the state will – the political function – is performed by at least three organs: the people in its capacity as "constitution-making authority," the legislative when it comes to general rules, and the executive when it comes to particular and detailed rules. In turn, the execution of the state's will – the administrative function – is also performed by three organs: the judiciary, which applies the rules to particular cases, the executive, and finally "the authorities which are attending to the scientific, technical, and, so to speak, commercial activities of the government, and which are in all countries, where such activities have attained prominence, known as administrative authorities" (2003 [1900]: 16; cf. Reussing 1994, 1996). Here we see that the executive participates in the performance of the political as well as the administrative function. It is therefore necessary to consider the relation

[13] According to Ranney, "Goodnow raised (…) four main questions" in his book: "(1) Are 'political' activities sufficiently different from 'administrative' activities that there is value in considering one apart from the other? (2) What 'political' institutions will most accurately express the popular will? (3) By what machinery may 'politics' most effectively control 'administration' and thereby make sure that the popular will is translated into government action? And (4) how may 'administration' be organized to carry out its orders in the most faithful as well as efficient manner possible?" (1949: 268-269).

[14] Goodnow (2003 [1900]: 12-13) cites M. Ducrocq, *Traité du Droit Administratif* (1881), Vol. I, p. 29: "The mind can conceive of but two powers: that which makes the law, and that which executes it. There is no place therefore for a third power by the side of the first two."

between the concepts of execution and administration in Goodnow's book more closely.

Whereas in his first chapter Goodnow defined administration as the function of executing the state will, he later specifies a more institutional meaning of administration. He observes that administration consists of two parts, namely the administration of justice and the administration of government (2003 [1900]: 72). The first category comprises the judiciary, which must necessarily be free from political interference (although he grants that constitutional courts are involved in certain forms of politics; 2003 [1900]: 35). The state organs in the second category, more commonly known as public administration, are a very diverse set. They perform three administrative sub-functions, the first semi-juridical (inspectors, election officers, statisticians), the second purely executive, and the third what we would now call managerial (1900: 73-77). Goodnow then argues that not only the administration of justice, but also most parts of the administration of government should be performed independently and remain exempt from political control. The only part of administration left to direct political supervision is the second administrative sub-function, that of purely executive work (1900: 79). This means that a large part of administration remains unconnected to politics (2003 [1900]: 85). Thus, whereas Goodnow first defined administration as execution, he later says that execution is only a minor part of administration and even opposes administration and execution (e.g., 2003 [1900]: 83). This ambiguity of concepts is of course highly confusing. Whereas his book is otherwise very lucid, on points like this it is true that "Goodnow's obscure terminology sometimes gets in the way of his argument" (Golembiewski 1977: 10).

Goodnow argues that to achieve harmony between the executing and the expressing authority in the state one of them has to be subordinated to the other. Popular government requires that execution be subordinated to expression, because the latter can more easily be made representative of the people's will than the former (2003 [1900]: 24). Hence, Goodnow not only separates administration from politics, but he also subordinates administration to politics. This hierarchical subordination to politics relationship is limited, however, to only a small part of public administration; the rest is made independent. Although Goodnow recognized the importance of political control over some parts of administration, he warned against its being extended too far: "Safety lies alone in frankly recognizing both that there should be control over the general execution of the law and that there is a part of the work of administration into which politics should not enter. Only in this way may really popular government and efficient administration be obtained" (2003 [1900]: 93). Thus Goodnow's dichotomy contains both the subordination of (parts of) administration to politics and the separation of (other parts of) administration from politics. Like Wilson, however,

he generally laid more emphasis on the separation of administration from politics than on its subordination to politics. Thus he clearly follows the Hegelian line of thinking.[15]

Goodnow repeatedly argued that one cannot understand administration without understanding politics and vice versa. Practical political necessity makes it impossible to consider politics apart from administration: "[W]hile the two primary functions of government may be differentiated, the questions arising out of the discharge of the one cannot, in a popular government, be considered apart from the questions arising out of the discharge of the other" (2003 [1900]: 91; cf. p. 24). In Ranney's formulation, there is "no theory of democratic 'administration' that does not grow out of a theory of democratic 'politics'" (1949: 275). The fact that understanding of administration is related to our understanding of politics does not, however, deny the importance of separating politics and administration in practice (see Epilogue).

As in the case of Wilson, revisionist commentators have disputed the idea that Goodnow really endorsed a dichotomy between politics and administration. Appleby, for instance, wrote that "Goodnow's early discussions drew a line less abrupt between policy and administration than some who later quoted him seemed to know" (1949: 16). Likewise, Waldo wrote that "Frank Goodnow's *Politics and Administration* (…) was not in fact intended to demonstrate the strict dichotomy of politics and administration it has often been presumed to argue" (1952: 86; cf. 1980: 68). In particular, it has been argued that Goodnow wanted only an abstract distinction, not a concrete separation between politics and administration. Thus Landau wrote:

> "What we tend to forget is that Goodnow was engaged in 'abstractive differentiation.' He was not making concrete distinctions; i.e., he was not distinguishing branches of government nor was he equating a given operation with a given agency… (…) Though not too clear, perhaps, Goodnow's distinctions were conceptual in character" (1972: 195).

Others have concurred to this interpretation. Patterson, for instance, says that Goodnow "did not intend (…) to 'take the politics out of administration' (…) Rather, he sought to separate politics and administration analytically" (2001: 877). And Svara has argued that Goodnow as well as Wilson advocated merely a "distinction" between politics and administration and not the "dichotomy"

[15] Goodnow states there are two kinds of administrative systems: centralized and decentralized ones (2003 [1900]: 94). He regarded the politics-administration dichotomy as a characteristic of the former: it is joined to the centralization and concentration of power, not to its limitation and dispersion.

that developed "around the 1920's" (1999: 678; cf. Rabin and Bowman 1984: 4; Marini 1994: 3).[16] The central message of these revisionist interpretations is that Goodnow wanted to dichotomize politics and administration only as an abstract distinction in theory, and not as a concrete separation in practice. Again, however, I want to demur to these views. Although it is certainly true that "observers have oversimplified Goodnow's position on separation," as Svara states (1998: 54), the view that he only wanted to distinguish politics and administration conceptually and not separate them in practice is untenable. Certainly, Goodnow did make a distinction between functions and organs, and he refused to equate "a given operation with a given agency". He acknowledged that however sharp the dichotomy may be drawn in theory, the conceptual lines of demarcation cannot so easily be traced in practice. Different government functions cannot be neatly distributed among different government organs (certainly not in the sense that one organ performs one function). All this does not mean, however, that Goodnow wanted to do away with the practical separation between politics and administration. On the contrary, like Wilson, he aimed not only at a theoretical distinction, but (precisely because of his Reformist purposes) also at a separation between them in practice. He and Wilson were motivated by practical rather than theoretical concerns and their dichotomy cannot be reduced to a merely analytical construct. Their dichotomy was often general and functional but therefore no less practical or 'prudential' in character (Kirwan 1977: 343; Stillman 1973: 586).

3.4 Weber: Different orders of life

Although, as we have seen, Max Weber was not the first European theorist to provide a formulation of the politics-administration dichotomy, he may well be called the last. After Weber remarkably few explicit, alternative accounts of the politics-administration dichotomy have been formulated in Europe. This

[16] Golembiewski (1977: 7-12) has discerned two phases in which the dichotomy dominated administrative thought. Phase I ("Analytic Politics/Administration") made a distinction between politics and administration "as ideal categories or functions of governance, which functions are performed in different institutional loci in varying degrees" (1977: 8). This phase he particularly associates with Goodnow. Phase II ("Concrete Politics/Administration") poses an institutional rather than a functional separation between politics and administration, "with the former [politics] conceived as having a real locus in the interaction between legislatures and high-level members of the executive, and the latter [administration] as having a real locus in the bulk of the public bureaucracy" (1977: 8). Golembiewski does not associate this second phase with a particular author or set of authors, but it is clear that he thinks of the orthodoxy of the 1920s and 1930s. He emphasizes that his phases are more analytical than historical, but it is clear that my understanding of Goodnow's position differs from his.

testifies to the relative paucity of the study of public administration in Europe, but also to the dominant status of Weber on that continent. No single author has had more influence than he on European thinking about the relation between politics and administration. In America his influence arrived later and has always remained less explicit (Weber's writings were not translated into English before 1946; Brown and Stillman 1986: 34), but it is certainly present there too. Waldo, for one, digested his dose of Weberianism. When he first encountered Weber's writings, they struck him "almost as a revelation" (1980: 118). They forced him to reconsider the contrast between politics and administration, which he thought he had finished with, in the new terms of democracy and bureaucracy – a contrast that was to occupy Waldo for the rest of his career and that offered the framework for his 'great unpublished book' (Overeem 2008: 38-41). In general, however, the impact of Weber's work on American debates about the dichotomy has been modest in comparison to that of Wilson and Goodnow.

An explanation for this may lie in the peculiar reception of Weber in Public Administration and in the social sciences more generally. Lassman has noted a persistent and widespread misinterpretation of Weber:

> "Much of post-Second World War social science has worked with a rather simplified and misleading account of Weber's intentions, and often, until very recently, as a result of the incomplete character of translation, with a fragmentary knowledge of his work. Consequently, Weber's central concepts have frequently been assimilated to the language of the modern social sciences in an uncritical manner. In particular, it has often been assumed that Weber's concepts are contributions to an unproblematic and politically neutral 'value-free' theoretical discourse. This is, of course, a massive simplification of his thought" (2000: 86).

What Lassman describes seems to be especially true for the study of public administration. In many defenses of bureaucracy (e.g., Goodsell 1985 and Du Gay 2000), and also in other more general Public Administration literature, we encounter a highly 'domesticated' Weber, who is presented as a champion of value-free inquiry and at the same time a reasonable alternative to positivism. Discussions of his ideas are often limited to his ideal type of bureaucracy, which makes him seem an ivory-tower scientist occupied with constructing pure abstractions and value-neutral sociological work.[17]

Because students of public administration concentrate on Weber's sociological writings rather than his political writings they often depict his account of the

[17] The ideal type of bureaucracy can be found in *Wirtschaft und Gesellschaft*, Weber 1980 [1921]: 551-579 (for a classical introduction, see Albrow 1970).

relation between politics and administration as ideal-typical too (for instance, Hansen and Ejersbo 2002: 734). In reality, however, Weber's motivation to articulate the dichotomy between them was not so much theoretical, aimed at social-scientific understanding. His intentions were practical: his writings on the politics-administration dichotomy were normative contributions to the political discussions of his days. To comprehend Weber's ideas on the relationship between politics and administration, we should therefore turn to his political writings, and two of them in particular: *Parlament und Regierung im Neugeordneten Deutschland* (1918) and *Politik als Beruf* (1919) (parts of both were posthumously republished in *Wirtschaft und Gesellschaft* (1922)).[18]

In his political writings Weber shows a passionate political engagement and a remarkable philosophical radicalism. How radical Weber's ideas really were cannot be determined easily. Historians and political philosophers have fought long-standing and often fierce debates about Weber's liberal and democratic credentials, concentrating particularly on his ominous nationalism and imperialism, his nihilism, and his elitism (e.g., Beetham 1974 and 1989; Eden 1983; Mommsen 1974 and 1987; Strauss 1953: ch. 2). These debates cannot be resolved here, but students of Public Administration should be aware of them. We should be careful to present Weber as a committed liberal democrat defending constitutionalism and democracy against bureaucratic technocracy, as several authors have done (e.g., Reussing 1996; Rosenthal 1990). Definitely he was not a constitutional democratic enthusiast; perhaps he was not committed to constitutionalism and democracy at all.

Confronted with the related processes of modernization, rationalization, and bureaucratization, Weber sought for ways to save the values associated with a heroic conception of politics (such as glory and national greatness). His main concern was the possibility of political leadership in modern government. In his view, Germany's great chancellor and unifier Bismarck had left behind a dangerous power vacuum, as became painfully apparent under Emperor Wilhelm II's weak rule during the First World War. Hence Germany needed strong political leadership before anything else. Weber's primary concern was not to defend the tender blossoms of democratic politics in the Weimar republic against the rule of non-democratically legitimized bureaucrats. It was not so much democracy itself he defended against bureaucracy, but rather a certain kind of politics facilitated or tolerated by democracy (Anter 1995: 83-92). He argued in favor of

[18] "Where the theme of *Economy and Society* is the superiority of bureaucracy as an instrument for mastering complex administrative tasks, the theme of the political writings is its tendency to become an independent social and political force with distinct values of its own and a capacity to affect the ends and culture of society" (Beetham 1974: 71).

Führerdemokratie mit Maschine not so much for the sake of democracy or for that of the machine, but because of the leadership (Eden 1983). It is the freedom of charismatic political leaders rather than that of citizens Weber thought most worth protecting. Indeed, for Weber the very "justification for electoral democracy lay in the scope it provided for the individual leader" (Beetham 1989: 321).

Although his circumstances were more precarious and his proposals more radical than those of his American predecessors, Weber's concerns about political leadership were not unlike those of Wilson, particularly, and for solutions he looked into remarkably similar directions. Like Wilson, he first turned to British-style parliamentarism as a potential breeding ground of political leadership. After the First World War, however, he soon became disappointed with parliamentarianism and turned towards plebiscitary presidentialism – also known under the ominous name of Caesarism (Eliaeson 2000; Beetham 1974: ch. 8).

Strong political leadership was needed because of Germany's precarious international position after the 1918 defeat, but also because domestically the power vacuum threatened to be, and was indeed being, filled by bureaucratic officials. This danger Weber called *Beamtenherrschaft*. This notion deserves closer scrutiny, because it expresses the main reason behind Weber's endorsement of the politics-administration dichotomy. Establishing the meaning of *Herrschaft* in Weber's work is, however, notoriously difficult. It is often translated as 'rule,' but sometimes 'authority' is also an option. Weber made a famous distinction between power as such (*Gewalt*) and legitimized power or authority (*Herrschaft*). *Beamtenherrschaft* is so difficult a notion because it refers not to the rational-legal authority of bureaucrats but rather to their overbearing power. 'Administrative dominance' probably covers its meaning best. While in a general but important sense all modern governments can be said to be ruled by officials, in a more particular or technical sense the pure form of administrative dominance (*reine Beamtenherrschaft*) amounts to a situation in which bureaucrats "occupy the leading posts in the state" (Beetham 1974: 75).

This fear of *Beamtenherrschaft* reflects Weber's crucial departure from Hegelian thought on bureaucracy, as typified in his days by the then influential author Gustav Schmoller, the representative of the 'conservative' wing in the *Verein für Sozialpolitik*, of which Weber also was a member. Beetham (1974: 63-66) explains that against the dominant view on bureaucracy in the *Verein*, Weber argued three points. First, he maintained that the bureaucracy was only a subordinate instrument, and not the disinterested, elevated institution the Hegelians said it was. Second, he argued the bureaucracy had an inherent tendency to overstep its instrumental function and to usurp the goal-setting function of politicians, for which it was, however, inherently unsuited. And third, he held

that the bureaucracy was not 'above the parties,' as the Hegelians thought, but represented a very particular class interest in society, namely that of the Prussian *Junkers* (lower nobility). Against the Hegelians, Weber rejected the notion of 'the will of the people' as fictional (cf. Eliaeson 2000: 139; Anter 1995: 84-54). There is no general, integrated interest of the state that bureaucrats serve; they either do the wishes of their political superiors or they serve their own interest.[19]

To counter the danger of *Beamtenherrschaft*, Weber advocated a sharp contrast between politics and administration, and between politicians and administrators. In a famous passage in *Politik als Beruf* he describes the difference between the two vividly:

> "In terms of what he is really called upon to do (*Beruf*), the true official (…) should not engage in politics but should 'administer', and above all he should do so *impartially*. This also applies, officially at least, to so-called 'political' officials (*Verwaltungsbeamte*), always provided there is no question of a threat to the *reason of state*, that is the vital interests of the prevailing order. The official should carry out the duties of his office *sine ira et studio*, 'without anger and prejudice'. Thus, he should not do the very thing which politicians, both the leaders and their following, always and necessarily must do, which is to *fight*. Partisanship, fighting, passion – *ira et stadium* – all this is the very element in which the politician, and above all the political *leader*, thrives. *His* actions are subject to a quite different principle of *responsibility*, one diametrically opposed to that of the official" (1994 [1919]: 330).[20]

As mentioned earlier, Weber had a very heroic view of politics: politics was for him a matter of faith and passion (cf. Simmons & Dvorin 1977: 189). The real politician lives *for* politics. He is devoted to it. The bureaucratic official, by contrast, together with the journalist and the party apparatchik, lives *from* politics. For an official politics is only a means to other ends, not something valuable in itself. Although the bureaucratic vocation also has its own legitimacy, Weber clearly thought of it as parasitic. Hence, true politicians and true administrators

[19] This position is related to Weber's value pluralism: values compete with each other and they cannot be harmonized or integrated into one, overriding general interest.

[20] Original: "Der echte Beamte (…) soll seinem eigentlichen Beruf nach nicht Politik treiben, sondern: "verwalten", *unparteiisch* vor allem, –auch für die sogenannten "politischen" Verwaltungsbeamten gilt das, offiziell wenigstens, soweit nicht die "Staatsräson", d.h. die Lebensinteressen der herrschenden Ordnung, in Frage stehen. Sine ira et studio, "ohne Zorn und Eingenommenheit" soll er seines Amtes walten. Er soll also gerade nicht das tun, was der Politiker, der Führer sowohl wie seine Gefolgschaft, immer und notwendig tun muß: kämpfen. Denn Parteinahme, Kampf, Leidenschaft –ira et studium– sind das Element des Politikers. Und vor allem: des politischen *Führers*. *Dessen* Handeln steht unter einem ganz anderen, gerade entgegengesetzten Prinzip der *Verantwortung*, als die des Beamten ist" (Weber 1988 [1919]: 524).

have very different qualities: "Precisely those who are officials by nature and who, in this regard, are of high moral stature, are bad and, particularly in the political meaning of the word, irresponsible politicians, and thus of low moral stature" (1994 [1919]: 331).[21] In Weber's view, the main function of public administration is the execution (*Durchführung*) of politically established laws and policies.

To clarify the different responsibilities of the politician and the bureaucratic official, Weber speaks about their honor. He does this both in *Parlament und Regierung* (1988 [1918]: 335) and in *Politik als Beruf* (1988 [1919]: 524). Honor is an important concept for Weber, and it is central to his political views. If an official disagrees with a policy choice of his political superior, it is the honor of the official to carry out, after having raised his objections, that political order dutifully and to the best of his abilities.[22] Why is this honorable? Because it shows that the official's "sense of duty to his office overrides his individual willfulness" (1994 [1918]: 160).[23] The honor of the politician is radically different. A politician who gives in and behaves like the protesting but obedient official "would deserve our *contempt*" (1994 [1918]: 161). It is his honor, instead, to stand for a cause. Indeed, the honor of "the political leader, that is, the leading statesman" consists "precisely in taking exclusive, personal responsibility for what he does, responsibility which he cannot and may not refuse or unload unto others" (1994 [1919]: 331). Thus, the politician is directly responsible himself, whereas the bureaucrat acts dutifully on the responsibility of his political superior. The difference is not, as one would perhaps expect, that the politician is flexible and ready for comprise, while the bureaucrat is rigid and rule-bound. On the contrary: the politician must be principled and unbending, while the official is expected to show a considerable amount of flexibility – not with regard to the rules, of course, but with regard to his personal principles.

Thus, Weber holds that according to bureaucratic norms administrators must in the end execute political orders even if they do not agree with them. This does not mean, however, that administration is only a matter of thoughtless execution. Like Wilson and Goodnow, Weber explicitly denies that administration is merely the carrying out of political orders:

[21] This translation is quite corrupt. The original says: "Gerade sittlich hochstehende Beamtennaturen sind schlechte, vor allem im politischen Begriff des Wortes verantwortungslose und in diesem Sinn: sittlich tiefstehende Politiker" (Weber 1988 [1919]: 28), which literally means: "Especially morally high-standing official characters are bad, above all in the political sense of the word irresponsible, and in this sense: morally low-standing politicians".

[22] Weber consistently uses the masculine when he speaks of officials and politicians. This tendency is maintained here to stay as close as possible to his views.

[23] Original: "Sein Stolz ist im Gegenteil, die Unparteilichkeit zu hüten und also: seine eigene Neigungen und Meinungen überwinden zu können" (Weber 1988 [1918]: 351).

> "[Administrators] are expected to make independent decisions and show organizational ability and initiative, not only in countless individual cases but also on larger issues. It is typical of littérateurs and of a country lacking any insight into the conduct of its own affairs or into the achievements of its officials, even to *imagine* that the work of an official amounts to no more than a subaltern performance of routine duties, while the leader alone is expected to carry out the 'interesting' tasks which make special intellectual demands. This is not so" (1994 [1918]: 160).

Thus, Weber's politics-administration dichotomy is more sophisticated than a simple deciding/executing frame suggests: "Weber dismissed as naïve the view that the official had merely the simple routine tasks to perform while the political superior had all the interesting and demanding work which required qualities of judgement" (Beetham 1974: 76).[24] Like Wilson and Goodnow, he did not regard administration as just an instrument of its political superiors: administrators have to make their own decisions as well. Moreover, Weber says explicitly that the key difference between politics and administration does not lie in the substance of the issues they deal with. In fact, "every single question, no matter how technical, in the lower echelons *can* become politically relevant and its solution determined by political viewpoints" (1994 [1918]: 178).[25] This insight – that every administrative issue can become a political issue – would later be used to discredit the politics-administration dichotomy, but here we see it was recognized by Weber already.

If the difference between politics and administration cannot be understood by a simple instrumentalist distinction between deciding and executing, nor lays in the kind of issues each of them deals with, what then is the difference between them? For Weber, the main difference is that the politician and the administrator live under different "principles of responsibility" (1994 [1919]: 330): the former is directly responsible, whereas the latter is not. This is so important that Weber repeatedly stresses that for him this is the most central difference: "Only in part does the difference [between administrative officials and political leaders] lie in the kind of achievement expected of this type of person. (…) The difference lies, rather, in the kind of *responsibility* borne by each of them, and this is largely what determines the demands made on their particular abilities" (1994 [1918]: 160).[26]

[24] This contradicts the view that for Weber (in contrast to Hegel) bureaucratic judgment excludes moral deliberation (*phronèsis*) and is merely a matter of technocratic, rule-bound execution of the law (*technè*) (Shaw 1992: 383-385).

[25] Original: "[J]ede einzelne noch so rein technische Frage in der Unterinstanzen *kann* politisch wichtig und die Art ihrer Lösung durch politische Gesichtspunkte bestimmt werden" (Weber 1988 [1918]: 352)

[26] Original: "Der unterschied liegt nur zum Teil in der Art der erwarteten Leistung. (…) Nein – der unterschied liegt in der Art der Verantwortung des einen und des anderen, und von da aus bestimmt sich allerdings weitgehend auch die Art der Anforderungen, die an die Eigenart beider gestellt werden" (Weber 1988 [1918]: 334-335).

This difference can be further elaborated with the help of Wilhelm Hennis's argument that much of Weber's work centers around the notion of *Lebensführungen*, which means orders of life or, more colloquially, walks of life (1988; cf. Du Gay 2000: 9-11, 119). It was one of Weber's fundamental beliefs that people have different callings in life: "We are placed in various orders of life, each of which is subject to different laws" (1994 [1919]: 362). In these different orders of life or perhaps milieus, people come to adopt different personalities. The order of life, itself always dependent on external conditions, to a large extent shapes the character and outlook of people living within them. Different life orders (science, politics, and so on) also contain different sets of ethical demands that cannot be reduced to one another. This idea stems from Weber's idea that values are inevitably conflicting and that no universal hierarchy can be established among them (value pluralism). Conflicting values are like fighting gods: there is no superior authority to resolve value conflicts (cf. Du Gay 2000: 10-11). Likewise, different life orders are ultimately incompatible.

At first sight, the notion of a 'calling' or 'vocation' seems to apply only with difficulty to administration, because Weber described it (in contrast to politics) as only a career employment, a way to earn a living. It can be argued, however, that Weber regard the administrative life as a vocation (*Beruf*) as well, next to science and politics (1980 [1921]: 552; cf. Parker 1993; Du Gay 2000: ch. 4 and pp. 119-121). Living as a bureaucratic official after all brings its own ethos and creates its own personality. Becoming a civil servant is for Weber, in Thomas's imaginative comparison, like taking a Franciscan "vow of poverty, anonymity, and obedience" (1978: 42). Hence, we can say that Weber saw the distinction between politics and administration basically as a distinction between irreducibly different and ultimately incompatible *Lebensführungen*. In the words of Du Gay: "Officials *are* and should be very different animals from politicians, not because they 'administer' and elected politicians 'make policy', but because both are subject to quite distinct ethical demands as a result of their positioning within different life orders" (2000: 121). Weber's radical understanding of the difference between politics and administration as a difference between various orders of life is unique in the European and the American literature.

The perspective of *Lebensführungen* shows that Weber perceived a wide gap between politics and administration at the micro-level of individual persons, but the fact that Weber mostly wrote about 'the' typical politician or bureaucrat already indicates that he also wanted to make a more general claim. In the end, he believed the relationship between politics and administration should not only be studied at the "incumbent level" of individual officials but also at the "regime level" of the state as a whole (Rosenthal 1990). At this level, Weber

drew a contrast between bureaucracy and democracy (1980 [1921]: 854, 863; cf. Etzioni-Halevy 1983). Despite tensions, democratization and bureaucratization were closely connected for Weber, as they were for Tocqueville. He spoke of bureaucracy as the inevitable "accompaniment" of mass democracy (1980 [1921]: 567). In *Wahlrecht und Demokratie in Deutschland* he put it very concisely: "In all mass states democracy leads to bureaucratic administration and without parliamentarisation, to pure *rule* by officials [*zu reinen Beamtenherrschaft*]" (1994 [1917]: 127). Thus, the problem of accommodating politics and administration in the state is for Weber not only a matter of relating individuals with different callings, but of coping with the connections and tensions between democracy and bureaucracy more generally.

For our thinking about the dichotomy, Weber is particularly important because he can be positioned in between the two approaches distinguished in Chapter Two. On the one hand, he clearly departed from the Hegelian view on the role of bureaucracy in the state. Although the sources of Weber's own ideas are difficult to identify, we can say – schematically – that his understanding of politics mainly seems to be inspired by Nietzsche (Eden 1983) and his understanding of administration by Kant (Rutgers and Schreurs 2004). In contrast to the Hegelians, he clearly saw the danger of *Beamtenherrschaft*. This awareness makes his contribution unique and highly significant, not in the least from a constitutional point of view. Perhaps it also explains why he is still the main authority on political-administrative relations, at least in Europe. On the other hand, however, just as Weber diverged from Hegelianism, he also did not connect to the tradition of constitutionalism earlier associated with Montesquieu, the Federalists, and Tocqueville. Instead, he followed his own radical course (see section 3.6). His continuing popularity among students of public administration seems to betray a poor familiarity with Weber's political philosophy. Apparently, his radical support for strong charismatic political leadership on a plebiscitary basis (Weber 1988 [1919]: 544) has gone largely unnoticed. Precisely because of this radical position, however, Weber has presented a conceptualization of the politics-administration dichotomy that stands in clear contrast to that of the other two classics. Weber shows that it is possible to endorse the politics-administration dichotomy for other reasons than those of the American Reformers and Progressives. His work proves that the dichotomy is not a necessary corollary of the administrative state (as, for instance, Pestritto seems to think; 2005a), but can serve very different purposes as well. Opening up the predominantly American debate about the dichotomy by the inclusion of this typically European thinker thus suggests new theoretical possibilities that ultimately go beyond Weber's own position as well.

3.5 Separation and subordination

A comparison of the dichotomies of Wilson, Goodnow, and Weber shows there are two divergent ways to conceptualize the content and purpose of the politics-administration dichotomy.[27] While Wilson and Goodnow advocated the dichotomy out of a concern to protect administration against politics, Weber arrived at it from the concern to protect politics against administration – their dichotomies thus have opposite directions. Succinctly put, the basic question is: "Politics out of administration or administration out of politics?" (Fry 1989 1036). By distinguishing these two alternatives the classics have made an important theoretical contribution. They make us aware of two dangers, namely the domination of public administration by politics on the one hand (Wilson and Goodnow) and the domination of politics by public administration on the other (Weber). These are two extremes that have both to be avoided. The classics were unfortunately less explicit about the best practical way to do so.

In the case of Wilson's and Goodnow's dichotomy the emphasis lays mainly on the separation of public administration from politics. They attempted to liberate public administration from the corrupting interventions of politics. This emphasis gives the American classics, and much of the later (American) Public Administration literature, a distinct bias towards administration and against politics. Schick has argued (perhaps a bit too strongly) that the dichotomy of the American classics "provided for the ascendancy of the administrative over the political: efficiency over representation, rationality over self-interest. The subservience of politics to administration furnished a theoretical basis and practical guidance for the extension of these administrative values to the political sphere" (1975: 152). The American classics were not really concerned about the interference of administration in politics. They acknowledged the possibility of administrative tyranny, but they did not regard it as very threatening. Wilson was confident that the danger of a well-organized, uncontrollable class of officials (of "a domineering, illiberal officialism"), as feared by many citizens, would easily fade away if the administration was kept responsive "by means of elections and constant public counsel" (1887: 216-217).[28]

[27] There are several comparisons of Wilson's and Weber's political and administrative theories (Cuff 1978; Eden 1983: ch. 1; Simmons and Dvorin 1977; Rosenthal 1990). Comparisons of Goodnow and Weber, however, are rare. Only Reussing discusses and compares Weber, Mosca, Goodnow, Simon, and Waldo in his study on political-administrative relations and the separation-of-powers doctrine (1996: ch. 3-9).

[28] This difference is not only limited to academic writings, but it can also be found in practice. In an old article, Epstein (1950) has argued that while in the United States the motive to regulate the political activities of civil servants was to clean up politics, in Britain it was rather meant to maintain the civil service's (reputation of) impartiality. In Europe loyalty, neutrality, and anonymity are regarded as important prerequisites of public administration (to a much stronger extent than in America).

Both Wilson (1887: 218) and Goodnow (2003 [1900]: 6-8) held that in their actual workings all governments are fundamentally alike. For Wilson, especially, the politics-administration dichotomy was meant to open the door for cross-national learning. He emphasized in his essay that democratic Americans can safely adopt administrative practices from non-democratic European countries, especially France and Germany. The differences between American and European political and administrative thought, as reflected in the differences between Wilson and Goodnow on the one hand and Weber on the other, run deep, however, and go back before the nineteenth century. Three of them deserve to be mentioned in particular.

First, in Europe the hierarchical relationship between politics and administration is usually more easily accepted than in America. This is revealed by the centrality, in European parlance, of the notion of the 'primacy of politics' over the bureaucracy (Mastronardi 1998; Nieuwenkamp 2001).[29] Politics is supreme, administration is subordinate. Although the expression of political primacy is not literally used by Weber, the notion certainly corresponds to his thought. The concept and the phrase are much more common in Europe than in America.

Another general difference between Anglo-American and continental European political and administrative thinking concerns the role of the concept of state. Both the Brits and the Americans have a 'stateless' tradition of administrative thought, whereas the European tradition is characterized by its 'stateness' (Dyson 1980; Rutgers 2001; Stillman 1990 and 1997; Rohr 1996). To the Continental European mind public administration is perhaps even more a part of the state than political institutions like parties and parliaments. Its legitimacy is tightly bound up with the state: while politicians serve partisan and hence partial interests, public administrators serve the general interest. As such, it is one of the few organs in the body politic, perhaps only together with the monarchy (if present) and the judiciary, which is (supposed to be) 'above the parties'.

Finally, the European understanding of the place of public administration in the separation-of-powers structure also differs from the American one (Rutgers 2000). In European parliamentary democracies, and also in semi-presidential France, public administration is often regarded as a subordinate but legitimate part of the executive power, while in America it has an insecure place somewhere below all three separated powers. In America the constitutional tradition of the

[29] I purposefully add 'over the bureaucracy,' because the concept of the primacy of politics is sometimes also understood as the primacy of politics over interest groups, neo-corporatist structures, or the media (Stouthuysen 2002). Commonly, however, the concept of the 'primacy of politics' expresses the hierarchical relationship between politics and administration.

Founders requires that public administration is subordinated to (democratic) politics, and the challenge for administrative theorists therefore is to give it an independent legitimacy as a separate public authority. In Europe, by contrast, the (originally more autocratic) constitutional tradition gives to public administration a position that is more independent from and sometimes almost above politics, and therefore the question rather becomes how to achieve and maintain its subordination to politics.[30] These differences can help to explain the different approaches of the classics on both sides of the Atlantic. To put it schematically, one could say that in America Wilson and Goodnow confronted a situation shaped by Montesquieu, while in Europe Weber confronted a situation shaped by Hegel.

In their search for the improvement of their political and administrative constellation, Americans have often looked to Europe, and Europeans to America. Thus Progressive authors such as Wilson and Goodnow opposed the separation of powers in their own constitutional system and admired parliamentary ('unitary') democracy and the supposed simplicity of political-administrative relations in such a system. Their twentieth century successors, stuck in long-standing debates about the dichotomy, sometimes have the impression that political-administrative relations are much less problematic in Europe than in their own country. Stillman, for example, looks to Europe with some jealousy:

> "Where a state makes Public Administration, distinctions between democracy and bureaucracy are – or can be – sharper, more logical, and better defined. However, where Public Administration makes the state, questions such as what is democracy, what is bureaucracy, and how do they relate to one another become far more problematic" (1997: 337).

Although the legitimacy of public administration is traditionally much less problematic in European than in American thought, this does not mean that the relation between politics and administration is unproblematic in Europe. On the contrary, the fact that in Europe both politics and administration are granted independent legitimacy seriously aggravates problems. In Europe, Weber's question how to keep bureaucracy subordinate to politics has remained a recurring issue (e.g., Köttgen 1928). Therefore, European authors, for their part, have often sought advice from the American situation in order to circumvent their own problems, such as those created by the bottleneck of ministerial responsibility.

[30] In Britain the concept of state has always been much less important than on the Continent. The British have an alternative in the Crown or, more precisely, the King-in-Parliament – hence they speak of Ministers of the Crown and of the Queen's Civil Service. This concept serves partly the same functions as that of the state on the Continent (Dyson 1980).

To sum up, there are two classical versions of the politics-administration dichotomy. In what the 'American' version the aim is to defend administration against politics, while in the 'European' version the aim is to defend politics against administration (cf. Reussing 1996: 89).[31] In the former, administration must be given a legitimate place next to politics; in the latter the legitimacy of administration is more taken for granted. In the one the aim is separation, in the other it is subordination. Both versions of the dichotomy are obviously limited and one-sided, and the endless discussion over these half-truths in large part explains the quandary observed by Waldo. Whether these two approaches can be integrated into one coherent doctrine, or be evenly balanced against one another, is a question that will be addressed later.

3.6 Classics contra constitutionalism

Besides the important differences between the classics noted in the previous section, there are important similarities as well. Some of these are advantageous to our understanding of the dichotomy, but others are more problematic. I will draw three general conclusions about the meaning of the dichotomy for the classics (concerning its relevance, purpose, and content, respectively) to show how their positions can help to understand the dichotomy and then offer a line of criticism of my own.

The first conclusion must be that the classics did indeed articulate and endorse the politics-administration dichotomy. This may seem obvious, but it goes against the current of revisionist historiography in the field of Public Administration. Therefore it is important to establish clearly that the classics aimed to disentangle rather than to integrate politics and administration. As even Svara has acknowledged, "separation" was their "major theme" and "interconnection" their "minor theme": "The separation theme was dominant prior to the forties" (1999: 677; cf. p. 687). It is true that the classics did not literally speak about a 'dichotomy'. Thus, they (unwittingly) avoided a term which would later create considerable confusion among administrative historiographers and theorists. This does not imply, however, that the term 'dichotomy' is inappropriate if we want to capture their meaning. By using terms such as "discrimination" (Wilson 1887:

[31] An important exception in the American literature is Hyneman, who in his book *Bureaucracy in a Democracy* (1950) reversed the 'direction' of the dichotomy. In contrast to Wilson, Goodnow, and indeed the mainstream of American Public Administration, he argued that politics has to be defended against administration rather than vice versa. With his contrast between democracy and bureaucracy and his emphasis on the subordination of administration to politics, he closely follows Weber.

211) or "differentiation" (Goodnow 2003 [1900]: 18), they arguably referred to the same concept as that conveyed in 'dichotomy'. Although they acknowledged that the distinction between politics and administration is "a fluid one," they aimed to disentangle politics and administration both in theory and practice.

Second, in the light of later misunderstandings (Chapter Four), it is also important to note that the dichotomy developed by the classics was prescriptive rather than descriptive, and practical rather than theoretical. Each of the classics was more concerned with improving governmental practice than with establishing a theoretical demarcation. No matter how strongly Wilson, Goodnow, and Weber insisted on the fact that politics and administration *are* actually different ("administrative questions are not political questions"), they mainly intended to say that politics and administration *should* be kept apart. They did not advocate the dichotomy as a descriptive model for understanding empirical reality. Cook has made this point very clearly with regard to Wilson: "It is important to realize that in his invocation of the separation idea, Wilson was thinking both empirically and normatively, but with much greater emphasis on the latter component. Hence, dismissals of Wilson's advocacy of the separation as inconsistent with the reality of how government and politics actually works (…) are rather beside the point" (2007: 88; cf. Stillman 1973: 586). The same goes for Goodnow, who shared Wilson's Reformist and Progressive inclinations. Weber, in turn, did not propose the politics-administration dichotomy in his supposedly value-free sociology, but rather in his openly normative political writings. Given the commitment of the classics to the political and administrative problems in their respective countries, the practical and prescriptive purpose of their dichotomy must be clear.

Third, it must be emphasized that the classics did not endorse the simplistic, instrumentalist dichotomy that has later been so often ascribed to them (according to which politics decides and administration executes). It is true that the deciding/executing distinction is often a starting point or bottom line in their thinking about politics/administration, but it does certainly not capture their full understanding of that distinction. Rather, it serves as a foundation on which other conceptualizations are built. Looking back on the many debates and confusions about the dichotomy in the twentieth century, one would often like the classics to have been more accommodating to posterity and to have taken greater pains to avoid the suggestion that administration is merely an instrument of politics. The fact remains, however, that in their advocacy of the dichotomy neither Wilson nor Goodnow, nor even Weber, turned administration into a passive instrument in the hand of politicians, let alone that they reduced public administration to unimportance and illegitimacy. On the contrary, they credited civil servants with great discretion. The classics make it very clear that, for them, administration

means much more than pure execution and definitely has "a will of its own" (Wilson 1887: 212).

Defending the classics against misinterpretation and misguided criticism and deriving useful theoretical ideas from their writings does of course not amount to unequivocally approving of their positions with regard to the dichotomy, let alone of their political and administrative theories more generally. Whereas the common idea is that the classics had legitimate ends in mind, but only chose a bad means to achieve them by seizing on the dichotomy, my position is rather the reverse: the problem with their thought is not that they advocated the dichotomy, but rather the ways in which and the goals for which they did so. This type of criticism is not entirely absent in the Public Administration literature, but it is rarely elaborated.

All three classical authors discussed in this chapter endorsed the dichotomy as part of a wider political vision in which they abandoned constitutionalism for radical alternatives. Wilson and Goodnow advocated the dichotomy as an element of a much broader political view which was squarely at odds with the American constitutional tradition (Carrese 2005; Rohr 1986: ch. 5-6; Pestritto 2005a). Thus, Wilson rejected the separation of powers enshrined in the American Constitution as too mechanical and Newtonian, and argued that government should be based on Darwinian ideas instead: "The object sought is, not the effectuation of a system of mechanical, or artificial, checks and balances, but only the facilitation and promotion of organic differentiation" (1968a: 142; cf. Diggins 1985: 579). He even proposed to amend the Constitution so as to arrive at a more parliamentary form of government. Goodnow also opposed the separation of powers and gave an important role to non-constitutional actors such as political parties. In terms of the distinction drawn in section 2.4 the American classics clearly followed the German tradition associated with Hegel and departed from the French tradition associated with Montesquieu. Authors in the latter tradition, according to Martin, had endorsed the dichotomy for reasons that were "exactly the opposite" of those of the American classics: "Wilson's business analogies did not appear in the European works because those analogies would have missed the whole point of the constitutional role of the bureaucracy and its shifting relationship with other political forces" (1988: 632). Both Wilson and Goodnow departed from this constitutionalist understanding of public administration. Their 'Progressivism' was ultimately opposed to the 'republicanism' of the American constitutional tradition (Diggins 1985; cf. Spicer 1995; Pestritto 2003). Therefore, Vile's assertion that Progressive authors like Wilson and Goodnow "were seeking for solutions *within* the great stream of Western constitutionalism" (1998: 294) must be rejected as inaccurately gross. In Germany, Weber had different and often

opposite concerns, but he aimed to counter them by similar remedies. Like Wilson, he also sought active political leadership on a radical democratic basis, and he was also critical of constitutionalism and the separation of powers (Slagstad 1988). Thus, all three classics showed a determined opposition against the tradition of constitutionalism, especially opposing the notions of limited government and the separation of powers.

Whereas most Public Administration historiographers have tended to give quite unbalanced evaluations of the classics – be it either very critical or very uncritical – my own evaluation is rather two-sided. The positive side of the coin, or what Waldo called "the *achievement* of the old formulation" (1971: 264), is the strong formulation of legitimate concerns (about political patronage on the one hand, and *Beamtenherrschaft* on the other) and the promotion of a dichotomy between politics and administration as a way to curb them. The downside, however, is that the classics endorsed only one-sided versions of the dichotomy and opposed these to constitutionalism in general and the separation of powers in particular. This gave the dichotomy – in both versions – the character of a half-truth, which has in turn led to the quandary that has occupied Public Administration for so long.

The exact stance of particular authors is surely not the most important aspect of the debate on the dichotomy. Even if the classics had not endorsed the dichotomy at all that would say little about the value of the dichotomy itself. Conversely, my own conclusion that the classics did indeed endorse the dichotomy does not compel us to follow them. Ultimately, the dichotomy must be assessed on its own merits. Waldo has occasionally suggested that the dichotomy was a valuable idea in the circumstances in which the classical authors found themselves (administrative reform in America and military defeat and political weakness in Germany), but that it has become inadequate with the growth of the administrative (welfare) state after the Second World War (1971: 265; 1977: 9). This is a challenging thesis that must now be faced. To see whether the politics-administration dichotomy was a valuable idea only during the early twentieth century or in more recent and present times as well, I will gradually relax my historical approach and adopt a more theoretical approach in the following chapters.