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The Politics–Administration Dichotomy

Toward a Constitutional Perspective

Second Edition



Patrick Overeem

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In respectful remembrance
John A. Rohr (1934–2011)

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Preface

Nothing is more central in thinking about public administration than the nature and interrelations of politics and administration. (Waldo 1987: 91)

Readers who expect a reexamination of the politics–administration dichotomy to be little more than an exercise in corpse picking are not entirely mistaken. This study does actually bear some resemblances to a forensic autopsy investigation. In the following pages, I attempt to determine the death of the dichotomy (is it really dead or does it still breathe some life?), to establish its identity (what exactly is this reputedly dead or nearly dead idea?), and to investigate the causes of its present bad condition (has the dichotomy collapsed because of its own internal weaknesses or did it die an ‘unnatural’ or even violent death?). These metaphors should not be taken to indicate some morbid interest on my part; they are just very common in the literature (cf. Campbell and Peters 1998; Levy 2009). Moreover, as can be guessed from my subtitle already, I am not entirely without hopes about the possibility of recovery for the dichotomy. This study even suggests a way to achieve that miracle. It aims to offer a reconstruction in the double sense of the word: a reconstruction of what has happened to the dichotomy and on that basis also a reconstruction of the dichotomy itself. The first, historical aim is subsidiary to the second, theoretical aim. If this attempt at reconstruction is understood in opposition to currently fashionable works of deconstruction, I will not object.

Given the frequent reference to the politics–administration dichotomy in the literature (often routinely at the start of a book or an article), it is remarkable that so far no book-length discussion of the idea has been published. This study tries to fill that gap, as we say, and at the same time to offer a fresh approach to the subject. I think my argument is both conservative and innovative. On the one hand, it espouses what Lord Beveridge once called the ‘Victorian marriage’ view of political-administrative relations (Theakston 2005: 190), thus going against the long-term trend of administrative ‘emancipation.’ On the other, I do not primarily defend the dichotomy on the familiar grounds of aiming either to preserve the democratic quality of politics or to promote the efficiency and effectiveness of administration. Instead, I try to dissociate the dichotomy from the “scientific populism”

that plagues our field (Lawler 1988) and to develop an alternative, constitutionalist approach to the dichotomy, which has respectable credentials but hitherto little articulation.

A work like this draws, of course, on the ideas of many people, but two eminent, now-deceased scholars have been particularly important for this work. The first is Dwight Waldo (1913–2000), whose oeuvre (especially his canonical *The Administrative State*) has been a constant source of delight and inspiration over the years. I have gratefully adopted his approach to study administrative thought from the lens of political philosophy, and I believe that, substantively, my reconceptualization of the politics–administration dichotomy as a constitutional principle follows a path suggested in Waldo’s later writings. Thus, Waldo is omnipresent in this study; he has stimulating things to say in every chapter and on top of them. Second, I have also been deeply inspired by John Rohr, who has just recently ‘exchanged the temporal for the eternal.’ Drawing on his writings and advice, this study is a modest attempt to advance the constitutional approach to public administration that he effectively launched. I hope the remembrance of John Rohr’s remarkable scholarship and personality, will continue to encourage his numerous intellectual heirs to do the same.

Patrick Overeem

Leiden

Acknowledgments

Special thanks must go to Mark Rutgers, my *Doktorvater* in a very real sense of the word. He was the initiator and director of the larger project of which the research for this study was a part. In good times and in bad, he has always confided in me, for which I am deeply grateful. I also thank Sebastiaan Tijsterman for his collegiality and friendship. Next, I salute Jim Svava, admirable sparring partner and occasional opponent. This study testifies in many places of my disagreement with his ideas, but they have been a source of continuous motivation (and occasional frustration) for me. I am glad we have always been on good terms, and I would like to thank him sincerely for the constructive way in which he has discussed these matters with me. Finally, I want to thank David Rosenbloom for being helpful in having this study accepted for publication and my editors at Taylor & Francis, Lara Zoble, Laurie Schlags, and Jim McGovern for their professional guidance of the process.

Editorial Note

This study follows the custom introduced by Dwight Waldo (1968: 443 n. 1; 1971: viii; 1972: 217; 1975: 181 n.) and occasionally adopted by others, to use 'Public Administration' (with capitals) to designate the self-conscious academic field of study, research, and teaching, and 'public administration' (without capitals) to refer to the processes, institutions, and other phenomena in government that are the object of this field of study. (The phrase 'study of Public Administration' then refers to the meta-study of the academic field itself.) Waldo already recognized that the distinction is sometimes hard to draw, but in large part the difficulty seems to be a peculiarity of the English language, as corresponding distinctions in other languages (e.g., those between *Verwaltungswissenschaft* and *öffentliche Verwaltung* in German or *bestuurskunde* and *openbaar bestuur* in Dutch) are usually not very problematic. In cases of doubt and ambiguity, I have omitted capitalization. Names of other academic fields (Law, Political Science) are also capitalized for the sake of consistency. It should be noted that in quotations these conventions are often not followed.

The Author

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Chapter 1

A Quandary

It appears that we can neither accept the politics-administration formula nor get along without it. (Waldo 1982: IX, 6)*

1.1 The Standard Account

Phrased in everyday language, this study is about the question whether we can and should make a division within government between something called *politics* and something else called (*public*) *administration*.[†] To most people outside the academic field of Public Administration, this question will not seem particularly troubling. They just suppose, even without firsthand knowledge, that ‘doing politics’ is not the same as ‘doing administration,’ that being a politician differs from being a public servant, and that for some reason this should be so. They find the idea quite obvious and normally give it little thought. If asked, most people could probably mention some differences between politics and administration, but in general they will have only a vague idea of where exactly the boundary line runs and an even vaguer idea of the reasons for its existence. The separation between

* Because this unpublished source restarts page numbering in each chapter, a Roman chapter number is included in the reference.

† Discussions of the politics–administration dichotomy ordinarily limit ‘administration’ to ‘public administration.’ I do the same, taking ‘government’ as the traditional and still suitable domain to think about the dichotomy (cf. Raadschelders 2003). For a discussion of the alternative concept of ‘governance,’ see Chapter 5, Section 5.5.

politics and administration simply exists as an established if little understood feature of contemporary government.

If this is true of common citizens, who may not have a very accurate knowledge of the workings and principles of modern government, it seems hardly less true of informed and engaged professionals such as journalists, lobbyist, judges, or indeed most politicians and administrators themselves. Surely, these insiders know very well that not all politicians obtain their positions directly through democratic elections, and that administrators do not implement ready-made policies like automata—they know that in fact none of the commonly used distinctions between politics and administration are absolutely watertight. Still, they usually speak and act upon the assumption that differentiating between politics and administration is both possible and sensible. Even many students of modern government from academic fields other than Public Administration, such as Political Science and Law, do not seem to regard the division as particularly problematic. They may be more aware of its subtleties and be able to relate the issue to other characteristics of modern government, but as a rule they write little about the division itself and even less about its *raison d'être*. They just seem to take it as a given. Thus, for most practitioners and academics, as for most other people, the idea of a separation between politics and administration appears quite unproblematic.

Not so for most students of public administration. They almost unanimously reject what they call ‘the politics–administration dichotomy.’ In their view, readily observable differences between politicians and administrators (for instance, the fact that the former usually try to make themselves known to the general public, while the latter normally try to stay anonymous) do not justify a distinction between the more abstract concepts of politics and administration at all, let alone (the idea of) a separation between them in practice. This dismissal of the dichotomy by students of public administration can be surprisingly vehement. In the literature, the dichotomy is depicted as an “aberration” and a “myth” (Svara 1998, 2001), even as a “ghost” to be exorcised (Maynard-Moody 1998). Others speak about “the now-dated and overly simplistic politics–administration dichotomy” (MacDonald 2007: 721) or they simply declare—with a slight but significant change of phrasing that will be discussed later—that “the policy-administration dichotomy is bunkum” (Murray and Banovetz 1993). So, we face a situation in which an academic minority emphatically rejects an idea commonly if unreflectively held by most other people. As John Rohr has put it: “Every student of Public Administration denies the possibility of making a distinction between politics and administration; but everyone else continues to make that distinction” (1986: 183). Although this is, as Marini has remarked, “an exaggeration on both scores” (1994: 3), a remarkable divergence between the two groups is undeniable.

The dismissal of the dichotomy by students of public administration is not a matter of thoughtless prejudice. Whereas others, including most political scientists and lawyers, leave the relationship between politics and administration uninvestigated, students of public administration have a long tradition of pondering the

subject. They back their position by at least half a century of theoretical reflection and empirical research. They have often either studied the matter themselves or are acquainted with the work of others who have done so. Indeed, a great deal of initiation in the field of Public Administration consists in learning the flaws of the politics–administration dichotomy: “Presumably, even the beginning student in Public Administration knows that there was once something called the politics–administration dichotomy, which has now been discarded” (Waldo 1980: 67).

In the Public Administration literature, the relationship between politicians and administrators in general and the politics–administration dichotomy in particular are objects of much attention. A consultation of reference works testifies to the importance of the subject in the field. In an analysis of American and European textbooks, for instance, Rutgers has found that “politics and administration (in general)” are among the most widely covered themes (1993: 125; cf. Rutgers 1998: 21–27). The *Public Administration Theory Primer*, a more recent textbook, discusses “political control on the bureaucracy” and “bureaucratic politics” as the first two topics in its overview of administrative theory (Frederickson and Smith 2003). Similarly, in one *Handbook of Public Administration* (there are several), the first place in a discussion of “five great issues in organization theory” is occupied by “politics and administration” and the second place by “bureaucracy and democracy” (Denhardt and Baker 2007: 121–129).^{*} Finally, in many if not most Public Administration encyclopedias, lexicons, and dictionaries “politics–administration dichotomy” appears as a lemma (e.g., Bhatta 2006: 475; Chandler and Plano 1988: 98–99; MacDonald 2007; Seitz 2003; Shafritz 1985: 415; Shafritz, Hyde, and Parkes 2004: 226–227; Van Hook 1998).

Sources like these offer what we can call the standard account of the politics–administration dichotomy. According to this account, the dichotomy was introduced in the late nineteenth and early twentieth centuries, particularly by Woodrow Wilson’s essay ‘The Study of Administration’ (1887), after which other classical formulations were offered in the writings of Frank Goodnow and Max Weber, particularly. In the two or three decades preceding the Second World War, still according to the standard account, the dichotomy was uncritically accepted as part of what later became known as Public Administration’s ‘orthodoxy,’ but in the late 1930s and 1940s, an increasing amount of criticism arose and the dichotomy was decisively proven inadequate. Since then, the idea has perhaps not entirely disappeared, but it certainly has widely (and rightly) been abandoned.

^{*} In earlier editions of the same handbook, ‘the politics–administration dichotomy’ also occupied the first place in a list of “five great issues in the profession of public administration” (Fry 1989: 1028–1039), but in the third edition, the text has been reworked from a ‘post-traditional’ or postmodern perspective which grants the dichotomy only a brief treatment (Farmer 2007: 1206–1208).

This standard account can be told in greater or smaller detail, and every bit of it has been disputed by scholarly experts, but this study is not a straightforward attempt to reject it as false. In fact, I will argue (especially in Chapters 3 and 4) that it contains more truth than some recent Public Administration historiographers have tried to make us believe. In my view, the standard account tells an abridged rather than a misleading version of the story; it needs expansion rather than correction. What it certainly has got right is that the dichotomy has been widely abandoned by students of public administration. Notwithstanding much skepticism about the degree of progress in the social sciences, the abandonment of the politics–administration dichotomy is generally seen as a real advancement. Only a small number of dissidents have objected to the general iconoclasm. They have noted that, despite its “thousand deaths,” the dichotomy continues to be resurrected (Rutgers 1998: 23), and they have endeavored to defend the dichotomy against what they believe to be invalid or disproportional criticism (Montjoy and Watson 1995; Overeem 2005 and 2006; Stene 1975b). These tactics are, however, mostly defensive; truly positive accounts of the dichotomy are rare. Overall, the demise of the dichotomy has been little lamented. Moe’s assertion that “[m]odern public administration emerged out of a spirited rejection of the politics–administration dichotomy” (1994: 18) is certainly not exaggerated.

1.2 Waldo’s Challenge

To a considerable extent, the formulation and dissemination of the standard account has been the work of Public Administration theorist and historiographer Dwight Waldo. His oeuvre offers a particularly good entrance to the subject, if only because he treats it as of paramount importance:

Nothing is more central in thinking about public administration than the nature and interrelations of *politics* and *administration*. Nor are the nature and interrelations of politics and administration matters only for academic theorizing. What is more important in the day-to-day, year-to-year, decade-to-decade operation of government than the ways in which politics and administration are conceptualized, rationalized, and related one to the other? (1987: 91)

Waldo particularly contributed to the development of the standard account of the dichotomy as a historiographer. He was not a detached spectator, however, but played an active role in the mid-twentieth century dismissal of the dichotomy himself. Particularly in his first and most influential book, *The Administrative State* (1948), he depicted and rejected the dichotomy as a deeply flawed idea, asserting that “either as a description of the facts or a scheme of reform, any simple division into politics-and-administration is inadequate” (1948: 128; cf. pp. 207–208).

In other influential writings published until about the late 1960s, Waldo kept doing much to debunk the dichotomy—and with great influence on the Public Administration community. As Frederickson and Smith say: “Waldo, perhaps more than anyone else, contributed to the received wisdom that there is no such dichotomy” (2003: 40).

Today, Waldo’s reputation is still mainly built on this early work. Most students of public administration nowadays know him as “one of those who demolished the pre–World War II (...) politics–administration dichotomy” (Brown and Stillman 1986: 35). How strongly Waldo’s early writings determine his reputation is illustrated by Bertelli and Lynn, who have recently launched an uncommonly wild attack on Waldo, in which they argue that his contribution is merely negative, that it shows “intimations of Derrida and deconstructionism” (2006: 48)—although they acknowledge, in a footnote, that Waldo was in fact utterly skeptical of postmodernism (2006: 178–179 n. 7)—and that after *The Administrative State* Waldo has contributed hardly anything substantial but only “persisted in his cause” (2006: 46).^{*} Such characterizations are only possible when Waldo’s later writings are left out of consideration. They ignore that Waldo continued to think actively, also about the politics–administration dichotomy, in the second half of his career. His writings from the 1970s onward show fascinating shifts in his dealings with the dichotomy that, as I will argue later, open promising and hitherto unexplored theoretical vistas (cf. Overeem 2008).

Waldo gradually recognized the impact of his earlier criticism on the dichotomy. He came to believe that Public Administration’s “identity crisis” (one of the phrases to which he gave wide currency) in large part resulted, not from the politics–administration dichotomy itself, as Vincent Ostrom (1973) argued, but rather from its abandonment. Whereas the dichotomy had still provided a certain unity, after its dismissal the field had turned into a cacophony. The dichotomy being rejected, Public Administration no longer had a persistent core.[†] To ignore the issue of the relationship between politics and administration was, however, no alternative: “Dealing with the problem of our ‘identity,’ I believe, means dealing successfully with this crucial matter” (1984b: 232). Therefore, Waldo tried to find a viable alternative “formula,” as he often called it, to capture the relationship between politics and administration. He made several suggestions, but found none of them truly satisfactory. Becoming increasingly pessimistic about the possibility of finding a good alternative, he got second thoughts about the abandonment of

^{*} Bertelli and Lynn’s main charge is that Waldo in *The Administrative State* and other writings misdirected the field by his description and critical assessment of public administration’s pre–Second World War orthodoxy. This connects to what I shall call ‘revisionist’ historiography, discussed in Chapters 3 and 4.

[†] “The seeming identity and unity of administration based on the politics-administration formula and the accompanying set of values and principles is long gone” (Brown and Stillman 1986: 148; cf. Waldo 1968: 3–11; 1987: 94; Laohavichien 1983: 11–12; Chandler and Plano 1988: 40–41).

the dichotomy itself. He wondered whether, in retrospect, it really had been necessary to reject and replace the dichotomy, and he pointed to the “perdurability of the politics–administration dichotomy” (1984b). As he reconsidered the issue, he became ambivalent and sometimes even positive about the dichotomy. He offered some tentative suggestions for a fruitful reconceptualization and reevaluation of the concept, but never developed these into more mature elaborations. It would be exaggerated to say that Waldo became a champion of the politics–administration dichotomy. His ultimate position remained one of ambivalence and aporia. In Waldo’s view, our thinking had got stuck “in a quandary”: “It appears that we can neither accept the politics-administration formula nor get along without it” (1982: IX, 6; cf. Waldo and Marini 1999: 522). Or, as he stated elsewhere: “We can neither live with, nor without” the dichotomy (Brown and Stillman 1986: 108). When his life and work ended, Waldo was still deeply caught in this quandary and had not found a real escape.

This is the situation in which the most penetrating and creative thinker about the dichotomy has left us. On the one hand, distinguishing between politics and administration in theory, and *a fortiori* separating them in practice, seems impossible and undesirable. On the other hand, maintaining at least some demarcation between the two seems inescapable and perhaps even valuable. This quandary is certainly not an idiosyncrasy on Waldo’s part, but a predicament of the entire field of Public Administration.* Waldo is just the author who has articulated it most explicitly. The challenge to find an escape from the quandary is part of his legacy. To achieve that goal, he suggested, it would be helpful to reconsider the dichotomy in a full theoretical study:

It would be a great service if someone gave us not just a better map but a rather different one, a map showing conceptual-theoretical developments. We need an overview that relates such developments to their context, takes note of their uses and consequences, evaluates them critically but fairly, and attempts a synthesis of them or concludes that a synthesis is impossible and explains why. (1987: 107)

This study is intended to meet this challenge. It tries to trace a path out of the quandary by providing a “conceptual–theoretical” overview of thinking about the politics–administration dichotomy. Interestingly, Waldo himself also attempted to provide the kind of study he asked for. From the early 1950s until the end of

* An apt summary of the quandary has been offered by Harris, for instance: “Many people argue that civil servants constantly make *political* decisions, and that it is not realistic to separate politics from administration. Of course civil servants are *in* the political world because elected politicians are in theory their masters. However civil servants are not *of* the political world because it is believed in many developed states that civil servants should be neutral and should not take sides” (1990: 10).

his life, he worked on and off on a book about the relationship between politics and administration, or more precisely democracy and bureaucracy. Two versions of the almost 600-page manuscript of this work, which rivals *The Administrative State* as Waldo's magnum opus, are still extant and available (Waldo 1982; Waldo and Marini 1999; cf. Overeem 2008: 43 n. 6). The text offers not so much new ideas but a fascinating sedimentation of the different layers of Waldo's thought on the politics–administration dichotomy and a great number of other theoretical issues. As its scope broadened and its volume expanded, however, the book remained unfinished and ultimately unpublished. In order to avoid that fate, I have deliberately kept this study limited in focus. In fact, I do not even aim to meet the conditions of the kind of study Waldo called for. In particular, I have restricted myself with respect to the relationship between the “conceptual–theoretical developments” and their “context”—the aspect that made Waldo's own work unmanageably vast (see Section 1.4).

1.3 Reconstructing the Dichotomy's Meaning

In view of the current state of thinking about the politics–administration dichotomy, and in response to Waldo's challenge, this study has two aims. Simply put, I offer a reconstruction of the politics–administration dichotomy in a double sense of the word.* My first and primary aim is to provide a historical reconstruction of the tradition of thinking about the dichotomy to see how we have ended up in Waldo's quandary. Therefore, this study offers an overview of the conceptual development of the dichotomy from its earliest articulations until the present—what Waldo called “a map showing conceptual–theoretical developments.” Notwithstanding the salience of the dichotomy in administrative theory and its established status in reference works, no full study of its development has been published before. This study attempts to fill that gap. My second and ultimate aim is to provide a theoretical reconstruction of the dichotomy in order to find, if possible, a way out of Waldo's quandary. I not only want to describe the tradition of thinking about the dichotomy, but also to advance it. In particular, I try to discern between those versions of the dichotomy we cannot “live with” and those we might be able to “live with.”

In order to meet these two aims, this study addresses the following deceptively simple question: *What is the meaning of the politics–administration dichotomy?* Before a substantial answer can be sought, however, it must be delineated how the concepts of ‘meaning’ and ‘politics–administration dichotomy’ will be used here. This also allows me to introduce some useful distinctions and to put some necessary limits to my inquiry.

* For an instructive and rather hard-headed version of conceptual “reconstructionism,” see Oppenheim 1981, especially pp. 177–202.

‘Meaning’ is of course a notoriously difficult concept. In the field of linguistic philosophy, extensive discussions take place on ‘the meaning of meaning.’^{*} These discussions often start from the work of Gottlob Frege, particularly from his famous distinction between *Sinn* and *Bedeutung* or, in English, ‘sense’ (connotation) and “reference” (denotation), and they have become extremely complex. In analytical philosophy, more specifically in post-Wittgensteinian speech act theory, distinctions have been made between several kinds of meaning, such as hermeneutic, semantic, and linguistic meaning (Bevir 1999: 31–77). In this study, I do not attempt to contribute to these discussions. Instead, I take advantage of the multidimensionality of the concept of meaning and allow myself to discuss the meaning of the dichotomy from various angles. When I speak of the meaning of the dichotomy, I specifically refer to three aspects, namely, its *content*, *purpose*, and *relevance*.[†] Let me consider these three aspects in turn.

The first and most ready-to-hand aspect of the dichotomy’s meaning is its content: the ways in which the dichotomy has been and can be conceptualized. What, apparently, do authors ‘have in mind’ when they speak of the politics–administration dichotomy? How do they conceptualize it? And what other possible conceptualizations can be conceived? Do public administration scholars who reject the dichotomy as a flawed notion mean the same thing as those who accept a certain division between politics and administration as commonsensical, or do they mean something else? In short, what is this idea that has aroused and still arouses so many vehement and sometimes divergent reactions? This is the first issue that needs to be addressed.

The purpose of the dichotomy, the second aspect of meaning distinguished here, is what the dichotomy has been or can be intended for. What do we expect it to accomplish? What can it be used for? Most authors writing on this subject do not treat the dichotomy as a blind dogma without any further purpose. They more or less elaborately argue why the dichotomy does or does not properly do what it should do. This purpose turns the dichotomy from a mere norm (“Thou shalt dichotomize between politics and administration”) into the more or less elaborate kind of argument I will later call a principle. What exactly the dichotomy is intended to do can vary a great deal, but some formal distinctions are helpful to discern different types of purpose. I have suggested earlier that the dichotomy means that politics and administration *are* and *should be* separated, but these are obviously two different things. In the former, the dichotomy is used descriptively, as an empirical generalization saying that politics and administration are in fact separated, while in the latter it is used prescriptively, as a norm saying that they

^{*} For a lucid introduction (in Dutch), see Van Woudenberg 2002. He notes (p. 16) that Ogden and Richards discern no less than 16 meanings of the English word ‘meaning’ in their 1923 classic *The Meaning of Meaning*.

[†] The *Oxford English Dictionary* (2nd edition, 2003) distinguishes almost the same three aspects when it says that ‘meaning’ can refer, first, to “what is meant by a word, text, concept, or action”; second, to something’s “implied or explicit significance”; and third, to something’s “important or worthwhile quality; purpose.” The last two are given as mass nouns.

Table 1.1 Four types of purpose

	<i>Descriptive</i>	<i>Prescriptive</i>
Theoretical	Politics and administration are separate in thought	Politics and administration should be separate in thought
Practical	Politics and administration are separate in practice	Politics and administration should be separate in practice

ought to be separated. I have also suggested that the dichotomy amounts both to a distinction *in thought* and a separation *in practice*, but, of course, these are not similar either. The dichotomy can be used theoretically or analytically, to make an abstract distinction between our concepts so as to increase our understanding, but it can also be used practically, to separate concrete institutions or officials of government so as to improve our practice of government. Thus, an invocation of the politics–administration dichotomy can be intended to make four different claims (see Table 1.1).

These four claims can all be encountered in the literature. Which of them is the most sensible or relevant cannot be decided beforehand, but will depend on one’s wider theoretical and/or practical intentions. (This issue will be faced in later chapters.)

The third aspect of the dichotomy’s meaning, finally, is what I have called its relevance. This aspect concerns the often unarticulated reasons for which ‘we,’ as an imaginary and ill-defined academic collective, can or cannot ‘live with’ the dichotomy. In other words, it says whether and why the dichotomy has been and can be endorsed or accepted. As said before, most students of public administration emphatically reject the dichotomy, but it is often not very clear why they do so or whether they have to do so. Is the politics–administration dichotomy really as nonsensical as it is generally believed to be? Why then does it recur again and again? Of course, durability is not a compelling argument in anything’s favor (crime and illness also seem quite ineradicable), but the recurrence of the dichotomy at least suggests that the idea may be backed by certain motives or serve certain functions that have so far not been fully recognized. I try to unearth and articulate these and thus to establish the extent to which (and the different ways in which) the dichotomy can or cannot reasonably be endorsed.

In summary, one could say that ‘content’ says what is meant *by* the dichotomy, ‘purpose’ what it is meant *for*, and ‘relevance’ whether and why it (still) *has* meaning. In the literature, substantive positions vary widely for all three aspects. Because these substantive positions are the very object of this inquiry, it would be mistaken now already to adopt one of the existing definitions of the politics–administration dichotomy or to attempt to give a definition myself. A prior definition could unduly exclude significant meanings of the dichotomy. Rather than giving a definition beforehand, therefore, I will try to guide the inquiry and set some limits to it by developing a formal account of the dichotomy. This is a familiar tactic also

adopted by others in similar studies. Vile, for instance, in his exemplary study *Constitutionalism and the Separation of Powers*, formulates what he calls a “pure account” of the separation-of-powers doctrine as a starting point for thinking about that topic (1998: 14–21).^{*} In the same way, a delineation of the dichotomy in abstract terms can serve to specify what I am dealing with.

In this study about the politics–administration dichotomy, I deliberately concentrate on the relatively specific idea known under that name in the literature. Hence, my starting point is terminology as the first and most important indicator to determine whether a particular text deals with a certain subject. This indicator is not unproblematic, however: as terms can have ambiguous, shifting, and untranslatable meanings, it is important to distinguish between terms and concepts. These are not identical, for particular concepts can be expressed by various terms and particular terms can cover various concepts. Although I concentrate on more or less explicit debates about the dichotomy, this study is essentially about conceptualizations, not about terminology. The absence of the phrase ‘politics–administration dichotomy’ does not mean that the concept itself is also lacking.[†] We must allow for variations in terminology. For instance, authors may not use the word ‘dichotomy,’ but instead speak of a ‘discrimination’ (Wilson 1968a [1887]: 371) or ‘differentiation’ (Goodnow 2003 [1900]: 18) between politics and administration. I will cast the net rather widely in order to include such alternative phrasings as well. Although I bind myself, like Ulysses, to the mast of terminology to keep the scope of my study focused and limited, I will treat my circumscribed theme quite broadly.

It is not exactly clear who exactly has invented the literal expression ‘politics–administration dichotomy.’ Svava has performed the laborious task to scan much of the pre-1960s Public Administration literature for uses of the term ‘dichotomy’ in combination with ‘politics’ and ‘administration,’ and found that the term has been used only since the 1940s and even then for quite some time not very often (1999: 679–682). He stresses that the early authors most associated with the dichotomy, particularly Wilson and Goodnow, did not use the phrase at all: “The term dichotomy was not used by the early writers who are supposed to have

^{*} Skinner has criticized this procedure: “The particular danger with this approach is that the doctrine to be investigated so readily becomes hypostatized into an entity” (1969: 10). In his second edition, Vile offers a brief but interesting response: “The importance of the mistake made by Skinner (...) is that he misunderstood the essential continuity of human thought, the extent to which one writer builds upon the work of another, even if only by reacting against it. (...) The contextual details were different, to be sure, a fact we must always be aware of; but the problems, the concerns, and the dilemma’s were essentially the same as those we face today” (1998: 387). Vile’s basic assumption of “the essential continuity of human thought” also underlies this study.

[†] Analogously, as Rohr has argued (1986: 1), the absence of the word ‘administration’ in the text of the American Constitution does not mean that the Framers did not use the concept of administration, let alone that they did not care about the phenomenon.

invented it” (1999: 679).^{*} Of course, ‘dichotomy’ itself is an old noun and can be traced via modern Latin to ancient Greek. Its literal meaning (“cut-in-two”) gives the phrase an emphasis, according to Svava a “dramatic” emphasis (1999: 681), on difference and separation. The word is not only somewhat awkward, but also unfortunate, because in Philosophy, particularly among logicians, it is commonly used to refer strictly to predicates or variables with only two mutually exclusive values.[†] In the Public Administration literature, the concept of dichotomy tends to be used much more loosely, not as a contradiction but only as a “contradistinction”—a word which indicates that two concepts are first distinguished and then pitted against each other. As Rutgers says, “a dichotomy establishes a relation between two concepts that turns them into opposites” (2001a: 14). Although the phrase ‘politics–administration dichotomy’ has its problems, it is by now well established in the literature, and I will here use it freely.

As I am dealing with the entire construct known as the politics–administration dichotomy (for the moment: PAD), I am not concerned here with politics (P) and administration (A) as single concepts; these have been extensively studied by others.[‡] This study is rather about the ways in which both concepts have been distinguished and contrasted. Hence, the first basic element of the dichotomy, and a truncated form in which it can sometimes be met, is a distinction between politics and administration (P/A). There are numerous possible ways to conceptualize this distinction. One could say, for instance, that politicians are elected and administrators appointed, or that politicians are amateurs and administrators professionals. Alternatively, one could say that politics is about making decisions and administration about executing them, or, more subtly, that both involve decision making, but that politicians decide on (potentially) controversial issues and administrators on the remaining issues, or, even more subtly, that both decide on (potentially) controversial issues, but that politicians are expected to account for their decisions in public, whereas administrators are not. The variations are numerous; these are only some examples out of a long list of literally dozens of possible conceptualizations (cf. Overeem and Rutgers 2003: 164). Henceforth, they will be referred to as politics/administration, deciding/executing, controversial/noncontroversial, and so on.

^{*} Elsewhere, I have claimed that Waldo probably even coined the phrase, as Marini has tentatively suggested (1993: 412), but now I acknowledge that V. O. Key, Jr. used the phrase in a publication (1942: 145) in the year when Waldo only could have used it in his (unpublished) Yale dissertation (cf. Overeem 2008: 42–43 n. 2; Svava 2008: 50 n. 5).

[†] Not all philosophers, however, have the same strict use. Bunge’s *Philosophical Dictionary* defines ‘dichotomy’ as “[a] division of a whole or of a collection into two mutually disjoint and complementary parts. Examples: the mind/body, reason/cause, fact/value, and nature/culture dichotomies in idealist philosophies” (2003: 75). The *Oxford Dictionary of Philosophy* defines it simply as “[a] division into two” (Blackburn 2005: 99).

[‡] For overviews, see Heidenheimer (1986) and Enroth (2004) on the concept of politics, and Damkowski (1969) and Dunsire (1973) on the concept of administration.

The second basic element of the politics–administration dichotomy, next to the distinction, is the element of dichotomy (D). This element poses a particular relationship, or perhaps rather an absence of relationship, between politics and administration. As in the case of the distinction, the variety of conceptualizations of dichotomy is large. For some, dichotomy only means disentanglement, for others complete separation; in some cases, it only means the separation of administration from politics, in others it also includes its subordination to politics; and so forth. As Karl has noted, the relationship between politics and administration “has been variously viewed as a Manichean opposition, a pair of correlative terms, or a necessary, if not altogether happy, partnership in the management of the democratic state” (1987: 33). The concept of dichotomy is thus not exclusively used to denote the absence of any relationship whatsoever (although some authors would like to restrict it to that).

We see, then, that the politics–administration dichotomy (PAD) as a whole comprises two basic elements: a certain distinction between politics and administration (P/A) and a certain idea about their dichotomous relationship (D). Conceptualizations of the latter seem to depend at least in part on conceptualizations of the former. For example, higher/lower suggests a gradual or continuous transition between politics and administration, whereas deciding/executing suggests a more fundamental breach between them. Yet, although the two elements are related, particular accounts of the politics–administration dichotomy may cover only one of them: they can only draw a distinction between politics and administration without specifying how they relate, or they can specify the dichotomous relationship but say little about the distinction between them. All possible accounts of the construct, however incomplete, are interesting for our purposes.

By now it seems possible to assemble the different elements and to formulate what Vile would call a “pure account” of the politics–administration dichotomy. Most abstractly and comprehensively, the dichotomy could be described as the principle which says that for certain substantial purposes politics and (public) administration are and should be distinguished in our thought and separated in our practice of government. This working definition is intentionally but irritatingly abstract. It does not enlighten us on the manner in which and the purposes for which one might want to dichotomize politics and administration, and whether it makes sense to do so. It is not to be expected, therefore, that this ‘pure’ dichotomy can be found very often in the literature, but any discussion of ideas approximating it is of interest. The rest of this study is meant to put flesh on these bare bones of content, purpose, relevance, distinction, and dichotomy.

1.4 The American Debate and Beyond

As the politics–administration dichotomy has been debated most explicitly and most extensively in twentieth-century American Public Administration, it is

natural to take that particular body of literature as the main focus of this study. Yet, as we have seen, it is precisely there that the debate about the dichotomy has got stuck in the quandary identified by Waldo. Because the deadlock apparently could not be overcome within the confines of twentieth-century American public administration theory, it seems advisable to broaden the debate and to invoke relevant insights from other periods, regions, and fields. These are three different but not mutually exclusive directions in which I want to extend the scope of the inquiry.

First, I include not only twentieth- and late nineteenth-century thought, but earlier thought as well. This extension seems helpful for the simple reason that we usually understand our predicaments better if we know how we have maneuvered ourselves into them. Long-standing and recurring ideas such as the politics–administration dichotomy are usually not invented overnight, but tend to be rooted in much older traditions of thinking. In the case of the dichotomy, it turns out, we have to go back at least to eighteenth- and early nineteenth-century political and administrative thought to dig up its roots. While doing so, it seems particularly relevant to look for emerging tensions and paradoxes that may explain our present quandary.

Second, I include European thought next to American thought on the politics–administration dichotomy. This extension presents some difficulties, given the fact that Europeans have debated the dichotomy much less explicitly and much more indirectly, if at all, than their American colleagues. This has been the case since Weber, and it is still true today: “Canvassing recent scholarly opinion in Europe, one finds virtual unanimity on the low salience of the policy/administration dichotomy” (Campbell 1988: 24). Because in Europe discussions of the topic are spread over various strands of literature, terminology tends to be far from uniform.* The literal phrase ‘politics–administration dichotomy,’ which has become quite common among American students of public administration, is alien to their European colleagues. The absence of the phrase does, however, not mean that the concept denoted by that phrase is also absent. Indeed, it can be argued that the concept is quite familiar to Europeans as well. Because of fundamental differences between European and American administrative thought (Stillman 1990, 1997; Rutgers 2000, 2001b), one can expect important and perhaps useful differences in thinking about the politics–administration dichotomy on the two continents.†

Finally, I draw on political as well as administrative thought. So far the dichotomy has particularly, indeed almost exclusively, been addressed from the point of view of Public Administration—much more so, indeed, than from the

* One reason seems to be that the academic studies of public administration and politics are often not as disentangled in Europe as in America. Hence, the specifically academic motivation to discuss the dichotomy is much weaker there, too (see the Epilogue).

† In addition, I also use some relevant sources from other parts of the world, such as Singapore (Chan Heng 1975) and Australia (Dunn 1997), but they are very few in number and not markedly different from the Western literature. Non-Western thought on the subject, though possibly interesting, could not be adopted in the scope of this study.

point of view of Political Science (cf. Waldo 1990: 79). This study attempts to take direct contributions from the latter discipline into account as well. In particular, for reasons that will become clear, it draws on the variant of political thought that may be designated as constitutional theory.* At the same time, I cannot do full justice to, but only occasionally open windows toward, reflections from classical and modern political philosophy that are indirectly relevant for our subject.

These three extensions may seem to make the scope of this inquiry unmanageably large, but there is also an important restriction. This study is only about academic accounts of the dichotomy and leaves practical understandings out of consideration. Undoubtedly, more or less systematic views on the matter can be found in policy documents, media contributions, and legislative documents as well, but in general, these sources tend to be much less explicit about the dichotomy: “Arguments about the meanings of ‘politics,’ ‘policy,’ and ‘administration’ have occupied academics more than practitioners” (Thayer 1984: 263). This difference is in fact so marked that it seems justified to treat the scholarly skirmishes about the dichotomy as more or less self-contained. This is not to deny that practical circumstances have had a strong impact on scholarly thinking. The Prussian bureaucracy, the American spoils system, and more generally the expansion and modernization of government have obviously shaped the meaning of the dichotomy decisively. Hence, Keller notes that “practical concerns of the municipal reformers [in late nineteenth-century America] were perhaps more instrumental in the call for the politics–administration dichotomy than Wilson’s essay” (2007: 10). Sometimes, the practical influences at work have been remarkably specific. In an interesting historical study, Roberts (1994) has shown that one reason for the widespread endorsement of the dichotomy in American Public Administration during the 1920s and 1930s was the insistence of Rockefeller philanthropies that the recipients of their donations should be (or at least appear) apolitical. Now this seems a unique case; usually the acceptance of the dichotomy depends on more general circumstances. Nevertheless, although practical circumstances do certainly play a role, this study deals with them only at its margins.

Needless to say, perhaps, a concentration on the academic debate about the dichotomy does not exclude the use of empirical studies. On the contrary, especially in Chapters 4 and 5 I pay attention to the theoretical frameworks used in empirical studies of political-administrative relations and to theoretical claims about the dichotomy based on empirical research. These studies are not only important sources of inductively constructed accounts of the dichotomy but also storehouses of empirical data and concrete examples that help to stay in touch with governmental reality and to avoid losing sight of what politics and administration actually refer to.

* Law is also relevant, particularly in Europe, but juridical sources explicitly treating the relation between politics and administration turn out to be surprisingly rare.

Given its scope and focus, this study primarily addresses the specialized academic community involved in the scholarly debate about public administration and its relationship to politics, but it may also be illuminating to more practically oriented scholars and to practitioners. Ultimately, it can be hoped that clarifying our conceptual framework contributes to a better understanding, and hence perhaps a better organization, of the relationship between politics and administration in practice.

1.5 Approach and Plan of the Study

In the opening sentence of *The Administrative State*, Waldo explicated his approach to his subject: “This study is a study of the public administration movement from the viewpoint of political theory and the history of ideas” (1984a: 3). This particular two-edged approach to the literature of Public Administration was a novelty when Waldo introduced it, but especially in the last quarter of the twentieth century it has become more common.* Waldo’s double viewpoint definitely suits my purposes. As said, this study aims to examine, first, what the dichotomy has meant from its earliest appearance to the present, and then also to examine what it can (and maybe should) mean in our time. This double aim requires a combination of a history of ideas approach and what I will simply call a theoretical approach. (As I will argue in the Epilogue, the distinction between political and administrative theory here vanishes.)

The study of the history of ideas, first, examines how ideas have been conceptualized in the past and how these conceptualizations have developed over time. The self-conscious beginnings of this kind of study are commonly ascribed to Arthur O. Lovejoy, who coined the phrase, established the *Journal of the History of Ideas*, and developed the approach first in his classic study *The Great Chain of Being* (1936) and then in a number of later essays (1940, 1948). After him, Isaiah Berlin and several others have adopted the approach, but following fierce attacks, particularly by Quentin Skinner, on Lovejoy’s concept of ‘unit-ideas’ and on the presupposition that some ideas ‘anticipate’ others (1969; cf. Dunn 1972; Tully 1988), the history of ideas approach became unfashionable for some time. As a particular type of study, it never entirely disappeared, however, and in recent years the approach has gained new impetus, not in small degree because of the elaborate philosophical justification given in Mark Bevir’s *The Logic of the History of Ideas* (1999). Recently,

* After Waldo’s death in 2000, his way of thinking has been praised as one of his major legacies (Stillman 2008). Carroll and Frederickson characterize it thus: “The Waldonian approach is plural, multidimensional, historical, reflective, comparative, and antinomic, emphasizing examination of the similarities and differences between concepts and propositions, each of which might be valid in its own context” (2001: 3). In this sense, the present study is meant to be Waldonian, too.

the renewed interest in the history of ideas has also reached the field of Public Administration, with Michael Spicer as a prominent advocate (2008, 2010: 12–17).

The approach seems particularly fitting for examinations of the politics–administration dichotomy. According to well-known clichés, the study of public administration in America is short-term oriented and ahistorical, particularly in comparison to its Continental European equivalents (Miewald 1994). This may be true for many parts of the field, but it does certainly not hold for the literature about the dichotomy. On the contrary, in the predominantly American debate about that idea, historical-interpretative arguments tend to carry almost excessive weight. The writings of early authors such as Wilson, Goodnow, and others are reexamined over and over again, serving as depots of “footnote ammunition” for academic debates (Stillman 1973: 586). In order to understand the literature about the dichotomy and its evolving meaning (in the fullest sense of the word), it is therefore compelling to pay attention to the history of ideas.

Of course, writing the history of an idea already implies the use of theoretical frameworks and normative criteria, if only to carve out the idea under investigation and to discern what is important in the mass of historical data. In that sense, theorizing is indissoluble from historiography.^{*} But historical reconstruction, important as it may be, is not the final end of this study. I want to know not only how we have ended up in Waldo’s quandary, but also how we can possibly get out of it: “Because we wish not only to understand the way concepts are used but to employ them to guide our own decisions and actions, we need to go beyond understanding confusions; we must try to clear them up” (Gaus 2000: 22). In a similar vein, Vile has argued that tracing the development of ideas such as, in his case, the separation-of-powers doctrine “is not merely an academic exercise, of historical interest only” (1998: 8). It serves a further purpose: “To follow the course of this history should be of interest in itself, but it is also an essential step towards the understanding of the ideas of the past which have helped to shape our own, and towards the reformulation of these ideas into a more coherent theoretical approach to the nature of modern constitutional government” (1998: 22). Attempting to provide such a more coherent reformulation is what I mean by adopting a theoretical approach. I will, therefore, gradually loosen my historical approach and adopt a more theoretical approach in the chapters that follow.[†]

^{*} That writing a history of ideas unavoidably implies ‘doing theory’ is well realized by Spicer, who relates his history-of-ideas approach to what he calls “normative research” (2008). Palonen (2002) even argues that the study of the history of concepts, which is closely related to the history of ideas, can be regarded as “a style of political theorizing” in its own right. A balanced position on the usefulness and necessity of historical study in the field of political theory is offered by Mark Philp (2008).

[†] According to Bevir, dilemmas are crucial to understand changes of ideas: “People develop, adjust, and transform traditions in response to dilemmas” (1999: 221). This insight is not only useful to understand changes in the meaning of the politics–administration dichotomy in the past, but also to see our own need to adjust and reformulate that idea in the face of Waldo’s quandary.

Perhaps the combination of historical and theoretical work seems overambitious. Gwyn has noted that “far too often the mixing of exposition, criticism, and construction within the covers of a single book has resulted in none of these activities being satisfactorily performed” (1965: 127). This is a valuable warning, but I think in this case the combined attempt can be justified by the present state of thinking about the dichotomy. The developments and controversies surrounding the politics–administration dichotomy are not nearly as wide-ranging as those surrounding the separation-of-powers doctrine were for Gwyn (and Vile, whose book on the separation-of-powers doctrine appeared shortly after Gwyn’s). There are numerous studies of specific aspects of the dichotomy already. What is needed, therefore, is not primarily more insight into specific details (although of course that can be welcomed, too), but above all an overview of the broader problem and a synthesis of earlier work.

Waldo, notwithstanding his changing stance toward the dichotomy, consistently maintained that “the literature of public administration contains elements that are political theory as this is conventionally understood” (1984a: x). To him, this conviction implied a particular program of inquiry, for he adds: “I believe it serves useful functions to identify such elements and to examine [those elements] carefully: to trace their ancestry, to identify their analogs, to examine critically their intended explicit uses and their possible implicit functions in the political system” (1984a: x). This enumeration of steps provides almost an outline for the rest of this study. The six chapters that follow arrange them in an order that is both chronological and logical.

Chapter 2 traces what Waldo would call the “ancestry” of the dichotomy: its conceptual origins in Western political and administrative thinking before Wilson’s 1887 essay. It turns out that the dichotomy can be understood as a modern contribution to much older traditions of thinking, and specifically as a variation on the separation-of-powers doctrine, but that within the field of Public Administration this connection has been eclipsed by the predominance of only one out of two different approaches to the dichotomy that developed in the nineteenth century. The other approach, unfortunately, faded away and has never been seriously elaborated again.

Chapter 3 discusses the classical formulations of the dichotomy as they can be found in the works of Wilson, Goodnow, and Weber. Although these “explicit uses” of the dichotomy are relatively well-known, several misinterpretations have become accepted in Public Administration historiography that ought to be corrected. A comparative assessment of the dichotomy’s classical formulations, particularly of its ‘American’ and ‘European’ versions, throws light on other aspects and shortcomings of the classical formulations of the dichotomy than those normally highlighted in the Public Administration literature.

Chapter 4 is pivotal: it discusses and evaluates the main objections that have been raised against the dichotomy since the mid-twentieth century. Thus, it marks the shift of emphasis from the historical to the more theoretical approach. It directly confronts arguments that the dichotomy is flawed or even meaningless. Many of

these criticisms turn out to be directed against versions of the dichotomy that have been subtly but significantly reconceptualized, and overall they do not seem to affect the original dichotomy decisively.

Chapter 5 continues the discussion of the post–Second World War literature and examines the various suggestions that have been made to reconceptualize or replace the classical dichotomy. These alternatives—or “analogs,” to use Waldo’s term—range from marginal adaptations in our understanding of the dichotomy to calls for its wholesale replacement. These alternatives surely have their merits and even provide valuable insights into aspects of the dichotomy’s meaning, but the question is whether they really offer “viable substitutes” for the dichotomy.

In Chapter 6, I try to reveal the dichotomy’s “implicit function in the political system” and present an understanding of the concept that has not been clearly articulated before: the dichotomy as a constitutional principle. This understanding builds on insights from the recently developed ‘Constitutional School’ in the study of public administration. An attempt is made to bring the dichotomy into line with the separation-of-powers doctrine. Ultimately, this approach reconnects the dichotomy to its earliest conceptual origins and particularly to the second, “still-born” tradition discussed in Chapter 2.

Chapter 7, finally, aims to provide an answer to the central question posed in this chapter. After a brief examination of the dichotomy’s persistence in the face of general criticism, it gives an account of all three aspects of its meaning: its content, purpose, and relevance. In all three sections, the implications of my understanding of the dichotomy as a constitutional principle are shown. At the end, I assess whether the commonsensical character of the dichotomy should be considered a weakness or strength of the dichotomy.

A brief epilogue has been added to prevent a possible misunderstanding and highlight an important implication of my position. It may seem that my insistence on separating politics and administration in government implies an insistence on separating the studies of politics and public administration in academia as well. I argue, however, that as far as my study shows anything about this issue, it is quite the opposite. Only a combination of administrative and political thought enables us to recognize what Rohr has called “the great insight of the discredited dichotomy between politics and administration” (1986: 183).

Chapter 2

Conceptual Origins

[T]he perception of a distinction between politics and administration is not simply an accidental result of a certain period of American history, to be put aside as fiction or nonsense. The distinction is writ deep in several millennia of Western history. (Waldo 1987: 98)

2.1 “Beyond Woodrow Wilson”

According to the standard account in Public Administration handbooks and textbooks, the politics–administration dichotomy originated in the late nineteenth and early twentieth century. The names of Wilson and Goodnow in particular are associated with the birth of the idea. Except for a sketch of the particular context in which these authors developed their thoughts—Reformism and Progressivism in America—most accounts of the dichotomy take off discussing its merits and demerits without more historical introduction. There are some examinations of the Americans’ mostly non-Anglophone intellectual antecedents (Martin 1987; Miewald 1984), but few efforts have been made to trace the origins of the dichotomy itself and particularly to explain which ideas have made its articulation necessary and possible (the only exception is Nieuwenburg and Rutgers 2001). In order to at least partially repair this neglect, this chapter traces back the origins of the dichotomy “beyond Woodrow Wilson” (Rutgers 1997).

The focus here is on conceptual rather than practical origins. This is not to deny that on both sides of the Atlantic practical and historically contingent circumstances have often provided the most immediate motives to articulate the

dichotomy. I already mentioned the Reform Movement and the closely related Progressive Movement.* The battle against the Jacksonian spoils system is commonly regarded as the most important motivation of the attempts to “take politics out of administration” (Hoogenboom 1961; Rohr 2003), but there are other practical origins as well. Rugge has argued that, in nineteenth century Europe, the politics–administration dichotomy not only had a “long-lasting anchorage in the doctrine of the separation of powers” (a conceptual origin), but also emerged from two practical circumstances, namely, first “the permanence of some *ancien régime* features,” such as “the persistent influence of the crown over the bureaucracy,” and second, the “growing functional differentiation between the profession of the politician and that of the bureaucrat” necessitated by the increasing scope and complexity of government activities (2003: 179). And the conception of the proper relationship between a minister and his top civil servant in nineteenth century Britain even seems to have been inspired by that between the aristocratic landowner and the steward of his estate (Foster 2001: 426; Theakston 2005: 189–190). Undoubtedly, historical study could expand and refine our knowledge about such practical origins of the dichotomy much further.†

My concentration here on conceptual rather than practical origins of the dichotomy therefore stems not from a denial of the importance of the latter, but from three other considerations. First, the practical motivations behind the formulation of the dichotomy, although far from fully understood, have received at least some attention (especially in America), but the historical study of its conceptual origins is, as noted, still virtually nonexistent. Therefore, it seems particularly compelling to contribute to the latter. Second, although practical circumstances have certainly stimulated the articulation of the dichotomy, the reverse is also true: the conception of the dichotomy itself has also made certain practical arrangements possible. For example, the adoption in the United States of the 1939 Hatch Act—prohibiting civil servants to engage in partisan political activity—would have been unthinkable without the widespread but often unrecognized presupposition of the politics–administration dichotomy. Therefore, a better understanding of the idea and its conceptual origins can improve our understanding of practice as well. Third, and most important, conceptual origins are normally less contingent on particular historical circumstances (they are more timeless, if I may say so) than practical origins and hence more relevant for our situation. That is why an exploration of the

* These two movements, often treated together, are better seen as two phases in one process. As Rosenbloom has explained, the Reform Movement in the 1870s and 1880s concentrated on the relatively specific problems of political patronage, the moral character of the civil service, and the political leadership of the nation, and the Progressives (from the 1890s until the 1920s) subsequently dealt with the broader issues of adapting American government to the conditions of mass immigration and industrialization and of building the administrative state (2008: 57–58).

† Good introductions to the relationship between administrative thought and wider modern history up till the twentieth century are offered by Bülck (1965) and Raphael (2000).

conceptual ‘prehistory’ of the politics–administration dichotomy, apart from its historiographic value, may also yield important theoretical benefits. This works in two ways. First, recognizing earlier ideas that have been incorporated in the dichotomy may enable us to get a better understanding of more recent conceptualizations. Second, learning about earlier ideas that have *not* been integrated in the dichotomy may enable us to envisage other understandings of the dichotomy than those we happen to have. This will particularly benefit us in Chapter 6, when I reach back to ideas discussed in this chapter in order to reconstruct a largely forgotten but, in my view, still viable understanding of the dichotomy.

As with many complex ideas, the deepest conceptual roots of the dichotomy are difficult to trace. Although instances in which the terms *politics* and *administration* are explicitly opposed seem to be rare before the nineteenth century, many conceptual elements of the dichotomy are arguably much older than that. In tracing them, we have to be aware, however, of what Quentin Skinner in his critique on the traditional study of the history of ideas has called the fallacy of “reification” of ideas and doctrines. He issues a general warning against the habit of many historians and political philosophers to treat an idea under investigation as “immanent in history” and as “a growing organism” with an almost independent existence of its own. Specifically, he condemns the search for “anticipations of later doctrines” and “the endless debate—almost wholly semantic, though posing as empirical—about whether a given idea may be said to have “really emerged” at a given time, and whether it is “really there” in the work of some given writer” (1969: 10–12). Although Skinner’s criticism is perhaps not wholly justified or definitive, he surely points to a genuine danger, namely, of ascribing to earlier authors the intention to formulate the mature idea of which one tries to describe the history, even when they could not yet conceive of that idea. This in turn could reveal and reinforce an unwarranted historicism according to which earlier developments have necessarily tended toward a certain outcome—a Whig interpretation of the history of ideas, so to speak. In our case, such an approach would present Wilson’s dichotomy as the necessary outcome of earlier unsuccessful but deliberate attempts to formulate ‘his’ dichotomy. To avoid this evidently misleading suggestion and the other perils Skinner points at, I look in this chapter not for anticipations of the dichotomy but rather for its “foundations,” to use a word Vile adopts in the equivalent chapter of his book (1998: 23). By this I mean the preceding ideas that have made the conception and subsequent formulations of the dichotomy both desirable and possible. This more modest approach does not require me to seek an unbroken genealogical line back into the past, but allows me to highlight discontinuities as well as continuities in the prehistory of the dichotomy.

The next section (Section 2.2) asserts the absence, or at least the unarticulated state, of the dichotomy in the tradition of political philosophy until the nineteenth century, but also its relationship to one of the central questions within that tradition. In Section 2.3, I show how the separation-of-powers doctrine in particular provided important ingredients for later formulations of the dichotomy. Section 2.4

argues that the rise of public administration within the state evoked two responses: the first (here associated with Montesquieu) gives public administration a legitimate but subordinate place within the constitutional order, while the second (here associated with Hegel) gives administration a special status besides and sometimes even elevated above that order. Section 2.5 then shows how French writers about the place of administration in modern government (notably Tocqueville and Vivien) took up the first line of thinking, while Section 2.6 examines how representatives of the German *Verwaltungslehre* (notably Von Stein and Bluntschli) developed the second line of thinking. While the former approach has left only few traces in later thought, the latter would become very influential in American Public Administration. By way of conclusion, Section 2.7 recapitulates the characteristics of the ‘nascent’ dichotomy as it was understood before its famous articulation in Wilson’s 1887 essay.

2.2 Traditional Political Thought

The tradition of classical (i.e., ancient and medieval) and early modern political philosophy paid remarkably little attention to the ‘administrative’ side of government. Something we would now call “public administration” surely existed in pre-modern and early modern government, but the execution of laws, the day-to-day management of public affairs, and the functioning of lower organs and officials are hardly discussed in the long tradition from Plato to, say, Kant. Instead, constitutional forms, the proper behavior of princes, and other such grand themes were the main subjects of reflection. Classical political philosophy, in particular, was concerned with the quest for the best possible regime and the importance of virtue in the statesman. Some early modern political philosophers did pay attention to what we would now call public administration (Althusius, for example, discussed “secular administration” extensively in his *Politica*; 1965 [1614]: 170–184), but generally speaking, the subject was not considered very important. Attention for public administration in the long history of political thought has thus come relatively late and remained rather limited. As Wilson pithily observed, administration “was put aside as ‘practical detail’ which clerks could arrange after the doctors had agreed upon principles” (1968a [1887]: 361).

Given this inattention to public administration, it must come as no surprise that not many traces of anything like a dichotomy between politics and administration can be found in the tradition of political philosophy either. As Mosher has observed:

The concept that policy should be determined by politically responsible officials, institutionally separated from the execution of policy—i.e., administration—and the arguments attendant upon it are relatively recent in political and intellectual history. One finds little reference to them in the writings of many of the great political thinkers, and this

perhaps reflects the general lack of concern they felt about administration (1982: 6).

But perhaps one could interpret this aspect of traditional political philosophy in the opposite sense and say that the neglect of public administration evidences the implicit affirmation of some sort of politics–administration dichotomy rather than its negation. In this view, public administration was not deemed worth much attention precisely because it was regarded as essentially distinct and separate from politics. This is a tempting interpretation, but the tacit assumption of a principle is difficult to prove. As this study is more concerned with the dichotomy itself than with the question of who exactly may or may not have endorsed it, I leave this speculation aside and simply conclude that explicit formulations of anything like the politics–administration dichotomy are hardly more than about two centuries old.*

Waldo has made an interesting attempt to explain the neglect of public administration in political philosophy and at the same time to trace the deepest conceptual origins of the politics–administration dichotomy. He points out that while our concept of politics has its roots in ancient Greece, especially in the Athenian *polis* and some later republican city-states, our concept of administration is rooted in “the ancient empires of the Middle East and the Mediterranean basin,” most notably the Roman Empire (1987: 96–98; 1990: 77). This is even apparent from etymology, with *politics* stemming from Greek and *administration* from Latin (1990: 79). From these two divergent origins, Waldo then infers two broad and persistent traditions in Western cultural history, namely, the “civic culture tradition” going back to the ancient Greeks and the “imperial tradition” especially associated with the Romans (1987: 98; 1990: 77)—with “imperial” used in a neutral, descriptive way, without any negative connotation (1987: 108 n. 4; 1990: 78 n.). Political philosophy, according to Waldo, has been systematically biased toward the former and against the latter tradition. Hence, it has neglected the administrative side of government and suffered from a certain “rootlessness” and detachment from the practice of government (1980: 70–71; 1987: 101; 1990: 79; Brown and Stillman 1986: 162–163 and Waldo’s afterword, pp. 166–167).

This divergence of the two traditions, Waldo continues, explains not only the striking absence of references to public administration, bureaucracy, civil service, and the like in political philosophical textbook and handbook indexes (1990: 79), but also the growing tensions, in the twentieth century, between the academic fields of Political Science and Public Administration (1984: li, liv; 1987: 101; 1990: 79–82).

* As an early conceptualization of the politics–administration dichotomy, Nieuwenburg en Rutgers mention an interesting distinction of the sixteenth-century Dutch humanist Justus Lipsius between two types of advisors to the prince: on the one hand, the *administrari*, preferably nobles, who were responsible for administrative, executive, and legal issues and who often acted as regional governors and military commanders in the province and, on the other hand, the *consilarii*, who were not necessarily of noble descent and acted as ministerial advisors at the royal court (2001: 196; cf. Wansink 1981: 118).

Furthermore, it explains the emergence of the politics–administration dichotomy in modern states. From the Middle Ages until the early modern development of the Western state, the imperial tradition was preserved in particular by the Roman Catholic Church (1987: 97). The newly emerging European states were primarily based on this tradition, but they were also affected in different degrees by the civic culture tradition (1987: 98). The mixed constitution of Britain, in particular, is a clear example of the blending of the two traditions: “It was at once royal and popular, authoritative and consensual, centralized and decentralized, and effective but restrained in its exercise of authority” (1987: 99). The American Founding Fathers subsequently intended to establish an ‘extended republic’ mainly in the civic culture tradition, but gradually, as their republic grew into a mass democracy in the early nineteenth century, the increasingly powerful polity also acquired imperial characteristics: the growing population living on a vast territory was governed by an increasingly large and complex government apparatus (1987: 99–100, 104–105; 1990: 78). No matter what the exact blending in particular states may have been, all modern states are characterized by a profound “disjunction” between the imperial and civic traditions. This tension is reflected in the tension between politics and administration. Put at its simplest, “our politics are Greek, but our administration is Roman” (1987: 96–98; 1990: 77–78). Whatever the nuances that must be added to this bold thesis, it points to the deep roots of the politics–administration dichotomy in Western cultural history.

Waldo’s genealogy is sweeping and fascinating, but also impressionistic and unsatisfactory: it brushes aside too many nuances and complications. For instance, if the politics–administration dichotomy is based on the age-old disjunction between the Greek and Roman traditions, why then was it articulated only in the course of the nineteenth century? Waldo himself was well aware of the sketchy character of his genealogy, but he retorted that if the civic culture/imperial distinction could not be understood in a strictly historical way, it was at least of metaphorical, symbolic, and heuristic value: “One can speak meaningfully of civic-culture and imperial styles of government even if no important or direct historical cause is discernible” (1987: 101–102; 1990: 78). But even with this concession, it remains very difficult to establish clear conceptual connections between the disjunction of two very general aspects of Western civilization on the one hand and the much more specific distinction between politics and administration on the other. We have to look for more specific origins of the politics–administration dichotomy.

There is, however, a deeper problem with Waldo’s historical-disjunction argument. It obscures the fact that actually much work in political philosophy has been devoted to attempts to reconcile the ‘civic’ and ‘imperial’ aspects of government. From Plato onward, political thinkers have struggled with the problem that government should be powerful but also limited, unified as well as divided, skillful and competent, and, at the same time, accountable to the citizenry or its representatives. Sufficient powers must be available to take action, but at the same time, sufficient controls must be established to prevent and correct abuses. We can

call this challenge the problem of constitutionalism. It has been aptly captured by Madison in *Federalist* 51: “In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself” (Hamilton, Madison, and Jay 2003 [1788]: 319). In the course of history, many different solutions have been proposed to the problem, and one of the main theses of this study is that the politics–administration dichotomy can be regarded as one of them. In the words of Vile, the dichotomy is a “reformulation of that problem of division and unity which has perplexed Western thinkers whenever the difficulties of a controlled exercise of power have been contemplated” (1998: 294). Thus understood, the dichotomy is a relatively recent and specific addition to a much older and broader tradition of thinking. It is a specifically modern or high-modern idea that cannot be found in premodern and early modern political thought (nor, as we will see later, in postmodern political thought), but at the same time, it is rooted in much earlier thought. Its prehistory thus shows continuities as well as discontinuities.

2.3 The Separation-of-Powers Doctrine

To substantiate the claim of the previous paragraph, it is necessary to determine more precisely where exactly the politics–administration dichotomy ties into the tradition of constitutional thinking. For that purpose, I rely again on Vile, who has cast the problem of constitutionalism as the challenge to steer a course between two extremes: “Certainly most Western theorists have agreed, no matter how sharply they have disagreed on other subjects, that all decisions should not be made by a single man whose word is law, and that all the tasks of government should not be performed by a representative assembly” (1998: 371). The former would lead to tyranny and the latter to anarchy. To avoid these opposite perils, Vile continues, “there must in some sense be a functional division at the root of government organization” and that is “why, throughout Western history, from Marsilius to the present day, there has been the continual tendency for writers to insist that there are only two functions of government” (1998: 372). Most elementary, these two basic functions can be contrasted as willing and acting (Overeem and Rutgers 2003: 167–172). This distinction stems from an anthropomorphic understanding of political community: just as the human being is supposed to have two basic functions of deliberation and action, so has the ‘body politic.’ This anthropomorphism was central, of course, to Plato’s *Republic* already and has since recurred in ancient, medieval, and early modern political thought (cf. Voegelin 1952: 61–63). It is even remarkably persistent in modern times: it has been preserved in the separation-of-powers doctrine and it figured prominently in the organic state theories of German opponents of that doctrine, as we will see shortly.

More specifically than willing/acting, the distinction Vile refers to is one between lawmaking and law enforcing. He argues that the very notion of government functions stems from the classical principle of the rule of law: “There is an essential connection between the notion of government according to law and the concept of the functions of government. (...) Government according to law presupposes at least two distinct operations, the making of law, and putting it into effect” (1998: 23, 24). In order to prevent arbitrariness, however, the law must not only be supreme, but also general. Thus, the distinction between willing and acting fuses with the distinction between general and particular and together they become a distinction between making general rules (lawmaking) and applying them to particular cases (law enforcing). This amalgamated distinction lies at the root of Locke’s and particularly Montesquieu’s versions of the separation-of-powers doctrine (Vile 1998: ch. 2 and 3). In *De l’Esprit des Lois*, in the famous sixth chapter of book XI, Montesquieu asserts there are two original powers of government, namely, that of making laws and that of executing them. As the latter of these can in turn be subdivided into “executive power over the things depending on the right of nations” and “executive power over the things depending on civil right” (1989 [1748]: 156), we arrive at the *trias politica*.

This broad distinction between making general laws and applying them to particular cases can be encountered frequently in the history of political thought. In *Du Contrat Social* (1973 [1762]), to name one example, Rousseau draws a distinction between “the Sovereign,” the collective body of citizens which legislates according to the *volonté générale* and “the government” (also the “executive power” or “prince”) which executes the adopted laws. He explains that this distinction is based on the more fundamental distinction, characteristic of human beings, between “the will which determines the act” and “the power which executes it” (1973 [1762]: 229; cf. Vile 1998: 196). Of course, we cannot equate Rousseau’s distinction between sovereign and government directly with the distinction between politics and administration. In fact, his undivided sovereign seems to be a rather apolitical body, while his government seems to be a much more political body, at least potentially. Yet, Rousseau clearly employs a distinction that would later also become an important foundation of the politics–administration dichotomy. Other stark examples of the distinction between lawmaking and law enforcing understood as a combination of willing/acting and general/particular can be found in the work of such otherwise very different thinkers as Hegel, who regards the legislative as concerned with “generality” and the executive as involved in “subsuming the particular under the universal” (1967 [1821]: §287),* and Thomas Paine, who rejects the tripartite separation of powers and argues that “if we permit our judgement to act unencumbered by the habit of multiplied terms, we can perceive no more than two divisions of power, of which civil government is composed, namely,

* According to scholarly custom, references to Hegel’s *Philosophy of Right* are to paragraphs rather than pages.

that of legislating or enacting laws, and that of executing or administering law” (1969 [1791–92]: 220, 221; cf. Landau 1972: 194 n. 28).

Thus, in the writings of various seminal authors throughout the history of Western political thought, we see a tendency to postulate lawmaking and law executing (understood as a combination of willing/acting and general/particular) as the two main functions of government. It is this distinction that lies at the root of the separation-of-powers doctrine as well as the politics–administration dichotomy (cf. Nieuwenburg and Rutgers 2001: 202; O’Toole 1987: 18). The two are closely related. Historically, the separation-of-powers doctrine is, of course, the forerunner and foundation of the politics–administration dichotomy: “The separation of politics and administration found a long-lasting anchorage in the doctrine about the separation of powers” (Rugge 2003: 179). Or, in the words of Van Riper: “Underneath much of the dichotomy controversy lies the bedrock prime cause of it all, our classic separation (balance, if you prefer) of powers constitutional doctrine” (1984: 214). Conversely, however, we can also say with Vile that the dichotomy is a “return to an older theory of government functions”—older, that is, than the separation-of-powers doctrine (1998: 307). The dichotomy is an outgrowth of the separation-of-powers doctrine, but also a deviation from it; the former presupposes the latter, but also goes beyond and in certain ways against it. Both when they are congruent and when they diverge, however, we can safely say the politics–administration dichotomy could not have been conceived without the separation-of-powers doctrine.*

In connection with the separation-of-powers doctrine, it is also relevant to see whether and how the dichotomy suits the thought of the Founding Fathers of the United States. Some have indeed argued that the thought of the Founders, and in particular that of the authors of *The Federalist*, precludes the dichotomy (Rabkin 1998; Richardson 1997: ch. 3). Mainly two arguments have been brought forward to support this claim. The first is that the Federalists defined (public) administration in such a broad way, and ascribed such important responsibilities to it that they necessarily cannot have regarded it as apolitical. The term ‘administration’ occurs frequently in *The Federalist*, indeed even more often than ‘Congress,’ ‘President,’ or ‘Supreme Court’ (Rohr 1986: 1), but the most important passage in this discussion is *Federalist* 72, where Hamilton gives a famous definition of administration:

The administration of government, in its largest sense, comprehends all the operations of the body politic, whether legislative, executive, or judiciary; but in its most usual and perhaps in its most precise signification,

* The development of the dichotomy from the separation-of-powers doctrine in the nineteenth century is comparable to the development, in turn, of that doctrine from the ancient and medieval doctrine of mixed or balanced government in the seventeenth century (Vile 1998: ch. 10 and 2, respectively). In both cases, the older and the newer doctrines are closely connected, but at the same time at odds with each other. Yet the same constitutionalist lineage, no matter how twisted and transformed in the course of history, runs through each of them.

it is limited to executive details, and falls peculiarly within the province of the executive department. (2003 [1788]: 434)*

From the sentences that follow this passage, it becomes clear that even in the latter meaning, public administration covers a vast area, including such important “executive details” as diplomacy, defense, and budgeting. Because of this remarkably broad understanding of administration, it has been argued that the Federalists did not distinguish between administration, on the one hand, and executive power and politics, on the other (Rabkin 1998: 164; Richardson 1997: 40).

The second reason why the Federalists allegedly did not accept or could not have accepted the dichotomy appeals to their notion of popular government. In Rabkin’s words: “Administration ‘in its largest sense’ must be political because it rests, in the end, on consent” (1998: 165). And in those of Richardson: “There are no grounds for a politics/administration dichotomy in a Federalist system in which ‘all parts of the government became rulers and representatives of the people at the same time’” (1997: 40). Thus, the argument goes, for the Federalists administration was indistinguishable from politics because it implied large responsibilities and because it had to be responsive to the people. For these two reasons, the politics–administration dichotomy is thought to be incompatible with the thought of the Federalists.

I believe this conclusion does not follow. For one thing, it is not at all clear that the dichotomy implies the limited, instrumentalist, and undemocratic understanding of administration that Rabkin, Richardson, and others associate with it. To clarify this, one should first examine the dichotomy in its classical conceptualizations (as I do in Chapter 3). More pertinent now is another point, namely, that the Federalists did clearly regard administration as a subordinate activity. In the passage that immediately follows the quoted definition of administration in *Federalist 72*, Hamilton adds: “The persons, therefore, to whose immediate management these different matters are committed ought to be considered as the assistants or deputies of the Chief Magistrate, and on this account they ought to derive their offices from his appointment, at least from his nomination, and ought to be subject to his superintendence” (Hamilton, Madison, and Jay 2003 [1788]: 434). This shows that, however grand their understanding of administration, the Federalists clearly wanted a hierarchical subordination of administrative officials to the president as the chief executive. In the second argument, the assumption seems to be that the Federalists endorsed an absolute conception of (popular) sovereignty as indivisible that did not allow for a dichotomy in government as such. If that was really the case, however, they could not have proposed the separation of powers either. Yet they insist on the separation of legislative, executive, and judiciary, even though these all have to be responsive to the people as well. The reasons for thinking the Federalists

* For Hamilton’s ideas on public administration, see Kingsley (1945) and Riggs (1989). For instructive comparisons of Hamilton and Wilson, see Marion (1980) and Pestritto (2003: 566–567).

would have opposed the politics–administration dichotomy are therefore not very persuasive. This is not to say that the Federalists articulated or even conceptualized anything close to the dichotomy—they did not—but only that the idea seems not necessarily incompatible with their thought. Of course, the dichotomy can be framed in ways that make it so, for instance, when administration is restricted to a purely instrumentalist function. This is, however, not the only possible way to understand the dichotomy. Later in this study, I want to develop a constitutionalist understanding of the dichotomy that ties in quite well with their thought.

In this section, I have argued that the separation-of-powers doctrine has provided important conceptual origins of the politics–administration dichotomy, such as the notion of government functions and the combined notion of separation and checks and balances. As Rutgers puts it: “The opposition of politics and administration is the result of the application and adaptation of the idea of a separation of powers” (2001a: 4). This does not mean that the dichotomy was already somehow implied or presupposed by the separation-of-powers doctrine. The separation of powers in itself does not necessarily imply the concepts of politics or public administration as distinguishable parts or functions of government. The dichotomy became possible only in the nineteenth century when modern administration and politics developed, as we will see in the next section. The question whether the politics–administration dichotomy can be theoretically reconciled to the separation-of-powers doctrine must be postponed until Chapter 6.

2.4 Montesquieu or Hegel

In the eighteenth and especially the nineteenth century, with the breakthrough of modern political philosophy, more systematic and explicit treatments of public administration emerged. After the Physiocrats in France, the Cameralists in Germany, and the Utilitarians in Britain had examined administration, mostly from economic points of view, Public Administration eventually became an independent field of study. The growing awareness of the importance of public administration in government that characterized this period had already been poetically expressed by Alexander Pope: “For forms of government let fools contest/whate’er is best administer’d is best” (1963 [1733–34]: 534). Or, as the German historian Niebuhr had famously put it, in modern times “liberty depends incomparably more upon administration than upon constitutions” (quoted by Levitan 1943: 357).^{*} In other words, if the traditional relationship between politics and administration can be compared to a Victorian marriage (Thomas 1978: 43–44; Theakston 2005: 190), the past 150 years have witnessed a steady and general emancipation of the latter.

^{*} Wilson explicitly rejected these statements (1887: 211), but in fact his essay strongly affirms their substance.

Evaluations of this rise of public administration within the state differed sharply. Some, such as Edmund Burke, emphatically criticized the ascent of administration as the rising spirit of calculators and rationalists (cf. Haque 2004). Others were more confident about the role of rational public administration. Bentham and other utilitarians, for instance, saw great opportunities in the rationalization of government through administration (cf. Hume 2004). Saint-Simon even expressed as his conviction that “an enlightened society only [had] to be administered,” not governed,^{*} and it was from him that Marx and Engels derived their hopes that one day “the government of man” would be replaced by “the administration of things.”[†]

To be sure, these authors did not always offer a clear account of the proper position of public administration within the state. Among those who did think about that issue, there were roughly two divergent lines of thinking. In the first approach, it was attempted to keep public administration subordinate to the traditional, constitutionally established powers. In this view, constitutional government, including the separation of powers, logically if not historically precedes the rise and development of administration. Administration is not illegitimate, but it has not the same constitutional status as the traditional branches of government. This approach can be associated with Montesquieu, although, in congruence with the tradition of political philosophy, he himself wrote very little about public administration. Only in the very short 24th chapter of Book XXVI of *De l'Esprit des Lois* he argued “[t]hat the regulations of a police are of another order than the other civil laws”:

Matters of police are things of every instant, which usually amount to but little; scarcely any formalities are needed. The actions of the police are quick and the police is exerted over things that recur every day; therefore, major punishments are not proper to it. It is perpetually busy with details; therefore, great examples do not fit it. It has regulations rather than laws. (1989 [1748]: 517)

To understand this passage, it must be noted that ‘police’ in Montesquieu’s days had a broader meaning than it has today (Heidenheimer 1986). In some editions, it is therefore translated as “administration.” This leads Martin to regard this passage as an early “hint” of the later politics–administration dichotomy (1987: 298). However that may be, those who have followed in Montesquieu’s footsteps have attempted to accommodate the ideal of constitutional government and the separation of powers with the rise of public administration. They have been eager to give

^{*} Original: “Une société éclairée n’a besoin que d’être administrée” (quoted in Bülck 1965: 59).

[†] “All Socialists are agreed that the political state, and with it political authority, will disappear as a result of the coming revolution, that is, that public functionaries will lose their political character and be transformed into the simple administrative functions of watching over the true interests of society” (Engels 1978 [1874]: 732).

public administration a legitimate place within the state, but also to keep it subordinate to the constitutionally recognized powers.

The alternative response to the rise of public administration in the state was to give it a separate, special place beside the established constitutional powers, or even an elevated place above them, outside the separation-of-powers framework. In effect, this approach results in a distinction between administration and constitution. Bureaucratization in this view precedes constitutionalism and the separation of powers, as it was in fact the case in much of Germany in the eighteenth and nineteenth century, particularly in Prussia (Raphael 2000). If the first response can be called the French approach and associated with Montesquieu, this one can be called the German approach and related to the thought of Hegel, particularly to his *Grundlinien der Philosophie des Rechts* (1967 [1821]). In that work, Hegel opposes what he calls “mechanistic” and “negative” understandings of the state and develops a much more unitary, “organic” idea of the state. Although he himself did not reject the separation-of-powers doctrine as such, he opposed understandings of that doctrine based on the idea of checks and balances (§272).^{*} Those who are in “the service of the state,” that is, the civil servants, must “forgo the selfish and capricious satisfaction of their subjective ends” (§294), be free from particularity and oriented to the general interest, and form a “universal class” (§303). Public administration is separated from and in a sense even elevated above the other constitutional powers, because at the summit the civil service has a special and direct connection with the Sovereign Crown, unmediated by political representatives (§289).^{*} Hegel was not unconcerned about the danger of administrative dominance, but he was confident that it could be countered without much difficulty:

The security of the state and its subjects against the misuse of power by ministers and officials lies directly in their hierarchical organization and their answerability; but it lies too in the authority given to societies and Corporations, because in itself this is a barrier against the intrusion of subjective caprice into the power entrusted to the civil servant, and it completes from below state control which does not reach down as far as the conduct of individuals. (1967 [1821]: §295; cf. §297)

Montesquieu and Hegel, then, represent two contrasting responses to the rise of administration within the state. They have been rather starkly opposed here, and obviously few pure representatives of either position can be found. Still, the two approaches are clearly distinguishable in the literature, and there are substantial differences between them. One of these regards their conception of liberty. This difference cannot be captured in terms of Berlin’s famous distinction between

^{*} For introductions to Hegel’s understanding of bureaucracy and its influence on later administrative thought, see Jackson (1986); Shaw (1992); Tijsterman and Overeem (2008); Sager and Rosser (2009).

negative and positive liberty: whereas Hegel’s notion of liberty was not wholly positive, Montesquieu and the Federalists (and Tocqueville, who also belonged to their tradition; see the next section) did not endorse a purely negative conception of liberty. One could say, however, that in the first, French approach, liberty is mainly understood as the protection of rights and in the second, German approach, as the development of public welfare. The former implies what Stephen Holmes has called “negative constitutionalism,” emphasizing constitutional checks and balances and favoring limitations so as to “disable” government power, while the latter implies “positive constitutionalism,” favoring constitutional arrangements to “enable” government power (1995: 7–8, 101–102). These two diverging approaches have provided the most important conceptual elements for formulations of the politics–administration dichotomy in the late nineteenth and early twentieth century.

The question may be raised whether the French and German approaches are exhaustive, whether there is not another, such as a distinct British approach. To answer this question, a careful distinction must be made between practical and conceptual origins of the dichotomy. Practically, Britain has obviously been very important: it is, in fact, the cradle of civil service neutrality and anonymity and similar norms that are closely related to the dichotomy, and throughout much of the twentieth century its practice of relating ministers and public servants has remained exemplary (Foster 2001; Theakston 2005). Theoretically or conceptually, however, the British contribution is much less clear. One interesting candidate for contributing to the development of the dichotomy is John Stuart Mill, who, as a pupil of Bentham and an admirer of Tocqueville, adopted a halfway position with regard to public administration as well.⁷ In his *Considerations on Representative Government* (1861), Mill poses a difference between the functions of the representative assembly and those of the civil service: “There is a radical distinction between controlling the business of government and actually doing it” (1972 [1861]: 229–230; cf. Schaffer 1973: 18). He even literally says that Parliament does the “talking” and administration the “doing” (1972 [1861]: 240). To fulfill their purpose properly, administrators need special training and professionalism, and they shall be admitted to the civil service only by means of competitive examinations, an important element introduced by the well-known Northcote-Trevelyan report in 1854. Thus, Mill did certainly draw a line between politics and administration, but his influence on later thinking about the politics–administration dichotomy has remained very limited. Classic authors such as Wilson and Goodnow did not rely on him. More influential for them were British conservative thinkers such as Burke and Bagehot, although not directly with regard to the politics–administration dichotomy (Pestritto 2005: 8–13, 248 n. 16). Overall, British thought on the relationship between politics and administration appears to have had little or no influence. The same is true for the twentieth century. Thomas (1978) has documented what she

⁷ For John Stuart Mill’s views on public administration, see Schaffer (1973); Urbinati (2002: ch. 2), and Warner (2001).

calls “the British philosophy of administration” in the period between 1900 and 1939 and compared this to its American counterpart. She pays special attention to the relationship between politics and administration, but her analysis offers little evidence for a distinct British theoretical contribution to the dichotomy. All in all, British practice seems to be more important than British thought, and a typically British influence on later academic debates about the dichotomy is not discernible.

Although Montesquieu and Hegel can be named as the geniuses behind the two main theoretical responses to the rise of public administration within the state, no explicit articulations of a dichotomy between politics and administration emerged in their own work. These came only in the writings of more secondary figures in the then-emerging field of ‘administrative science’: in the work of “French and German professors,” as Wilson called them in his essay (1968a [1887]: 363). These were not the learned “doctors” discussing the great principles of government and constitutionalism, but more practically minded scholars interested in the concrete workings of government. I turn first to the French *science administratif* and then to the German *Verwaltungslehre*.

2.5 The French Approach

If anyone can be regarded heir to Montesquieu’s line of thinking, it is Alexis de Tocqueville. He was, of course, not an administrative theorist in the narrow sense of the word. Yet he pays considerable attention to public administration in *De la Démocratie en Amérique* (published in two volumes in 1835 and 1840) and in *De l’Ancien Régime et la Révolution* (published in 1856).^{*} In both works, Tocqueville discusses public administration against the background of his major theme, the rise of democracy and the decline of aristocracy. In this great drama of his age, be it in its second act in democratic America or in its first act in aristocratic, prerevolutionary France, public administration played an important role.[†] For Tocqueville, the growth, centralization, and perfection of public administration are important corollaries of the process of democratization, indeed one of the driving forces behind it. He saw and feared the mild despotism of a large tutelary state, governed by “schoolmasters” (2000 [1835–40]: 644, 647). Democratic people, in his view,

^{*} Tocqueville himself hinted at the difference between administrative knowledge and political insight. Speaking about “those who ran things, the ministers, the judges, the intendants” in the *ancien régime*, he remarks that “several of them were very able men in their fields; they knew in depth all the details of the public administration of their time; but as for that great science of government, which teaches how to understand the general movements of society, to judge what is going on in the minds of the masses and to foresee what will come of it, they were as naïve as the people themselves” (1998 [1856]: 199). The latter was, of course, his own specialty.

[†] For Tocqueville’s ideas about public administration in general, see Lawler (1998) and Maletz (2003).

willingly subject themselves to a “compromise between administrative despotism and the sovereignty of the people,” which gives them no more than the illusion of freedom (2000 [1835–40]: 664).

Distinctions between *administration* on the one hand and *gouvernement* and *politiques* on the other play a central role in Tocqueville’s argument. The distinction between *gouvernement* and *administration*, first, is particularly prevalent in his discussion of centralization. In his view, there are two basic types of centralization: “governmental centralization” is the concentration of powers to handle national affairs, and “administrative centralization” is the concentration of powers to handle local affairs (2000 [1835–40]: 82).^{*} While a considerable degree of the former may be necessary and desirable to maintain a modern state, it is especially the latter that poses a very strong threat to political liberty (2000 [1835–40]: 82–83, 87–88). The despotism of a centralized government, whether aristocratic as in the *ancien régime* or democratic as in America, is only kept bearable by a certain degree of administrative decentralization, allowing for “lax implementation” of the law at local levels (2000 [1835–40]: 90, 250–251; 1998 [1856]: 142, 171–179). In post-revolutionary Europe, however, where public administration is strongly centralized and highly perfected, the threat to freedom is particularly imminent (2000 [1835–1840]: 654).

Uses of the literal distinction between *politiques* and *administration*, second, can be found all over Tocqueville’s work. He says, for instance, that the county in America exists “only for a purely administrative interest” and has “no political existence” (2000 [1835–1840]: 66; cf. 72). Likewise, during the *ancien régime*, the French *parlement* (which was a local court rather than a national representative assembly) gradually abandoned its role in “government proper,” in which it acted as an “administrator,” to become “more involved in politics,” adopting the role of a “spokesman” (1998 [1856]: 136–137). Thus, in these and other places, Tocqueville distinguishes between political and administrative institutions and practices. The most important instance in which he uses the distinction, however, can be found in *De la Démocratie en Amérique* when he argues that not one, but actually “two revolutions seem to be operating in our day,” one political (i.e., democratization) and the other administrative (i.e., centralization), and that these two revolutions, though apparently contradictory, are in fact congruent (2000 [1835–40]: 659). Likewise, *De l’Ancien Régime* contains a chapter titled “How a Great Administrative Revolution Had Preceded the Political Revolution, and the Consequences That This Had” (III.7), in which Tocqueville argues that the perfection and centralization of

^{*} “Certain interests are common to all parts of the nation, such as the formation of general laws and the relations of the people with foreigners. Other interests are special to certain parts of the nation, such as, for example, the undertakings of a township. To concentrate the power to direct the first in the same place or in the same hand is to found what I shall call governmental centralization. To concentrate the power to direct the second in the same manner is to found what I shall name administrative centralization” (2000 [1835–1840]: 82).

public administration in eighteenth century France had preceded and facilitated the toppling of the old regime. The administrative revolution had, in fact, been so effective already, that the 1789 political revolution had only little impact on the daily lives of common citizens in the provinces:

We changed the person of the ruler [*prince*], or the forms of the central power, but the daily course of affairs was neither interrupted nor troubled; everyone remained subject, in the little things which personally concerned him, to the rules and the practices with which he was familiar; he was subject to the secondary powers to which he had always had the habit of addressing himself, and usually he had to do with the same officials; for if at each revolution the administration was decapitated, its body stayed alive and intact; the same functions were exercised by the same officials; these officials transported their spirit and their practice across different political systems. (1998 [1856]: 240)

Notice how Tocqueville conceptualizes “political” and “administrative” in this passage: whereas the political revolution concerned “the person of the ruler” and “the forms of the central power,” the administrative revolution concerned the “daily course of affairs,” “the little things,” “the rules and the practices,” “the secondary powers,” and “the officials” having direct contact with the citizens. In the anthropomorphic analogy, the first is regarded the head, the second the “body” of the state (cf. also 1998 [1856]: 245: “liberty’s head on a servile body”).

Tocqueville also notes that in the *ancien régime* two basic types of rule existed next to each other. In the first type, “power had been given to one man alone,” for instance, to a local official such as the *intendant*, who almost monocratically “acted without the help of any assembly.” In the other type, “the executive power was not given to anyone in particular; the assembly not only governed and supervised the bureaucracy [*l’administration*] but carried out the administration itself or through temporary commissions that it chose” (1998 [1856]: 235).^{*} Tocqueville is surprised to find that throughout the *ancien régime* these two systems were only used as alternatives and not combined:

It is strange enough that, in the heart of a society so enlightened, where the government [*l’administration publique*] had already, for so long, played such a large role, no one had ever thought of combining the two systems, and of distinguishing the executive power from the legislative power without entirely divorcing them [*distinguer, sans les disjoindre, le pouvoir qui doit executer de celui qui doit surveiller et prescrire*]. This idea, which seems so simple, never arrived; it was discovered only in

^{*} Note that these are exactly the two forms of rule that the Western tradition of constitutionalism, according to Vile (1998: 371), has perpetually sought to avoid.

this century. It is indeed the only great discovery in public administration [*en matière d'administration publique*] that we ourselves have made. (1998 [1856]: 235)

Here we meet an important point. The translation suggests this passage refers simply to the separation-of-powers doctrine, but this cannot have been the case, because that doctrine was invented well before the nineteenth century, as Tocqueville well knew. The French original speaks literally of “distinguishing, without separating, the power that ought to execute from the one that ought to supervise and prescribe.” Without ascribing to Tocqueville the deliberate intention to offer a formulation of the politics–administration dichotomy, one can say that this looks very much like one.

A last interesting aspect of Tocqueville in this regard is that he associated the distinction between politics and administration with that between national and subnational government. Politics for him referred to “the central power,” while administration, though often directly supervised from Paris, was performed at the local and provincial level. Hence, he could say that during the old regime the French “transported” their “administrative habits into politics [*transportant dans la politique les habitudes administratives*]” when they applied “the system which the provincial estates and small municipalities had followed in the National Convention” (1998 [1856]: 235–236). This understanding of politics as national government and administration as local government has virtually disappeared from later conceptualizations of the dichotomy.*

However interesting his ideas on public administration, Tocqueville was obviously not an administrative theorist in the strict sense of the word, and it was certainly not his first interest to provide a theoretical formulation of the relationship between public administration and politics. This task was rather taken up by less eminent writers in the newly developing *science administratif*. Martin, one of the few Anglophone students of nineteenth-century French thinking about public administration, credits the French with having developed the politics–administration dichotomy well before the advent of Public Administration as a self-conscious field of study in America. Moreover, he argues that the French, compared to the Americans, “made better use of it once they developed the concept” (1987: 298):

From the beginning, the French recognized that the dichotomy was artificial and desirable, but that administrators are actually making policy all

* This notion has become so much dissociated from the twentieth-century (American) understanding of the politics–administration dichotomy that it has led some authors even to oppose Tocqueville’s views to Wilson’s dichotomy, or rather a very narrow understanding of it: “[W]hat Tocqueville favored was a division of political authority between national and local governments, based on the distinction of political authority between national and local policy concerns, rather than the fragmentation of the execution of policy. This is not to say, of course, that Tocqueville would have favored the isolation of policy formation from policy execution towards which Wilson seems to point” (Schaeffer and Schaeffer 1979: 288).

the time. They feared this intermingling of politics and administration for the effective operation of both sides. Intervening legislators could too easily make administration ineffective; policy-making bureaucrats had a natural tendency to become arbitrary and power-hungry. Therefore, the French studied the dichotomy to determine where controls were needed. (1987: 298)

Particularly, this emphasis on mutual control and checks and balances shows that the French conceptualization of the dichotomy was a continuation of Montesquieu's constitutionalist line of thinking. The French administrative theorists treated the dichotomy as a tool for the limitation rather than the empowerment of government.

Several nineteenth-century French authors have been credited with formulating distinctions that come close to or are implied by the politics–administration dichotomy. Among these are Charles-Louis Bonnin, who with his *Principes d'Administration Publique* (1812) became one of the earliest representatives of the then developing *science administratif* (Chevallier 1999: 85), as well as later theorists of administrative law such as Théophile Ducrocq and Léon Duguit (Vile 1998: 304). Although it is true that these authors drew distinctions between administration on the one hand and the state and especially the government on the other that are evidently related to politics/administration (Martin 1987: 298; Nieuwenburg and Rutgers 2001: 192), yet their formulations do not amount to the dichotomy itself. This is different in the work of Vivien, who therefore deserves closer attention.

Auguste Vivien (1799–1854) counts as an influential representative of the *science administratif*.⁴ In the first part of his *Études Administratives* (1859; first edition 1845), Vivien gives an extraordinarily clear account of the position of administration in the broader system of government. Right at the start of his analysis, he draws a sharp distinction between politics and administration: “The executive power itself can be divided in two branches: politics [*la politique*], that is to say the moral direction of the general interests of the nation, and administration [*l'administration*], which primarily consists of the accomplishment of the public services” (1859: 3–4). This way of understanding the administration as part of the executive branch can be regarded as typically European; in American constitutional thought, the executive is traditionally understood as the

⁴ There is an extensive intellectual biography of Vivien (Pirotte 1972). Besides being a well-known publicist and lawyer in his days, Vivien was mainly active in political life, serving as a *préfet de police*, as a member, and even vice-president of the *Conseil d'État*, and as a deputy of Saint Quentin for 16 years. Twice he occupied a political position of power, first as a minister of finance (*garde des sceaux*) in 1840 and then as minister of public works in 1848, but all in all he remained “*un personnage politique de second plan*,” as Pirotte puts it (1972: 10). Ideologically, Vivien was called a “*libéral autoritaire*” because he, like Tocqueville, sought for a middle road between administrative despotism and the sovereignty of the people and aimed for the difficult conciliation of order and liberty (preface by Drago in Pirotte 1972: ii; cf. p. 11).

presidency only, and more strictly set apart from public administration (Rutgers 2000: 297, 298).

Having set up this contrast, Vivien subsequently opposes “the administration” to each of the traditional three branches of government. First of all, he straightforwardly establishes the subordination of the administration to the legislative:

The legislature disposes and, in matters that concern her, the administration applies: to the one the declaration of right, to the other the execution. (. . .) The administration is then the servant of the law [*serviteur de la loi*]; she is the living force which renders [the law] active and sensible, the organized instrument which gives it external power and which, in its name, gives movement to the public affairs. (1859: 6)

Notwithstanding this hierarchical relationship between the legislative and the administration, the latter is a highly important force in the state if only because of the large number of cases it handles (1859: 6). The law, unable to foresee and regulate everything, is necessarily framed in general terms and has therefore often to be complemented by secondary measures so as to prevent unreliable execution. This gives the administration “an almost legislative character” (1859: 7). Nevertheless, a fundamental difference between legislation and administration remains. Vivien elaborates quite extensively on the differences between laws, which are general, and administrative regulations, which are much more particular (1859: 7–11).

After a discussion of the relationship between the administration and the judiciary (which can be left aside here), Vivien finally describes in abstract terms the relationship between administration and the executive, or “the political power” (*le pouvoir politique*) as he calls it.⁸ Drawing explicitly on the anthropomorphic metaphor, he provides a fascinating and full-blown formulation of the politics–administration dichotomy. It is illuminating to retain his use of gender in the translation:

Closely associated with the administration, [the political power] does definitely not confuse itself with her. Its function is entirely that of initiative, of appreciation, of direction, of advice. It is *he* that gives the administration her general spirit, her ideas, and, if one may speak so, her “badge of honor”. To *her* is reserved the action, that is to say the execution of the laws and the material and practical exercise of the

⁸ Vivien’s concept of politics is somewhat elusive. Although he refers to the executive branch only when he speaks of “the political power,” he also says that “the political power divides itself more or less over the chief executive [*le chef du gouvernement*] and the legislative branch [*les assemblées*]” (1859: 4). So it seems that politics is distributed over the legislative and the executive, while also being a subcategory of the executive. Perhaps this ambiguity can be resolved by the distinction between politics as a function and politics as an institution. At any rate, it does not seriously harm Vivien’s analysis of its relation to administration.

powers conferred to the government. The political power is the head, the administration is the arm. (1859: 30)*

Vivien completes his conceptualization of politics/administration with a distinction between general and particular measures. The relationship between politics and administration is different for these two categories:

In all those general measures, the administration has to obey politics as a loyal and devoted servant; its resistance or its ill-will would be a source of disorder. But if this is the case for those [measures] that constitute the general direction, the two powers should be separate (not to oppose them, but to keep them in their respective conditions) when it concerns the execution of the laws, the detailed measures, and the direct contacts of the public power with the citizens. (1859: 31)

In other words: public administration has to be subordinated to politics in the case of general measures, and it has to be separated from politics in the case of particular measures. Whether there is or is not a relationship between them thus depends on the circumstances.

An active government official himself, Vivien realizes that, although theoretically and normatively the position of public administration may be clearly determined, in practice “the administration is always exposed to intrusions by the political power” and that this can easily lead to abuse, patronage, and corruption (1859: 32; cf. p. 15).[†] Therefore, the public administration is in an ambivalent position: “She can dominate the legislative power and the judicial power, but at the same time she is at the mercy of the political power,” that is, of the executive. From the point of view of the separation of powers, he adds in a truly Montesquieu-an spirit, that this is a “dangerous situation” because it means that the executive can also dominate the other branches (1859: 37). Vivien’s dichotomy between the (political) executive and the (apolitical) administration therefore has a constitutionalist character: it is meant as a limitation on government in order to prevent the abuse of power. To that end, public administration must be simultaneously separated from the other branches and be checked by them:

* Original: “Étroitement associé à l’administration, il ne se confond pourtant pas avec elle. Sa fonction est toute d’initiative, d’appréciation, de direction, de conseil; c’est lui qui donne à l’administration son esprit general, sa pensée, et, si l’on peut ainsi parler, son drapeau; à celle-ci est reserve l’action, c’est-à-dire l’exécution des lois et l’exercice materiel et pratique des pouvoirs confiés au gouvernement. Le pouvoir politique est la tête, l’administration est le bras.”

[†] Vivien fears that the system of ministerial responsibility is in itself insufficient to curb this danger, because parliaments tend to pay little serious attention to administrative matters, especially when the responsible ministers belong to the parliamentary majority: “The majorities do not want to descend into these obscure details, and for so little, to topple a minister or make him stagger” (1859: 34).

On the one hand, political liberty is at stake. The separation of powers is the first condition of free governments (. . .) On the other hand, the more the administration has seen its domain extended, the more it is necessary to confine her closely and to put barriers that retain and prevent her from leaving, given the laws and the mores that have enlarged her sphere. (1859: 5)

Vivien’s concern about this predicament shows that Martin’s judgment that “Vivien was confident that the balance between politics and administration was secure” (1987: 298) is not correct. There is also little reason for his assertion that, overall, “the French were optimistic about their ability to handle the pitfalls of the dichotomy” (1987: 298). In fact, the French administrative thinkers were well aware of the importance but also the difficulties of integrating public administration (and thus the dichotomy) into the separation-of-powers structure. Following the line of Montesquieu and Tocqueville, they developed a version of the dichotomy that gives administration a legitimate though subordinate place vis-à-vis the traditional powers, but their version of the dichotomy has remained largely unnoticed. This is true, unfortunately, for French administrative thought in general. Even Vivien, who for the clarity and constitutionalist character of his account stands out as the most important Francophone writer on our subject, has had scarcely any influence on later debates about the dichotomy. Important as this tradition may be, it has remained rather isolated and exerted little influence on Western Public Administration in general and on debates about the politics–administration dichotomy in particular. We know that Wilson and Goodnow were acquainted with some French political and administrative literature (Pestritto 2005: 28 n. 28, 239), but in general, French ideas were largely “forgotten” and “apparently unknown to most later American authors” (Martin 1987: 301–302). German administrative thought, by contrast, has been much more influential (Fries 1973).

2.6 The German Approach

The wave of interest in public administration known as *Verwaltungslehre* (study of administration) corresponded with several other currents prevalent in nineteenth century German thought. Preceded by the seventeenth- and eighteenth-century *Kameralistik* and *Polizeiwissenschaft*, it was embedded in the more encompassing German *Staatslehre* tradition, which can be traced back to Hegel and Fichte and still exists today (Maier 1966; Vincent 2004: 28–37). The shadow of Hegel’s *Elements of the Philosophy of Right*, with its heralding of the Prussian bureaucracy, falls over much of German political and administrative thought in this period. A common characteristic of the traditional *Staatslehre*, traceable to Hegel as well and clearly visible in the *Verwaltungslehre* literature, is the organic conception of the state (Coker 1910; Kaufmann 1908; cf. Blasius and Pankoke 1977: 120–131; Sager

and Rosser 2009; Vile 1998: 306). The state was regarded as an organism, indeed often as the highest organism conceivable, possessing a personality not very much unlike human persons, albeit of a qualitatively higher kind. The state was interpreted anthropomorphically, and many bodily and mental functions of humans were ascribed to it. Organic state theory was a Romantic response to mechanistic views of the state, including the separation-of-powers doctrine, that were dominant in Western Europe, especially in France (Blasius 1970: 165; Blasius and Pankoke 1977: 126). Often, the divergence between mechanical thought and organic thought was vividly presented as a contrast between Newton and Darwin.

The two German-speaking administrative theorists in this tradition who have exerted the strongest influence on later thinking about the dichotomy are undoubtedly Lorenz von Stein and Johann Caspar Bluntschli (the latter was in fact Swiss, but he worked much in German academia). Both authors have had a demonstrable and direct influence on the American founders of Public Administration, especially Wilson (Miewald 1984).*

Von Stein (sometimes simply called Stein) is best known for his writings on the role of public administration in the modern state (cf. Gerigk 1966; Rutgers 1994). Here, I concentrate on the conceptual frameworks he developed in his *Verwaltungslehre* (1865) and in his *Handbuch der Verwaltungslehre* (1887). In these works, Von Stein draws a contrast between the French and the German approaches to the state and, with a considerable dose of chauvinism, emphatically defends the latter (1865: 10). In other words, the “mechanistic-instrumental state theory,” regarded by many Germans as typical of French thought, is the “polemical counterpoint to Stein’s organic concept of the state” (Blasius and Pankoke 1977: 126). In particular, he rejects Montesquieu’s doctrine of the separation of powers (1865: 10). He concedes that the notion of ‘power’ (*Gewalt*) is useful, but for him the problem of the French approach is its inductiveness: it starts with the powers of the state and hence tries to arrive at its essence. In this approach, the exact number of powers, be it three, four, five, or more, remains indeterminate. According to Von Stein, one should start conversely with the organic character of the state and from there derive its different functions and powers (1865: 13). In the *Handbuch*, he asserts that “the study of public administration should start, according to our best conviction, not at the practical administration” (1887: 8).

In Von Stein’s view, the organic state has three main elements. The first is the state’s ego (*Ich*), which is the sovereign monarch, personifying the state’s self-determination (1865: 4).† The other two elements are the will (*Wille*) of the state and its

* As representatives of the *Verwaltungslehre*, they had left the *Polizeiwissenschaften* behind them (Blasius 1970: 197–199; Blasius and Pankoke 1977: 132–139; Bluntschli 1876: 469; Maier 1966: 290–291).

† Von Stein defends constitutional monarchy on the grounds that the monarch, standing ‘above the parties,’ is the best guarantee for promoting the interests of the whole and especially the lower classes. Hence, he speaks of a “social monarchy” (*socialer Königsthum*).

action (*That*) (1865: 4–5; 1887: 11–12, 14–16). Here, we can further leave the ego out of consideration, but Von Stein’s relatively well-known distinction between the other two elements deserves closer scrutiny. It is clear that Von Stein associates the former element, the will of the state, with “the legislative power” (*Gesetzgebende Gewalt*), although he sometimes also calls it the constitution (*Verfassung*; 1865: 5, 18), but how to describe the latter, the active element that looks after the realization of the state’s will in practice and “gives the state its life” (1865: 5)? Confusingly, Von Stein uses different names for it in different works. In the *Verwaltungslehre*, he calls this element the “administration in its broadest sense” (1865: 6) and, not unlike Hamilton in *Federalist* 72, subdivides it into execution and administration (in a narrower sense) (1865: 6, 18). In the *Handbuch*, however, he calls this third element the executive power (*Vollziehende Gewalt*), thus arriving at the sovereign, the legislative, and the executive as the three main organs of the state (1887: 16–17). Apparently, he wanted to do away with the ambiguous meaning of *Verwaltung* that had troubled his earlier work.

Confusing as this change of labels may be, it is instructive to consider what Von Stein says in both works about the actual difference between the executive and the administration. In the *Verwaltungslehre*, he says the executive “is the power as such, from which the activity originates,” whereas the administration “is the real activity, which contains the power” (1865: 9).^{*} The two are intimately related, but their orientation is different: the executive relates the action of the state to its will, whereas the administration relates it to the concrete world. “Hence, in external practice [*äußerlich*] the two cannot be separated; there is no execution without administration, and no administration without execution; they are constantly related like two sides of the same coin, but nevertheless constantly different like those” (1865: 9).

In the *Handbuch*, Von Stein further explains the difference between execution and administration by means of the important and originally Hegelian distinction between *act* (*That*) and *labor* (*Arbeit*). The difference between these two is that an act “originates from a particular and clearly circumscribed purpose [*Zweck*], which is given but also exhausted by the relation between a particular want and a particular external fact,” whereas in the case of labor “the realization of every purpose is for the laboring personality himself again only a means to a higher purpose” (1887: 30). Phrased differently, an act is only a one-way realization of a specific task or purpose by certain means, whereas labor implies also a feedback relationship in which the laboring subject becomes object and vice versa. Applying this important distinction to the case of public administration, Von Stein sees a mutual relationship between state and society: the state does not unilaterally *act* on society, that is, impose its purposes while using public administration merely as an instrument, but the administrative state, as an integrated organism, adjusts its *labor* to societal circumstances, accounting for the powers and possibilities that are already present

^{*} Original: “jene die Kraft an sich, aus welcher die Thätigkeit hervorgeht, diese die wirkliche Thätigkeit, welche die Kraft enthält.”

in society. In this view, the public administration mediates between the general integration of ideas at the state level and the variety of particular interests at the societal level (Blasius and Pankoke 1977: 134, 139–142). Just as a person’s ‘plan of life’ turns mere activity into labor, likewise state activity becomes state labor only when the highest purpose of the state is at the same time the realization of the highest personal purposes of all its members (1887: 30). Thus, to understand the meaning of public administration in Von Stein’s work, and its difference from the executive, we need to emphasize the notion of labor, because for him “the idea of administration is the idea of the laboring state [*der arbeitende Staat*]” (1887: 25; Blasius and Pankoke 1977: 140).

Notwithstanding the differences between execution and administration, Von Stein strongly denies that both are merely the instrumental and mechanical application of the laws, as if they acted only as the “steward of the legislative” (1865: 36; cf. Blasius 1970: 161). There are many situations in which legislation is lacking, defective, or otherwise insufficient and in which, therefore, another will of the state is needed, formulated by the executive (1865: 13, 31, 44).*

Whereas the will of the legislative is expressed in laws (*Gesetze*), that of the executive is expressed in regulations (*Verordnungen*). The distinction between the two is very important for Von Stein, as it was for Vivien (1865: 51; 1887: 29; cf. Blasius and Pankoke 1977: 142; Maier 1966: 247–248). Of course, regulations are subordinate to laws and may never be in contradiction with them (1865: 53, 64), but when the distinction between them would disappear, this would lead to a “despotism” in which “the subjective will of the sovereign is unconditionally and unlimitedly the objective will of the state” and “everything commanded is law” (1865: 52).† The similarity with Vivien is clear, and we see that Von Stein had his constitutionalist concerns too, but this should not mislead us: Von Stein wanted to uphold the distinction between laws and regulations because he feared despotism from the side of the “political,” lawmaking power over the “administrative” rather than vice

* According to Blasius, Von Stein had a deep distrust of legislation and legislatures. Law, in his view, was always faulty and incomplete; parliaments act on the basis of partial and partisan interests at the cost of the general interest. Hence, he made a separation between government and popular representation and rejected the idea of the accountability of the government toward parliament. Government is only dependent on the sovereign monarch (Blasius 1970: 161–163). At the same time, Stein emphasized that the administration plays its role in the legislative process in providing knowledge about social facts and about its own powers to the legislator, so that, “by its proposals, the administration has the initiative in legislation” (1887: 28). The contrasts between this view and those of the authors in the French tradition are striking.

† The only defining characteristic of law, according to Von Stein, is that it is promulgated by the legislature—not that it is oriented to the general will or accepted in an orderly or constitutional way, because these are also characteristics of a regulation (1865: 53). So, the fundamental difference between law and regulation is the involvement of parliament (*Volksvertretung*) in the former. For citizens, however, there is no difference between the two with respect to their obedience (1865: 53).

versa—a position typical of the German approach distinguished earlier and opposite to that of Vivien and others in the French approach.

In summary, we can say that Von Stein contrasts the concept of *Verwaltung* with two broad clusters of other concepts. The first cluster contains concepts from the legislative sphere such as *Verfassung* and *Wille*; the second contains concepts from the sphere of the executive such as *Vollziehung*, *That*, and *Regierung* (Nieuwenburg and Rutgers 2001: 190; Vile 1998: 304). The contrast of administration to the second cluster seems to be a specification of the contrast with the first. As opposed to both, public administration is conceptualized by means of concepts that give it its own distinct meaning: the laboring state, the orientation to and interaction with society, and regulations. The concept of politics, however, seems not very important in Von Stein's work. Instead, he speaks mostly of government (*Regierung*). Government is execution permeated by principles that are derived from the moral and juridical organism of the state: "The art of finding, at all time, the right relationship of the general principles to the given situations of a state, is called the art of governing [*Regierungskunst*] or politics [*Politik*]" (1865: 14). "Governing is simply nothing else but principled execution" (*idem*).

All this shows that that it is much too simple to equate Von Stein's opposition of willing and acting with that between politics and administration. He not only calls the willing side of the state by names other than 'politics,' but, more important, he does not simply equate public administration with the acting side of the state. His concept of *Verwaltung* is at the same time more narrow (the executive also acts) and more broad (public administration also has a will of its own) than the willing/acting distinction suggests. Von Stein's description of public administration as "the laboring state" seems to capture this paradoxical meaning best, as his concept of labor (*Arbeit*) both gives a specification of acting (*That*) and bears the implication of willing (*Wille*) at the same time.

Until a small revival in the second half of the twentieth century, Von Stein did not have much influence on the study of Public Administration in his own country. His influence on Weber, for instance, has been very limited (Blasius 1970: 197). It is therefore remarkable that his influence on American administrative thought has been quite strong. In particular, the politics–administration dichotomy can be claimed to be part of his legacy: "If Wilson or Frank Goodnow are to be called the 'fathers' of American public administration, Stein (1815–1890) deserves recognition as at least a grandfather" (Miewald 1984: 19). Nonetheless, it is difficult to pin down the exact way in which Von Stein's conceptual framework has contributed to the politics–administration dichotomy. One reason must be that Von Stein nowhere gave a clear formulation of the politics–administration dichotomy, as did Vivien or, as we will see now, Bluntschli.

Like Von Stein, Johann Caspar Bluntschli (1808–1881) was a representative of the 'historical school' in the *Staatslehre* tradition. He opposed what he regarded as the excessively universalist and rationalist principles of French political thought and endorsed an organic conception of the state instead (Van den Berg 1882; Vontobel

1956).^{*} In Bluntschli's work, which mainly deals with constitutional and international law, the subject of public administration covers only a small portion. Yet even this small contribution would leave a clear trace of his thought behind, as he was quite influential in American Political Science in the 1880s, especially at the Johns Hopkins University, where Wilson worked (Miewald 1984: 18; Rosser 2009: 548–550). His best-known work, *Lehre vom modernen Staat* (1876), was soon translated into English (1885). This is an important book, because in his famous essay (1968a [1887]: 371) Wilson derives his understanding of the politics–administration dichotomy directly from its third volume, titled *Politik als Wissenschaft*. Book XI of that volume deals with public administration. Bluntschli starts his analysis with the question after the meaning of administration: *Was heisst Verwaltung?* In order to answer this basic question, he contrasts *Verwaltung* with four concepts: constitution (*Verfassung*), law (*Gesetz*), politics (*Politik*), and justice (*Justiz*) (1876: 465–468). While making these contrasts, he also problematizes them. With regard to the first two oppositions, that between *Verfassung* and *Gesetz* on the one hand and *Verwaltung* on the other, Bluntschli refers to Von Stein and even Rousseau for their distinction between willing and acting (*Wille* and *That*).[†] Whether or not Bluntschli's reading of Von Stein and Rousseau is correct, he strongly objects to this distinction, arguing that it “leads to a wrong view on administration, as if she had no will of herself” (1876: 466). To him, the idea of administration as an unthinking executioner of the law is absurd.[‡] He suggests, therefore, that “the opposition of law and administration must be understood differently, namely, as *general will* and *particular will*, general ordering of the rule and particular measure in the individual case” (1876: 466–467). In this view, the general law determines the limits within which administration can move according to its own determination (*Selbstbestimmung*). One thing is clear: “She [public administration] is not the mere execution of the law” (1876: 467).

Subsequently, Bluntschli examines the distinction between administration (*Verwaltung*) and politics (*Politik*). Here is the literal translation of the passage that Wilson refers to in his essay:

^{*} Apart from this philosophical stance, Bluntschli was not very consistent. In his active political life in both Switzerland and Germany, he changed positions from freethinking liberalism to reactionary conservatism, even ultramontanism, and then back to liberalism again. Tellingly, he is often qualified as a “liberal-conservative” (Van den Berg 1882: 63; Vontobel 1956).

[†] Miewald argues that Bluntschli was criticizing Von Stein for making the distinction between will and deed a basis for a strict interpretation of politics and administration. “Bluntschli had obviously misread Stein, for, as is repeated time and again, will and deed are inseparable parts of the whole” (1984: 22; cf. Rosser 2009: 551). Miewald seems to overlook that Bluntschli was not criticizing Von Stein's conceptualization of *Politik/Verwaltung* here, but of *Verfassung/Verwaltung* and *Gesetz/Verwaltung*, but I agree that Bluntschli seems to take Von Stein somewhat too strictly.

[‡] Bluntschli adds two other objections to equating *Gesetz/Verwaltung* and *Wille/That*. The first is that, very often, laws are not expressions of will, but only recognitions of necessity. The second is that legislating can be regarded as acting itself (1876: 466). These points can be left aside here.

Further, it is common to contrast administration with politics as well, so that she is excluded from the law as well as from politics. Politics is then related to the activity of the state and for the state in things great and universal; administration, by contrast, to the activity of the state in *individual* and *small* things. Politics, then, is particularly the task of *statesmen*, administration of the *technical* functionaries (1876: 467).*

Remarkably, Bluntschli calls this contrast “common,” although in fact it was not really very common in his time. His conceptualization of politics/administration as a distinction between “things great and universal” and “individual and small things” suggests a gradual transition rather than a sharp break between them. He does not criticize this distinction as fiercely as the willing/acting distinction, but his further discussion shows that he was fully aware that it is not very strict. He calls the line between politics and administration “a fluid one” (*ein fließender*). As Bluntschli explains:

Politics cannot be carried through without the assistance of the administration. Many administrative acts have—if they bear a meaning for the entire state and the entire nation—also a political character. The leading statesman will leave innumerable issues to the administration without paying them further attention. But there is no administrative act that is so unimportant, that (. . .) it cannot attract the attention of the statesmen. (1876: 468)

In other words, many administrative issues are political at the same time, and every administrative issue can in principle become a political issue. Thus, the difference between the two cannot be found in the character of the issue at hand. Interestingly, this is an insight that we will later encounter in the thought of defenders as well as opponents of the dichotomy (Chapters 3 and 4).

A last important aspect of Bluntschli’s conceptualization of the politics–administration dichotomy (for so we can now frankly call it) is his view on the party political position of professional administrative functionaries (*Berufsbeamten*). He sees two opposite dangers. The first is that administrators belonging to other political parties than their ministers could attempt to obstruct them. The other is that a public administration entirely run “in the spirit of the leading parties” might easily lead to minority suppression and “party tyranny” (*Parteityrannei*) (1876: 493). Bluntschli thinks that administrative law and executive supervision are only partly

* Original: “Man pflegt ferner die Verwaltung auch der Politik entgegen zu setzen, so dasz jene sowohl von dem Gesetz als von der Politik ausgeschieden wird. Die Politik wird dann auf die Thätigkeit des Stats und für den Stat im Groszen und Ganzen, die Verwaltung dagegen auf die statliche Thätigkeit im *Einzelnen und Kleinen* bezogen. Die Politik ist dann voraus Aufgabe der *Statsmänner*, die Verwaltung Aufgabe der *technischen* Aemter.”

effective in curbing these dangers. In addition, he says, we should make a distinction between several types of functions and be aware that some administrative functions allow for greater party political allegiance than others.*

This awareness of the dangers of administrative politicization is not very common to the German tradition outlined earlier, but it shows, in any case, that Bluntschli had a down-to-earth and nuanced understanding of the politics–administration dichotomy that allowed for variation and change. In other respects, however, Bluntschli perfectly suits the German or Hegelian approach. He endorses an organic and purposive conception of the state, abandons the separation of powers, and is keen not to subordinate public administration to the other powers but rather give it a separate, special place within the state. It is true that Von Stein was even clearer in these respects than Bluntschli. For both men, though, the dichotomy primarily served to keep administration undisturbed from political interference.

2.7 At Crossroads

This chapter has tried to trace back the main conceptual origins of the politics–administration dichotomy “beyond Woodrow Wilson.” I have argued that the dichotomy is deeply rooted in the tradition of constitutional thought, but formulated only after the establishment of the separation-of-powers doctrine in the eighteenth and the rise of public administration in the nineteenth century. With the expansion of public administration, many thinkers came to realize that, more than ever, the preservation and realization of liberty and other constitutional values would depend on the role and position of public administration within the state. The politics–administration dichotomy was formulated as a response to this awareness. It is therefore a typically modern, nineteenth-century idea—which is not to say that politics and administration themselves are modern phenomena, but that only in the modern state the classical constitutional predicament of simultaneously empowering and limiting government was met by pitting politics and administration against one another.

The dichotomy was promoted in two divergent ways: either to keep administration subordinate to the constitutionally recognized powers of the state (the French approach) or to set it apart from those and give it a separate role and legitimacy (the

* Bluntschli distinguishes between three classes of functions. First, there are those relatively few administrative functions that are performed on the basis of political trust (*politische Vertrauensämter*). These allow for strong party political allegiance. The great bulk of other functions, and particularly those in the judiciary, the lower ranks of the police, and the military, second, should be performed neutrally. A third class consists of technical and cultural functions that are unrelated to the power of government (professors, doctors, engineers, etc.). These can be performed according to the personal political freedom that is allowed to private citizens, although with proper recognition of the morality and potentially political influence that their position entails (Bluntschli 1876: 494–496).

German approach). In the former approach, the dichotomy is combined with the separation-of-powers doctrine; in the latter, it is rather regarded as an alternative. The conceptions of constitutionalism and liberty involved in these two approaches are also different. Thinkers in the French approach endorse the dichotomy in the pursuit of limited government ('negative constitutionalism') and the protection of political liberty against administrative dominance. Thinkers following the German approach, by contrast, favored the dichotomy so as to increase government power ('positive constitutionalism') and to provide liberty through administration.

In both approaches, we see that while the concept of (public) administration acquired an established and relatively clear meaning, the concept of politics long remained underdeveloped. In French and German thought, administration was mostly not contrasted with *politiques* and *Politik*, but rather with *gouvernement* and *Regierung*: concepts that referred to what today is called the 'core executive' (the head of government, the council of ministers, and their immediate staff; cf. Rhodes and Dunleavy 1995). This may seem a minor terminological point, but it is of much theoretical relevance. It reveals that across Continental Europe there was a tendency to regard public administration as a part of the executive or at least under its control. Understandably, this tendency was stronger in French than in German thought; the latter preferred to give administration a place at a greater distance of the traditional powers (hence its contrast between *Verwaltung* and *Verfassung*). In both approaches, however, the (core) executive and the legislature were not yet thrown together under the general heading of 'politics.' When the literal opposition is encountered, occasionally, it is mostly as adjectives (political/administrative) rather than as nouns (politics/administration). Politics has long remained unidentified as a separate function, domain, or sphere of government (cf. Heidenheimer 1986). (Even today, the elusive character of the concept of politics is a substantial problem for thinking about the dichotomy; see the Epilogue.)

In both approaches, furthermore, public administration is contrasted not only with its direct ministerial superiors, that is, the government or 'core executive,' but also with other institutions such as the legislative and, particularly in the German approach, the constitution (*Verfassung*). This reflects the recognition, shared by both the French and Germans, that public administration cannot simply be enlisted among the traditional branches of government. It further implies that public administrators cannot be regarded as the merely passive instruments of their ministerial superiors. The writers examined in this chapter all refused to conceptualize the dichotomy between politics and administration as a simple instrumentalist dichotomy between willing and acting, or deciding and executing. They acknowledged that public administrators inevitably also have a decision-making role, but they relegated this role to particular, mostly secondary issues and framed the distinction between politics and administration often by means of that between laws and regulations. They were also well aware of the theoretical and practical problems involved in separating politics and administration. Far from being naïve,

their endorsement of the politics–administration dichotomy seems well considered and prudent.

In the last quarter of the nineteenth century, the tradition of thinking on the dichotomy stood at crossroads and a decisive double turn was made. First, the tradition of thinking about the dichotomy migrated from Europe to America. It is important that what is now commonly regarded as an American idea has European origins that have left their mark on its character. The dichotomy was developed in the Continental-European tradition of abstract and deductive state theory rather than in the Anglo-American inductive tradition of pragmatic reformism to which it later would become associated (Rutgers 2001b). In Europe, in the meantime, the study of public administration almost withered away under the growth of administrative law. In France and Germany, the countries in which Public Administration was first recognized as a distinct academic field, there had always been a close relationship with Law, but in the late nineteenth century, the independent and social scientific study of public administration was eclipsed by the rise of administrative law, to reemerge only after the Second World War. Except for the important work of Weber, Europeans have therefore contributed little to the theoretical development of the politics–administration dichotomy in the twentieth century. Yet, some scattered reflections on the subject can be found. The Austrian Albert Schäffle, for instance, argued in 1897 that politics is inevitably present in administration as in every other part of the state, but to a decidedly lower degree than in governing and legislating, the two other main state functions he discerned (1897: 584, 595, 596; cf. Miewald 1984: 26). And in 1911, the Frenchman Henri Chardon, in a book titled *Le Pouvoir Administratif*, summoned his readers

to recognize that a democratic republic like ours necessarily comprises two powers: the political and the administrative; the administrative being subordinate to the political, but nonetheless existing and living outside of politics in such a way that, in every affair, the citizens can easily make a judgment on the role of the politicians and on the role of the administrators. (1911: 19–20)*

With this clear formulation of the dichotomy, Chardon places himself squarely in the line of thinking here associated with Montesquieu: he aims to control rather than to expand the power of government and offers the interesting paradox (to be discussed later) that administration should be both subordinate and separate at the same time.

* Original: “[J]e te demande (...) de reconnaître qu’une république démocratique, comme la nôtre, comporte nécessairement deux pouvoirs: le politique et l’administratif; l’administratif étant subordonné au politique, mais existant néanmoins et vivant en dehors du politique de telle façon que, dans chaque affaire, les citoyens puissent porter aisément un jugement sur le rôle des politiques et sur le rôle des administrateurs.”

Unfortunately, however, the tradition to which Chardon fits has remained largely unknown. This is the other decisive turn that was made: it was the German approach rather than its French counterpart that was exported to the United States and there became highly influential in later thinking about the dichotomy. Accounts of the dichotomy that give administration a legitimate and subordinate place within the traditional separation-of-powers framework have therefore never become very important. It is a remarkable irony of history that in America, of all countries, administrative thought would fall under the strong and largely unrecognized influence of Hegel instead of that of Montesquieu, but this is what has happened since the last quarter of the nineteenth century. The importance of this second turn for the later development of Public Administration as a field and for the tradition of thinking about the politics–administration dichotomy can hardly be overestimated.

Chapter 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 much 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.*

Many theorists regard a reexamination 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 reexamination of the classics very well serves the historical-interpretative and theoretical aims of this study. Svava 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 Svava 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 reexamination 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 Svava. Apart from their objections to the dichotomy itself (see Chapter 4), 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 Svava’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

* 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).

his view, the belief that the dichotomy model was accepted dogma in prewar 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, Svava 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 1: 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.* Cook has given a helpful summary of what he calls the “deliciously unsettled intellectual skirmish” about Wilson’s essay:

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

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 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 of 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 the 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 (1968a [1887]: 372), but as "indirectly a constant source of public law" itself (1968c [1891]: 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 on 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).*

* 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.

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 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 distill 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 toward 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 relationship 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.*

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).†

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 purposes. These can be summarized under the two related but distinct

* 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 sérieux* as long as there is no compelling reason for the opposite (the "presumption of sincerity"; Bevir 1999: 145).

† 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 Chapter 4, Section 4.2).

headings of administrative and political reform. The effort toward 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” (1968a [1887]: 363; cf. Hoogenboom 1961; Skowronek 1982). They opposed the ‘rotation in office’ system, as it was euphemistically called, introduced under President Jackson, which had 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 Svava 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 (1968a [1887]: 373). Against Montesquieu’s mechanistic separation-of-powers doctrine, Wilson preferred a much more organic approach (Cook 1995: 23; Kirwan 1981: 343; Pestritto 2005a; Rohr 1984: 43; Rosser 2010). This preference betrays his strong 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.^{*} 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).[†] 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" (1968a [1887]: 370). 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" (1968a [1887]: 370–371). Wilson adopted the exact conceptualization of the distinction between politics and administration from Bluntschli's writings, already discussed in Chapter 2:

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." (1968a [1887]: 371)

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 a fluid one (*ein fließender*, 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.

^{*} 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).

[†] 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 multiethnic 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).

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” (1968a [1887]: 371). 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” (1968a [1887]: 363), administrative questions are becoming more urgent: “It is getting harder to *run* a constitution than to frame one” (1968a [1887]: 362). 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 (1968a [1887]: 365). 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).*

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” (1968a [1887]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 (cf. Sager and Rosser 2009: 1141; Rosser 2010: 551). This must be stressed, because it is widely believed that Wilson, who took much effort to teach himself reading German, mistranslated and misinterpreted the passage in Bluntschli’s work from which he derived his dichotomy.† According to this view, Bluntschli criticized and negated the very distinctions Wilson derived from him. As we have seen in

* 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” (1968a [1887]: 372). All major constitutional *questions*, however, have been answered.

† 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).

Chapter 2, however, Bluntschli actually did nothing of the sort. Wilson understood Bluntschli's argument better than his later critics recognize.*

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 'however,' 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. (1968a [1887]: 371)

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 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, like Bluntschli before him, associated constitutional questions with the making of general laws, and administrative questions

* 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" (1968a [1887]: 371). 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.

with their particular execution. He made use of the deciding/executing distinction, for instance when he stated that “politics sets the tasks for administration” (1968a [1887]: 371).^{*} 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” (1968a [1887]: 372). 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” (1968a [1887]: 370). 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. Reexamination 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.

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 [1888]: 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 Patterson 2001; Reussing 1994; Rourke 1968).

^{*} In this connection, Kirwan speaks of an “analytical” distinction “between questions of setting or formulating tasks and questions of carrying them out” (1977: 331).

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.*

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” (2003 [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 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 that purpose, he proposes a new arrangement of political and administrative authority.† 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).‡ He derives this distinction from the organic analogy of the state to a human being. The distinction between expression

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

† 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).

‡ Goodnow (2003 [1900]: 12–13) cites Th. 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.”

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 relationship 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 subfunctions, the first semijudicial (inspectors, election officers, statisticians), the second purely executive, and the third what we would now call managerial (2003 [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 subfunction, that of purely executive work (2003 [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 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 aspect than on subordination. In this respect too, he clearly follows the Hegelian line of thinking.*

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 our 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

* 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.

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 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 Svava has argued that Goodnow, as well as Wilson, advocated merely a “distinction” between politics and administration and not the “dichotomy” that developed “around the 1920’s” (1999: 678; cf. Rabin and Bowman 1984: 4; Marini 1994: 3).*

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 Svava 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

* 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.

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 and “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 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 relationship 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 by 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.*

Because students of public administration concentrate on Weber’s sociological writings rather than his political writings, they often depict his account of the relationship between politics and administration as ideal-typical, too (e.g., 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]).†

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, 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 not 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

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

† “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).

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 bureaucrats lacking proper democratic legitimacy. 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 *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 toward 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.* This line of thought was typified in his days by the then-influential author Gustav Schmoller, the representative of the conservative wing (and

* Here I disagree with Sager and Rosser (2009): the “empirical link” they see between Hegel and Weber as both having experiences with Prussia is too weak to bear their conclusions about theoretical congruence.

longtime president) of 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 by its nature the bureaucracy was only a subordinate instrument, and not the elevated institution the Hegelians said it was. Second, he argued the bureaucracy had an inherent tendency to overstep this 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 specific class interest in society, namely, that of the Prussian *Junkers* (lower nobility). Against the Hegelians, Weber further rejected the notion of “the will of the people” as fictional (cf. Anter 1995: 84–54; Eliaeson 2000: 139). 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.*

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)†

* 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.

† Original: “Der echte Beamte (. . .) soll seinem eigentlichen Beruf nach nicht Politik treiben, sondern: ‘verwalten,’ *unparteiisch* vor allem, –auch für die sogenannten ‘politischen’ Verwaltungsbeamte 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).

As mentioned earlier, Weber had a very heroic view of politics; politics was for him a matter of faith and passion (cf. Simmons and 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 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).^{*} 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.[†] Why is this honorable? Because it shows that the official’s “sense of duty to his office overrides his individual willfulness” (1994 [1918]: 160).[‡] 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 compromise, 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.

^{*} This translation is quite corrupt. The original says: “Gerade sittlich hochstehende Beamtennaturen sind schlechte, vor allem im politischen Begriff des Wortes verantwortungslos 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”.

[†] 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

[‡] Original: “Sein Stolz ist im Gegenteil, die Unparteilichkeit zu hüten und also: seine eigene Neigungen und Meinungen überwinden zu können” (Weber 1988 [1918]: 351). Note that Weber uses the weaker word *Stolz* (pride) here, rather than *Ehre* (honour), which seems to betray some reservations about the honorable character of the bureaucratic stance.

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:

[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).^{*} 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).[†] 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 lies 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

^{*} This contradicts the view that for Weber (in contrast to Hegel) bureaucratic judgment excludes moral deliberation (*phronēsis*) and is merely a matter of technocratic, rule-bound execution of the law (*technē*) (Shaw 1992: 383–385).

[†] 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).

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).*

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 and their respective 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 regarded 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

* 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).

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 2. 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 could present 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.* 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 toward 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” (1968a [1887]: 376).†

Both Wilson (1968a [1887]: 377) and Goodnow (2003 [1900]: 6–8) held that in their actual workings all governments are fundamentally alike. For Wilson,

* 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).

† 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).

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 nondemocratic 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).^{*} 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 semipresidential 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 country’s 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

^{*} 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, neocorporatist structures, or the media (Stouthuysen 2002). Commonly, however, the notion of the ‘primacy of politics’ expresses the hierarchical relationship between politics and administration.

question rather becomes how to achieve and maintain its subordination to politics.^{*} 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 relationship 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., Kötting 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.

To sum up, there are two classical versions of the politics–administration dichotomy. In 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).[†] In the former, administration must be given a legitimate

^{*} 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).

[†] An important exception in the American literature is Hyneman, who in his *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.

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 1968a [1887]: 371) 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 4), 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 so often been 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 reduced public administration to unimportance and illegitimacy. On the contrary, they credited civil servants with real 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 1968a [1887]: 372).

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; Pestritto 2005a; Rohr 1986: ch. 5–6). 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 nonconstitutional 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 inaccurate. 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.

Chapter 4

Heterodox Criticisms

[W]hat was ‘rejected’ may have been oversimplified, distorted. (Waldo 1968a: 13)

4.1 A Tenet of Orthodoxy?

The politics–administration dichotomy formulated by Wilson, Goodnow, and Weber did not immediately raise many eyebrows in American Public Administration. Weber’s writings were not translated until 1946 and therefore remained largely unknown, and Wilson’s academic writings were not widely read either (Van Riper 1984). Goodnow, now the least known of the three, initially had the greatest influence, but even his ideas on the relationship between politics and administration received little attention.* So, at first the politics–administration dichotomy seems to have been quite uncontroversial; in fact, the idea was received with a silence that seems to indicate uncritical acceptance or perhaps general disinterest. Slowly but surely, however, the dichotomy became the subject of explicit discussion. It is not easy to say when exactly the winds of criticism began to blow. Campbell certainly picks too late a date when he says that “[n]ot until the 1960s did a flood of literature begin to attack frontally the policy/administration dichotomy” (1988: 245). At the other extreme, Vile has found an occasional critical remark articulated

* This is well illustrated by an early review of *Politics and Administration* (Ford 1900) that includes a perceptive discussion of Goodnow’s concept of state, but not even a mention, let alone critique, of his views on the relation between politics and administration. Remarkably, a 1939 review of Wilson’s essay showed the same omission (cf. Lynn 2001: 148).

“as early as 1908” (1998: 311), but this cannot count as an attack of any serious force. Considering the strength and the volume of the arguments raised against the dichotomy, Waldo’s estimation seems the most accurate: “As the 1930s advanced, doubt and dissent increased. In the 1940s refutation and repudiation came to the fore. By the 1950s it had become common to refer to the politics administration dichotomy as an outworn if not ludicrous creed” (1987: 93). The combined, though not necessarily coordinated and coherent assault on the dichotomy, must be dated shortly before the middle of the twentieth century.

In this connection it is noticeable how soon the dichotomy was depicted as a notion of an already respectable age. In the 1950s, the dichotomy was almost casually called “old” (Gulick 1955: 76; Mansfield 1959: 187), “conventional” (Long 1952: 808), “now-familiar” (Kaufman 1956: 1060), and “traditional” (Kaufman 1956: 1067; Smithburg 1951: 59). These widely shared characterizations cast doubt on Svvara’s claim that the dichotomy was never actually a part of the shared body of knowledge in Public Administration (2001). At the same time, they should not be taken too literally. The dichotomy was surely not a particularly old idea in the 1950s, let alone a very familiar and long-debated one. What matters is the sometimes nearly explicit suggestion behind such characterizations that the dichotomy should be regarded as obsolete and out-of-date, a superseded idea belonging to a bygone era.

Many students of public administration have learned to regard the politics–administration dichotomy as one building block in a wider structure of thought known as Public Administration’s ‘orthodoxy.’ Friend and foe agree that this idea of orthodoxy was especially developed in and popularized by Waldo’s *The Administrative State*. This book presents pre–Second World War administrative thought as a more or less coherent set of ideas, consisting, besides the politics–administration dichotomy, of “the postulate that true democracy and true efficiency are synonymous, or at least reconcilable,” the ideal of a ‘scientific’ study of administration and management, and the belief in the so-called ‘principles’ of administration, later associated with the infamous POSDCORB acronym (1948: 206–207). Two publications in particular, both published in 1937, have come to be regarded as expressions of “the high noon of orthodoxy,” namely, the *Papers on the Science of Administration* edited by Gulick and Urwick, and the report of the President’s Committee on Administrative Management, better known as the Brownlow Report (Sayre 1958: 103).

How strongly the dichotomy has come to be associated with the orthodox tenets is illustrated by Herbert Kaufman’s thesis that, in its earliest phase, American Public Administration was particularly concerned with the value of “neutral competence,” which he defines as the “ability to do the work of government expertly, and to do it according to explicit, objective standards rather than to personal or party or other obligations and loyalties” (1956: 1060). As terminology already suggests, the concept of neutral competence is in fact an amalgam of two ideas, one referring to the absence of political involvement (neutrality) and the other to the

presence of professionalism (competence). Here, the dichotomy between politics and administration is directly related to a particular ideal of good administration.

In recent years, it has become clear that the concept of orthodoxy, notwithstanding its merits, must also be qualified. It suggests a strong unity of thought, whereas in fact pre-Second World War administrative thought was much less coherent and less one-sided than has long been believed (Bertelli and Lynn 2006: ch. 3; Lynn 2001; Marini 1994: 3). The distinction between orthodoxy and heterodoxy, moreover, applies only to American Public Administration and not to its equivalents in other parts of the world, notably Europe. Specifically important for our purposes, finally, is that treating the politics-administration dichotomy as part of a broader orthodoxy suggests that the dichotomy is necessarily and intrinsically related to the orthodox tenets. This false suggestion has done great harm to the acceptability of the dichotomy in postorthodox Public Administration. Those who believed it necessary to abandon orthodoxy have usually also rejected the dichotomy as a part of that broader package.

Apart from being linked to the typical ideas of the Public Administration orthodoxy (administrative principles, Scientific Management), the politics-administration dichotomy is also often associated with a particular understanding of democracy, characterized by the idea of a popular will or popular sovereignty and the principle of legislative supremacy (Long 1952: 808-809; 1954: 2425). Emmette Redford has captured these elements in what he called the “two-pyramid” or “overhead democracy” model (1969: 70). The basic idea of this model is aptly summarized by Waldo:

Politics-democracy proceeds upward to an apex at which the popular will is determined by law or otherwise, and then is bridged over to administration. Thereupon the will is realized downward through an organization that is hierarchical, functionally rational, professional, informed by science, and committed to efficiency. Responsibility, responsiveness, and accountability are then brought about by the same structures, but the direction is reversed. They go up the administrative pyramid to the apex, bridge over, and go down this structure to the voters. (1987: 92-93; cf. 1984a: xlviii)

This model is mostly presented as a proper depiction of parliamentary democracy systems with ministerial responsibility and of council-manager systems in American local government, but Redford himself applied the concept to American federal government as well (1969: 70-71). Many writers have related the dichotomy to this particular type of democratic government (e.g., Golembiewski 1981: 24; Kirwan 1977: 349; 1981: 346; Meier and Bohte 2007: 135-136; Self 1977: 150-151).

Thus, after the Second World War the dichotomy has become associated with two bodies of thought. The first is a ‘scientific’ view on the workings and organization of public administration, which has to be business-like and value-neutral, and the other is a fairly radical understanding of majoritarian democracy. Lawler has

captured these two bodies of thought under the single heading of “scientific populism” (1988: 50, 51, 53; cf. Storing 1995a: 403).” In a climate of scientific populism, neither politicians nor administrators need to take responsibility for public policies. They can pretend to derive their goals from popular opinion and from politics, respectively. The scheme leaves little or no room for political leadership and morally responsible administrative behavior. It is understandable, therefore, that the association of the dichotomy with scientific populism has negatively affected its reputation. The question must be raised, however, whether the association is a necessary or merely a contingent one. A first tentative answer to this question is that it seems possible to endorse the dichotomy without endorsing scientific populism, too. One way to do so is shown by Weber, who sharply analyzed and also strongly opposed scientific populism, and who advocated the dichotomy in order to create room for the kind of charismatic political leadership that would otherwise have no place in modern government. In Chapter 6, I suggest another way to understand and endorse the dichotomy that differs from Weber’s but is, I believe, equally untainted by scientific populism.

This chapter leaves aside the question as to whether early Public Administration was really strongly infected by scientific populism and instead concentrates on the criticisms raised against the politics–administration dichotomy itself. These criticisms are of different kinds. In the previous chapter, I have already discussed what might be called a historical line of criticism: the argument propounded by revisionist historiographers of administrative thought that the dichotomy has actually never been supported, at least not seriously, by the authors traditionally credited with its invention, particularly Wilson and Goodnow. I have rejected this view, arguing that these classical authors did advocate a distinction in theory and a separation in practice between administration and politics that is worthy of the name dichotomy. Whatever the support of the classical authors for the dichotomy may or may not have been, however, for the moment these historiographic debates can be left aside, because enough objections have been raised against the dichotomy itself.

In Waldo’s writings, we find the often-repeated observation that the politics–administration dichotomy was rejected for both empirical and normative reasons (1948: 128, 207; 1971: 264; 1980: 68–69; 1987: 93; cf. Golembiewski 1981: 52–53). Although this captures the two major lines of criticism, Waldo’s treatment tends to neglect how exactly the heterodox authors conceptualized the dichotomy they criticized and what they required it to accomplish. This inattention to the content and purpose of the dichotomy is typical of but certainly not unique for Waldo. It has created the general but incorrect impression that the heterodox authors rejected the same, unaltered dichotomy they found in the writings of their classical and

* The association of the politics–administration dichotomy with scientific populism is not something of the past, as Harmon illustrates when he associates the dichotomy with rationalism, moralism, and managerialism, on the one hand, and notions of ‘popular will’ and popular sovereignty on the other (2006: 122–123, 126–130).

orthodox predecessors. In fact, however, the dichotomy fundamentally changed meaning in their hands. Their reconceptualization of the dichotomy must be examined before the empirical and normative objections can be discussed. A more complete and illuminating way of presenting the various types of criticism, therefore, is offered by Svava, who has classified the challenges to the dichotomy as three distinct yet interrelated types: conceptual, empirical, and normative (1985: 221). In the next three sections, I follow Svava's classification and examine these three types of criticism successively. Next, special attention is given to the concept of discretion, which plays a crucial role in each of these challenges (Section 4.5). The concluding section discusses and rejects the revisionist claim of Svava and others that heterodoxy was not a radical break but rather a continuation of earlier thinking about the politics–administration dichotomy (Section 4.6).

4.2 From 'Politics' to 'Policy'

Svava describes the “conceptual” challenge to the politics–administration dichotomy as “the redefinition of key terms accompanying the behavioral movement” that flooded the social sciences during the middle of the twentieth century (1985: 221). In the behavioral approach, scholarly attention was directed toward the concrete level of individual action by citizens (especially voters), politicians, and civil servants, and away from formal institutions and normative principles. The most important “redefinition of key terms” in connection with the present subject is undoubtedly the transformation in the heterodox literature of the dichotomy between *politics* and administration into the “parallel, alternative, and occasionally synonymous dichotomy” between *policy* and administration (Dunsire 1973: 91). This reconceptualization can be traced back with remarkable exactness to Luther Gulick's essay ‘Politics, Administration, and the ‘New Deal’ (1933), which stands out as one of the first critical reflections on the politics–administration dichotomy as such.

Gulick opens his essay with a distinction between what he calls ‘politics’ and politics. ‘Politics’ (with quotation marks) refers pejoratively to the corrupt politics of the spoils system, while politics (proper) refers to any “action which has to do with control of the rulers” (1933: 59). Gulick adds that “there is no objective method of distinguishing between ‘politics’ and politics” (1933: 60). In particular, one cannot determine to which category a particular governmental action or decision belongs by looking at that action or decision only: “the distinction between ‘politics’ and politics is not *in* the act itself” (1933: 60). Instead, one has to look at the motives of the politicians who perform the action or take the decision. When they are driven by self-interest they are involved in ‘politics’; when they act out of a concern for the public interest, or at least out of a more general interest than their own, they are involved in politics. In most cases, Gulick asserts, there will be a mixture of both motives, and there is no way to discern and institutionally separate the two kinds of politics (1933: 59–60).

This reframing of ‘politics’ into a broader and less pejorative concept of politics in itself need not be very problematic for the politics–administration dichotomy. The aim to protect administration against illegitimate forms of politics may historically have been the main justification for the development of the dichotomy in the Reform Movement, but it need not be the only possible justification. One may well argue that administration must also be isolated from legitimate forms of politics. But Gulick goes further in redefining the concept of politics. He argues that it is always the goal of politics to “shift the direction of public policy” (1933: 60)—that is what (legitimate) politics is about. Top-down political direction is not the only way in which public policy is determined, however. There are also influences from below: “If any government employee, anyone of our ‘rulers’ [which, for Gulick, includes civil servants], has discretion, he not only has the power, but is by circumstances compelled to determine policy” (1933: 61). Thus, both politicians and administrators are involved in policy making, the former in their formal capacity and the latter in their discretionary action. Gulick realized that pointing out this overlap of politics and administration in the sphere of policy is a crucial step, and he quickly drew the conclusion that it signs the fate of the dichotomy: “It follows from this that governmental institutions cannot be devised to coincide definitely with any scheme of clear-cut division between policy and administration” (1933: 61). Here, the politics–administration dichotomy is subtly but essentially transformed into a policy–administration dichotomy.

Gulick not just broadened and neutralized the concept of politics, but also undermined the conceptual distinction between political and administrative issues. In his view, one cannot tell from a mere act or decision whether it is political or administrative (or executive, legislative, or judicial, for that matter): “[T]he classification of an individual act (. . .) will depend upon the existing institutional set-up and upon the prevalent pattern of values and interests dominant at a given time and place” (1933: 62). What is a highly controversial political issue in one setting may be a mundane and unnoticed administrative issue in another. A particular act or decision of government is either political or administrative when those involved in a particular institutional setting regard it as such. No qualitative difference between “administrative questions” and “political questions” (in Wilson’s terminology) can be found in the character of those questions themselves. Whether a particular question is political or administrative depends on its context.

However radical this view was, Gulick could still say that, given a particular context, an issue is either political or administrative. Indeed, he explicitly retained the dichotomy between the two, albeit for specific reasons:

The reason for separating politics from administration is not that their combination is a violation of a principle of government. The reason for insisting that the elected legislative and executive officer shall not interfere with the details of administration, and that the rank and file of the permanent administration shall be permanent and skilled and shall

not meddle with politics, is simply that this division of work makes use of specialization and appears to give better results than a system where such a differentiation does not exist. (1933: 63)

This is a highly pragmatic argument, indeed. The dichotomy is no longer founded on any fundamental “principle of government,” but it is merely an efficient division of labor that happens to yield “better results.”

After Gulick, the equation of politics/administration with policy/administration was adopted surprisingly rapidly and widely. Herbert Simon, writing only one decade later, uses the new formulation consistently in his *Administrative Behavior*, for instance when he speaks of “the distinction, so often made in the literature of administration, between policy questions and questions of administration” (1997: 55; cf. pp. 61–67). The new formulation was used most conspicuously, however, in the title and content of Paul Appleby’s *Policy and Administration* (1949). In this book, which has been called the “scholarly death-blow to the simplistic formulation of the classic dichotomy, and a new classic statement” (Dunsire 1973: 98), Appleby straightforwardly defined the dichotomy as “a separation of powers which excluded from administration any—or at least any important—policy-making functions” (1949: 3). Here, policy/administration fully equates politics/administration. What is more, for Appleby the distinction itself has become wholly relative. Any question government deals with, he argues, is both a policy question and an administrative question at the same time. People only perceive it differently, depending on their position in the government hierarchy: “In the perspective of each successive level everything decided at that level and above is ‘policy,’ and everything that may be left to a lower level is ‘administration’” (1949: 21). Thus, a particular issue is regarded as policy by those who operate hierarchically below the level at which it is settled, and as administration by those who operate above that level. When an issue becomes more controversial it will rise in the hierarchy, so that the number of officials who see it as policy rises, and the number of officials who see it as ‘administration’ decreases. For those inside government, it is completely relative to their position within the hierarchy whether an issue is policy or administration, but for those outside the organization, including (significantly) the public administration theorist, it is always both at the same time: “In the perspective of an outside observer, policy and administration are treated together at every level” (1949: 22; cf. pp. 10–22). And when an issue can be considered as both policy and administration, it is in fact neither. The very distinction between those categories collapses.

Appleby presented a really thorough reconceptualization and conceptual dissolution of the distinction between politics (or policy) and administration. Like Gulick, he could not easily get rid of the dichotomy, however. He continued to acknowledge a distinction, at the top of the governmental hierarchy, between partisan politics and other forms of politics: “Everything having to do with the government and everything the government does is political, for politics is the art and

science of government. But in terms of mass, only a small part of politics is partisan” (1949: 153). This small part concerns only those highly controversial issues that capture “party attention” (1949: 153); other issues are resolved at lower legislative and administrative levels. When a controversial issue “emerges at the partisan-political level” (1949: 53), majority-seeking politicians will start their turf-seeking fights, and no role will be left for administrators. Thus, even according to Appleby, a relevant distinction can be made between partisan politics and administration: “This is the sense in which politics and administration may be most sharply differentiated” (1949: 53).*

Less than two decades after Gulick’s essay it seemed as if the contrast had always been framed as ‘policy/administration’ rather than as ‘politics/administration.’ Waldo, who in *The Administrative State* had mainly used politics/administration, soon adopted the new interpretation as well, for instance, when he defined the dichotomy as “the tenet that administration is separate from and should be separated from politics—with politics considered both as the activities of political parties *and as policy formulation*” (1952: 86; italics added). Today, the idea that the classical politics–administration dichotomy excluded administration not only from (partisan) politics, but also from policy making has become generally accepted. It is reflected, for instance, in the definition the *Public Administration Dictionary* gives of the politics–administration dichotomy: “The view that public administration should be premised on a science of management and kept separate from traditional partisan politics *and general policy making*” (Chandler and Plano 1988: 98–99; italics added).†

In the Public Administration literature, this replacement of ‘politics’ by ‘policy’ has led often to very extreme understandings of the dichotomy. The most general tendency is to treat the dichotomy between politics and administration as one between willing and acting, deciding and executing. Simon, for instance, charges Goodnow with coming “perilously close to identifying ‘policy’ with ‘deciding,’ and

* Fry has summarized Appleby’s position well: “Appleby contends that all administration is political. However, only a small part of either administration or government is partisan, and it is partisan political activity that Appleby would have the administrator avoid. Appleby’s advice is that administrators handle political issues up to the point where they become partisan matters, not that they stay out of politics entirely” (1989: 1034).

† Fred Riggs has suggested that the conflation of politics/administration with policy/administration may be less common in British than in American thought: “In England, ‘public administration’ and ‘public policy’ are virtually the same because top career administrators, as advisors to cabinet ministers, are able to manipulate top political decision makers. By contrast, their counterparts in the United States are transient appointees and their role as policy advisers is viewed as ‘political’ whereas the role of career officials, working at a lower level, is viewed as essentially managerial, giving ‘administration’ a nonpolitical character. This enables some specialists in America to claim public policy as a ‘political’ process whereas in Europe it is more easily viewed as an ‘administrative’ function” (1997: 105). One would perhaps expect continental Europeans to be tempted more than Anglophones to read politics/administration as policy/administration, given the fact that languages such as French and German refer to politics and policy by one single word (*politique* and *Politik*), but remarkably this seems not to be the case.

‘administration’ with ‘doing’” (1997 [1945]: 63). Deciding/executing is also the dominant conceptualization of politics/administration in Waldo’s early writings. In *The Administrative State*, he defines “the politics-administration formula” as “the notion that the work of government is divisible into two parts, decision and execution” (1948: 206), and elsewhere in the book he also directly equates the two distinctions (e.g., pp. 14 and 114). In *The Study of Public Administration*, a highly influential introductory textbook first published in 1955, Waldo refers to the dichotomy as the doctrine saying that “the process of government, analytically considered, consists of two parts only, namely, decision and execution. It is necessary first to decide what should be done—the function and definition of politics—and then to carry out the decision—the role and definition of administration” (1968b: 40). Norton Long was particularly extreme in his use of the willing/acting distinction: “In the conventional dichotomy between policy and administration, administration is the Aristotelian slave, properly an instrument of action for the will of another, capable of retrieving the commands of reason but incapable of reasoning” (1952: 808). In his view, the dichotomy renders administration to a passive and unthinking tool in the hands of its political superiors, “an instrument rather than a brain” (1954: 22). Basically the same idea was expressed by Sayre when he said that for adherents to the dichotomy administration “was concerned exclusively with the execution of assignments handed down from the realm of politics” (1958: 103).

This is not the place to point out again that this interpretation deviates grossly from the classical understandings of the dichotomy. What is most relevant here is that because of the conflation of politics/administration and policy/administration, the heterodox reconceptualization interprets the dichotomy as posing a very strict and instrumentalist relationship between politics and administration: politics decides and administration executes. This reconceptualization is of course closely related to that other important development in the middle decades of the twentieth century noted in the previous section: the association of the dichotomy with ‘scientific populism.’ Given these reconceptualizations and associations, it is not surprising that the dichotomy soon fell under heavy attacks and was rejected “as a seriously erroneous description of reality” on the one hand, and “as a deficient, even pernicious, prescription for action” on the other (Waldo 1971: 264). In the two following sections, these empirical and normative objections will be considered in turn.

4.3 “A Seriously Erroneous Description of Reality”

For many, the most important problem of the politics–administration dichotomy is that it offers an inadequate description of governmental reality. In the words of Long, the dichotomy “has one fatal flaw. It does not accord with the facts of administrative life. Nor is it likely to” (1954: 22). Because the dichotomy seems not to be supported by empirical evidence, it is rejected as “false” (Waldo 1948: 123; 1968d: 42, 61). Lawler says that “the distinction between politics and

administration exists only as an intellectual abstraction” and must be rejected as “unrealistic and unreasonable” (1988: 51). Of all the weaknesses of the dichotomy, its empirical inadequacy is usually regarded as the most fatal.

In general, empirical objections seem directed much more against the separation of administration from politics than against its subordination to politics. As Appleby noted, politics (or policy) and administration are not two worlds apart: “Executives do not sit at two different desks treating policy at one and administration at the other” (1949: 19). Of course, this does not mean that those who deny separation affirm subordination instead. Subordination is not the only possible relationship between administration and politics, and most critics of the dichotomy think there are other, more equal and nonhierarchical relations between them. What they most adamantly reject, however, is the idea that some separation can be perceived between politics and administration in practice.

During the twentieth century, the Public Administration literature has actually seen two waves of empirical criticism of the dichotomy. The first wave emerged with the rise of heterodoxy in the 1930s and 1940s, when it was ‘discovered’ that administrators do not simply execute political orders as automatons, but have room to interpret and influence policy and to act, at least within certain limits, according to their own judgment. The notions of administrative decision making and discretion became the main bridgeheads in the attack on the dichotomy. Herbert Simon, in his *Administrative Behavior*, emphasized that decision making could not be restricted to politics, because administrators also make decisions. Hence, he proposed the value/fact distinction instead of deciding/executing as an alternative conceptual foundation for the politics–administration dichotomy (see Section 5.2). Likewise, from “the fact of administrative discretion and even administrative legislation,” Long inferred that “anything approaching the conditions necessary to achieve a separation of policy from administration is highly doubtful” (1952: 810). (The argument from discretion is discussed more extensively in Section 4.5.)

This first wave of empirical criticism of the dichotomy was not based on systematic empirical research. Of course, the idea that administrators have discretion is plausible enough and has later been confirmed by many empirical studies, most famously by Lipsky’s study of street-level bureaucracy (1983), but when the argument from discretion was first presented it was mostly based on anecdotal evidence and practical experience. This has changed since the 1970s, however, when systematic empirical research of political-administrative relations appeared and initiated a second wave of empirical criticism. The main classical study in this genre is undoubtedly *Bureaucrats and Politicians in Western Democracies* by Aberbach, Putnam, and Rockman (1981), but after them the literature has expanded rapidly.* Most empirical studies of political-administrative relations concern individual countries, but often a cross-national comparative perspective is also adopted. Most

* Lee and Raadschelders (2008) offer a detailed review of the work of Aberbach, Putnam, and Rockman and its reception.

of these studies further concentrate on the national level of government—in particular, on the interaction between ministers and their top civil servants, and only a smaller group deals with political-administrative relations in local government (particularly the American council-manager systems, but other countries are also studied). Studies aimed at political-administrative relations at the supranational level have long been rare and are only now emerging.* Most of these studies are based on surveys or interviews with politicians and senior-level bureaucrats. This implies that they concentrate particularly on respondents' role perceptions. The advantage of this method is that the data are often extensive and rich, but the disadvantage is that socially desirable and subjective answers may be given. To the extent that this is indeed the case, such empirical studies show us the attitudes and espoused norms that regulate political-administrative relations rather than the actual behavior of politicians and administrators in their mutual relations (cf. 't Hart et al. 2003: 47–48). Although it is difficult to draw general conclusions from this wealth of studies, in general it has become clear that close interactions exist between members of the political and bureaucratic elites in Western democracies. They often come from the same social class, have close working relations, and sometimes they switch positions (as is quite common in France, for instance).

Thus, the two waves of empirical study have yielded two important findings. The first is that administrators do not simply execute political orders, but are heavily involved in the shaping of government policy in the preparation as well as the implementation phase. The second finding is that in modern government there is much interaction between politicians and administrators. They do not live in separate worlds but share close working relationships and other social connections. These two findings are often interpreted as 'falsifications' of classical models of political-administrative relations, and particularly of the politics–administration dichotomy. Hansen and Ejersbo, for instance, claim that the politics–administration dichotomy “contradicts several empirical studies” (2002: 734). Likewise, in a study of council-manager local governments in America, Demir and Nyhan (2008) conclude that their “analysis failed to produce satisfactory empirical evidence in support of the politics–administration dichotomy” (2008: 93). And in a recent article showing a correlation between political and administrative turnover in English municipalities, Boyne et al. claim this finding “offers robust evidence to question the long-held politics–administration dichotomy as it affects bureaucratic appointments” (2010: 150).

* For empirical studies of political-administrative relations at the national level, see Aberbach, Putnam, and Rockman (1981); Cameron 2010; De Baecque and Quermonne 1982; Derlien 2003; Dunn 1997; 't Hart et al. 2003; 't Hart and Wille 2006; LaPalombara and Beck 1967; Matheson et al. 2007; Nieuwenkamp 2001; Page 1992; Peters 1988; Peters and Pierre 2004; Putnam 1973; Suleiman 1984; Svara 1985 and 1999b; Timsit and Wiener 1980; and many others. For studies about the subnational level, see Demir 2009; Jacobsen 2006; Mouritzen and Svara 2002; Reussing 1996; Svara 1985 and 1999b; Thomas 1990; Watson 1997; Zhang and Feiock 2009, among others. For the supranational level, see Page and Wouters 1994; Wille 2009.

The question is, however, whether such empirical results can really manage to falsify the (classical) politics–administration dichotomy. As to the first finding, the fact that administrators are heavily involved in policy making is in itself not enough to disprove the politics–administration dichotomy. It is clear enough that administrators have to interpret policy in order to implement it, and that they have the discretion to make certain decisions (Demir 2010). This usually does not mean that they also determine policy, however, but mostly that they have to fill in what has (perhaps deliberately) been left open. A strong policy role of administrators is not necessarily at odds with the politics–administration dichotomy. To the extent that public servants *have* become increasingly involved in policy preparation and policy formulation, this makes a dichotomy between *policy* and administration seriously problematic.* Again, however, the fact that public administrators have an important, perhaps even dominant role in policy does not mean that they are—without qualification—‘doing politics.’ The much-documented policy involvement of public administration does not brush away its exclusion from (other) significant forms of politics. Politics and administration undeniably overlap in the sphere of policy making, but that does not make the two any more identical than twilight makes day and night. In one sentence that captures the whole point, “Policy does nothing without the aid of administration,’ but administration is not, therefore, politics” (Wilson 1968a [1887]: 371).

Likewise, the high level of interaction between politicians and administrators (the second finding) need not mean that the distinction between politics and administration also gets blurred. The mosaic of government may become more fine-grained and less ordered, but still its stones may retain their different colors. As Vile has observed: “The distinction between political leaders and bureaucrats has simultaneously become sharper and more confused” (1998: 399). Lane has captured the same point: “It is true that ‘top executives,’ meaning the higher echelon of the civil service, are in constant interaction with politicians and that their efforts in implementing policy have political implications. Establishing and accepting this fundamental fact about public management does not entail, however, that one needs to reject the ‘politics–administration dichotomy’” (2005: 240). Overall, there is no conclusive empirical evidence of a growing similarity between politics and administration in the direction of either a politicization of bureaucracy or a bureaucratization of politics. In fact, many studies find sustainable and starkly different role perceptions between the two groups, and often also much explicit support for the classical role models. For example, Mordechai Lee, a former member of the Wisconsin state legislature, concludes on the basis of his own experiences with

* There need, of course, be no doubt that administrators partake heavily in policy making: “Careful analysis shows,” says Waldo (1984: 221), “that, in fact, politics, at least in the sense of policy, pervades all levels of administration (short, perhaps, of the completely mechanical operations).” But, as Waldo’s two provisos in one sentence already suggest, some types of politics and administration are not ‘pervaded’ by policy.

political-administrative relations in that arena that there is in fact much support for the traditional dichotomy or “separate roles model” (2001, 2006).^{*} In another example, Maynard-Moody and Kelly report their systematic analysis of 54 stories of public managers about their interactions with elected officials. Their conclusion is interesting enough to be quoted at some length, not least because it shows how these authors try to reconcile their prejudice against the dichotomy with their own empirical findings:

Although the distinction between politics and administration is intellectually untenable, as most scholars assert, these stories both reveal and construct a conceptual barrier between political and administrative agencies and actors. The politics–administration dichotomy remains important to the culture of public organizations. It serves as an interpretive guide to public administrators (and, we suspect, to elected officials), even though it does not accurately depict the work of public organizations. Stories such as those we have discussed sustain this normative fiction, a fiction that guides everyday interaction between elected officials and administrators and provides a gloss of legitimacy to public organizations. (Maynard-Moody and Kelly 1993: 89)

Third, Witte has concluded on the basis of a case-study analysis of tax politics that the classical dichotomy can be resurrected in its empirical and normative usage, albeit with a mediating role played by “policy managers” (1993). Finally, Aberbach and Rockman, who in their 1981 classic thought they perceived a tendency toward an increasing mixture of administrators and politicians, later acknowledged that their “pure hybrid” actually remains a very rare bird (1988; see Section 5.3).

Although we cannot make broad generalizations on the basis of a small number of studies, they do cast doubt on the common belief that the politics–administration dichotomy simply finds no empirical support whatsoever. Besides empirical findings of entanglement, interaction, and overlap between politicians and administrators, there is also evidence for persistent differences in role perceptions and activities between the two groups. Some have even argued that recent developments have, in fact, been going contrary to what is commonly believed. In recent years, several authors have seen evidence of a movement back toward more traditional and hierarchical relations between politics and administration (Aberbach and Rockman

^{*} In the 2001 version of his article, Lee explicitly interpreted his experiences in terms of the politics–administration dichotomy. He stated that “Legislators—unknowingly—endorse the traditional and normative meaning of the politics–administration dichotomy” (2001: 371; cf. 368–369). In 2006, however, Lee published “an expanded and substantially revised version” of his 2001 article in a special issue of the *International Journal of Public Administration*, coordinated by Svava. In this new version, he interprets his findings in terms of a typology offered by Svava, leaving out all references to the politics–administration dichotomy, which is recast as the “separate roles model.”

2006; Peters and Pierre 2001). In country-specific studies, this trend has also been observed for Britain and the Netherlands, for instance (Barker and Wilson 1997 and t Hart and Wille 2006, respectively), and a rather traditional division between politics and administration is now also emerging within the European Commission (Wille 2009). So, it seems that, as Thayer once put it, “[t]rends in government demonstrate the dichotomy’s persistence” (1984: 264).

Not only the outcomes of empirical studies, but also their focus is important here. Much if not most empirical research focuses on the area of overlap and (potential) conflict between politics and administration. In their classic study, Aberbach, Putnam, and Rockman, for instance, explicitly say that they have concentrated on the “contested territory” of policy making, although they acknowledge that politicians and bureaucrats also spend much time and energy on other functions besides policy making, such as “managing the administrative machinery of government” and “routine implementation of past decisions,” in the case of bureaucrats, and “electoral and party affairs,” in the case of politicians (1981: 20). Of course, this focus on the nexus of politics and administration and the neglect of other areas contribute to the underestimation of the difference and distance between them, and strengthens the impression of overlap and identity. It also reinforces the custom to present the dichotomy as a straw man version of the original. The classical conceptualizations of the dichotomy of Wilson, Goodnow, and Weber did not suggest that politics and administration are two unconnected worlds and that administrators are mere executors of political orders. Ironically, with their vehement objections to orthodoxy, or rather to orthodoxy as they saw it, heterodox authors only echoed the classics, who had already observed that administrators have a will of their own.

So far my discussion of empirical criticisms has assumed that it is sensible to subject the dichotomy to empirical testing in the first place, but this assumption is actually highly problematic. As we saw in the previous chapter, the dichotomy was not originally meant as a descriptive model of governmental reality, but instead it was highly prescriptive. Therefore, the dichotomy cannot be ‘falsified’ by empirical findings. Trying to do so amounts to an inversed naturalistic fallacy: the logically unwarranted attempt to dispel an ‘ought’ on the basis of an ‘is’ (cf. Overeem 2006: 144). The very enterprise of ‘testing’ the politics–administration dichotomy through empirical research is misguided, because logically empirical findings cannot hurt a normative construct; at most they can show that a certain norm is not followed. Of course, one could question the value of norms that are continuously violated; there is no use in norms that are naïve and out of touch with reality. But this is not the situation we face. On the contrary, as I will argue in Section 6.5, the dichotomy does function as a norm in a particular but very real sense. The dichotomy still has greater normative force in governmental reality than many present-day Public Administration theorists would like to admit. Hence, attacks on the dichotomy from a normative viewpoint may be expected to be more pertinent than empirical objections.

4.4 “A Deficient, Even Pernicious, Prescription for Action”

Heterodox authors have argued not only that the politics–administration dichotomy does not correspond to reality, but also that a situation in which it did would be undesirable. Some have suggested that normative objections carry even more weight than empirical ones. Schick, for instance, has claimed that the dichotomy was rejected not so much as “a false separation” but rather as a political theory “that offended the pluralist norms of postwar political science,” according to which public administration cannot and should not remain neutral in a highly politicized environment (1975: 152). In general, normative criticisms of the dichotomy have come in two forms. Sometimes the criticism is directed against the independence of public administration created by the dichotomy and intended as a defense of politics or the constitutional order. This line of thinking is mainly adopted by opponents of the administrative (welfare) state and is often backed up with an originalist reading of the United States Constitution (e.g., Lawson 1994; Pestritto 2005, 2007). This line of criticism is aimed especially at the dichotomy as it was understood by Wilson and Goodnow, and much less at the version of the dichotomy proposed by Weber. Indeed, Weber’s interpretation seems to belie the presumption of these theorists that the dichotomy must necessarily be directed at the emancipation of the bureaucracy and the expansion of the administrative state. This is not to deny the relevance of their concerns about the constitutional legitimacy of administrative power in general and the administrative state in particular. A rejection of the dichotomy on constitutional grounds is, however, not necessary (as I argue more fully in Chapter 6).

The second type of normative criticism is much more prominent in the Public Administration literature, and it is this type that will be discussed in this section. This line of criticism aims not so much at the separation of administration from politics, but rather at its subordination to politics as it is supposedly prescribed by the dichotomy. It comes to the defense of administration and opposes the notion of political primacy. Often, authors adopting this approach ask for a more important role of the executive and the administration in modern government and argue that administrators, with their expertise, should not be denied a considerable say in the making of public policy (Waldo 1948: 128; 1980: 68–69). Like the orthodox authors, these critics are often biased in favor of administration and against politics and constitutionalism. Indeed, this bias is a continuous trait in the Public Administration literature. Sometimes this type of criticism is also inspired by an aversion to hierarchy as such. Frederick Thayer, for instance, author of a book titled *End to Hierarchy! End to Competition!* and affectionately called a “constructive crazy” by Waldo (Harmon 2007: 457), regarded the dichotomy as the possible cause of major disaster, so that he even stated that “policy and administration must be merged if humanity is to survive” (1984: 267). He basically equated politics/administration with superior/subordinate: “The politics–administration dichotomy

restates the principle of ‘delegation of authority’ by a superior (policymaker) to a subordinate (administrator)” (1984: 267). Because he wanted to do away with hierarchy in general, he also opposed the politics–administration dichotomy. Thayer himself was well aware that his ideas were very utopian, but however difficult, he regarded the abolition of hierarchy as absolutely necessary: “The ultimate task (. . .) is to design a world in which there is no hierarchy, hence no policy-administration dichotomy” (1984: 275).

In the mainstream literature, the general concern of authors opposing a dichotomy that makes administration subordinate to politics is that it would relegate administration to the role of a passive instrument. Levitan has argued that the dichotomy turns public administration into a mere tool, and that this has two undesirable effects: first, it negatively affects the quality of government officials and hence the quality of policy and of administration itself, and second, it creates the temptation to transfer administrative techniques to other countries where they prove to be unworkable (1943). While the latter point was already recognized by the classics, the former has also been brought forward by Waldo, when he claimed that the dichotomy is “prescriptively pernicious” because “administrators, more generally those in administrative operations, have knowledge denied [to] citizens and politicians, and this knowledge should become part of the policy-making process” (1980: 69).

These heterodox concerns about a situation in which administrators would unthinkingly and automatically execute the will of their political superiors should also be understood against the background of the horrors of the Second World War. In the argument for leaving administrators room to make their own value decisions, topical but mostly not very elaborate references tend to be made to Nazi Germany, the Nuremberg trials, and above all to Adolf Eichmann as the archetype of the obeying, unthinking bureaucrat hiding behind his official status to evade responsibility for his actions (e.g., Waldo 1971: 267; 1984b: 108; 1987: 93; Rabkin 1998: 158). Long was again very explicit when he said he was glad the American bureaucracy was “no neutral instrument like the German bureaucracy, available to Nazi and democrat alike, pleading its orders from ‘*die höhe Tiere*’ as an excuse for criminal acts. Be it noted that this plea of duty to carry out orders neutrally met short shrift at Nuremberg” (1952: 817). This way of ascribing the horrors of the Holocaust to an institutional arrangement like the dichotomy has the tendency, however, to obscure the importance of the personal (im)morality of the officials involved. One can wonder, moreover, whether these allusions and references to Nazi Germany are very pertinent at all. In Chapter 6, Section 6.4, I will argue that the idea that Nazi Germany was characterized by an extreme dichotomy between politics and administration is very problematic. It rather seems that the dichotomy was severely violated there or drastically reduced to its subordination aspect. But even if the dichotomy had been an important feature of that regime, the abuse of an idea in one context need of course not make it useless in other contexts.

A more refined and extended version of these normative criticisms has recently been offered by Michael W. Spicer in his book *In Defense of Politics in Public*

Administration (2010). Drawing on the thought of Isaiah Berlin, Bernard Crick, and Stuart Hampshire, he offers a defense of value pluralism, that is, the philosophical position according to which moral values are often inherently conflicting and even incommensurable, so that fully rational choices between them cannot be made. The opposite view (value monism) is untenable, he claims, because it conflicts with “ordinary human experience” and easily leads to instrumental rationalism, utopianism, and ultimately fanaticism and violence. After defining politics as the practice of resolving value conflicts in peaceful ways, through adversarial argument rather than by force, he argues that administrators inevitably are involved in politics-thus-understood. Hence, they should consciously sustain the (American) institutions of constitutionalism in which this kind of politics is embodied and also practice a habit of internal adversarial argument (“hearing the other side”) in their own moral reasoning.

Spicer’s contribution is important, because it offers a counterpart to the orthodox as well as most of the traditional heterodox approaches to the politics-administration conundrum. Unlike Wilson and Goodnow, he puts emphasis on the values of politics over those of administration, and he rejects the dichotomy. At the same time, his defense (and understanding) of politics diverges from that of Weber, while his rejection of the dichotomy is based on different grounds than that of Gulick and most other heterodox authors (see Table 4.1).

The uniqueness of Spicer’s position in the literature makes his work theoretically relevant, but not unproblematic. This is not the proper place for an extensive discussion of value pluralism* and Spicer’s defense of constitutionalism has to be considered in Chapter 6. Here, I want to make two points about the argument with which Spicer underpins his views on the relationship between politics and

Table 4.1 Spicer’s position

	<i>In defense of administration</i>	<i>In defense of politics</i>
Politics and administration separated	Wilson, Goodnow	Weber
Politics and administration mixed	Standard PA heterodoxy (e.g., Gulick)	Spicer

* Several critical questions suggest themselves, however, such as: How can moral values be at the same time conflicting and incommensurable (i.e., be of different orders)? Is not value harmony as much a part of the universal moral experience of mankind as value conflict? Why should we accept ordinary moral experience as a guide in this deep matter rather than extraordinary moral experience (e.g., in the face of death) or the moral experience of certain extraordinary individuals (such as philosophers or saints)? And cannot value pluralism lead to a reckless decisionism and willingness to sacrifice some moral values for the sake of others, while value monism sustains caution based on a healthy sense of imperfectness?

administration. First, it must be noted that there is no strong or direct connection between value pluralism and his position that administrators must participate in politics. It is striking (and unacknowledged in the book) that Max Weber, for one, emphatically endorsed the former, but not the latter. In fact, it seems, rather, that it is Spicer's overly broad definition of politics as "peacefully resolving value conflicts" that makes the involvement of administrators (and of judges, teachers, and parents, apparently?) in politics inevitable.

Second, as we have seen before, it is not necessary to associate the politics–administration dichotomy with highly rationalistic and scientific understandings of governance. Contrary to what Spicer seems to think, utilitarianism is not the only alternative to liberalism (and certainly not the most defensible kind of value monism). Spicer does not make clear why attempts to keep administration apart from politics must inevitably reduce it to a merely instrumental, value-barren activity. He insufficiently recognizes the possibility that administration can still be conceived as morally relevant, with room for value decisions within the bounds of discretion, when it is kept separate from and subordinate to politics. As I hope this book makes clear, one can very well share Spicer's sympathy for Oakeshottian anti-rationalism, Madisonian constitutionalism, and a humanistic approach in Public Administration without rejecting the politics–administration dichotomy.

While most empirical criticisms of the dichotomy are aimed at the separation between politics and administration, most normative criticisms have been directed at the idea of administrative subordination and instrumentalization. Thus, they draw heavily on the heterodox reconceptualization of the dichotomy noted earlier: the idea that the dichotomy turns administrators into passive instruments in the hands of politicians. We have already seen that this is a misrepresentation of the classical dichotomy: neither Wilson nor Goodnow, nor even Weber wanted to do away with (if they could) the legitimate role and decision-making power of administrators. On the contrary, they granted public administrators considerable discretionary scope. Particularly Wilson and Goodnow aimed to protect public administrators against political interference. In my estimation, the normative criticisms carry more weight than the empirical criticisms, because they point to real dangers caused by one-sided understandings of the politics–administration dichotomy. Strict separation without subordination, or strict subordination without appropriate independence, can ultimately have undesirable and perhaps even disastrous consequences. This should induce us, not to abandon the dichotomy as such, but to seek an understanding that keeps these aspects in balance.

4.5 A Note on Discretion

In all three lines of criticism against the dichotomy—conceptual, empirical, and normative—the concept of administrative discretion plays an important role. This notion has been the starting point for many attacks on the dichotomy. We have

already seen that, conceptually, administration was equated with policy making. As Dimock wrote, “politics (in the sense of law or policy) runs all the way through administration” (1937: 32). The notion of the “continuity of the policy-formulating process” was central to the earliest critiques of the dichotomy (Kaufman 1956: 1067). It meant there was no rift between making policy on the one hand and executing it on the other: “The concrete patterns of public policy formation and execution reveal that politics and administration are not two mutually exclusive boxes, or absolute distinctions, but that they are two closely linked aspects of the same process” (Friedrich 1981: 198).^{*} But if public administrators are involved in policy making, how exactly do they contribute? Heterodox critics of the dichotomy have mostly not suggested that public administrators take the pen from politicians to draw the broad lines of public policy themselves. Instead, they believed that administrators shape public policy (both in its preparation and implementation) more indirectly through innumerable small decisions in their everyday work. Gulick said the work of public employees could be seen as “a seamless web of discretion and action,” and administration was found to be “a continual process of decision-action-decision-action” (1933: 60). What may be called the argument from discretion runs as follows: because public administrators have (or should have) discretionary freedom to take decisions, they are (or should be) able to shape or at least influence public policy, and therefore they are (or should be) ultimately involved in politics—which makes the politics–administration dichotomy inadequate (in its descriptive and prescriptive form).

This argument from discretion is very common in the Public Administration literature and it is currently perhaps the main argument against the dichotomy. In his *Ethics for Bureaucrats*, for example, John Rohr uses administrative discretion to explain the “demise of the dichotomy,” arguing that “[t]hrough administrative discretion, bureaucrats participate in the governing process of our society” and that “to influence public policy as a public official is to govern” (1989: 23, 48–49). The reasoning is seriously flawed, however. To see why, we must first look at the meaning of discretion as such.[†] In his book *Taking Rights Seriously* legal philosopher Ronald Dworkin examines the discretion of judges and explains that it is not meaningful to use the concept of discretion whenever someone is free to make choices, but only under much more specific conditions:

The concept of discretion is at home in only one sort of context; when someone is in general charged with making decisions subject to standards set by a particular authority. (. . .) Discretion, like the hole in a

^{*} Only a few sentences later, Friedrich acknowledged that “there is probably more politics in the formation of policy, more administration in the execution of it” (1981: 198)—which is, according to his opponent Finer, “a delicious understatement” (1981: 210).

[†] For elaborate studies of discretion, both of judges and administrative officials, see Davis (1969) and Galligan (1990).

doughnut, does not exist except as an area left open by a surrounding belt of restriction. It is therefore a relative concept. It always makes sense to ask, ‘Discretion under which standards?’ or ‘Discretion as to which authority?’ (1977: 31)

So, discretion, Dworkin argues, cannot exist without restrictions and presupposes a relationship with an authority. This is not only true of judiciary discretion but of discretion in general and hence also of administrative discretion. In fact, the idea that discretion is by definition constrained was already acknowledged by Gulick: “Discretion, the use of judgment, is the right to choose within a constraining framework of necessity” (1933: 61). As long as we want to give administrators discretion, not free rein or sovereignty (as no critic of the dichotomy has proposed), we necessarily presuppose restrictions on their action. In modern forms of government such restrictions are typically defined by politics. Hence, the argument from discretion against the dichotomy cannot withstand close scrutiny. It runs too rashly from administrative discretion to policy making to political involvement. The fact that administrators have discretionary freedom, no matter how much or how little, in itself does not mean that they are involved in policy making. And even when administrators are involved in the determination of public policy, they still cannot be said to be involved in politics.*

In his provocative book *Public Administration’s Final Exam* (2006), Michael Harmon employs the concept of administrative discretion to undermine the politics–administration dichotomy in another, more subtle manner. He tries to show that it is impossible to legitimize administrative discretionary action and that therefore the entire project of (rationally) legitimizing public administration is a failure. This seems an odd way to proceed. Instead of concentrating on the kind of administrative action that he presumes (plausibly enough) to be the most difficult to legitimize, he should rather have taken the kind that is most easy to legitimize: if that cannot be legitimized, no one can. Nevertheless, his discussion of discretion deserves our attention. He argues that, as long as we assume a dichotomy between politics and administration, discretionary administrative action by definition cannot be justified by an appeal to an external rule or authority, because if it could, it would not be discretionary (2006: 22). And, he continues, because discretionary administrative action cannot be justified by such an external rule or authority, it cannot be justified at all: “A justifiable discretionary act is a redundant term” (2006: 22; cf. pp. 131, 138). Thus, discretionary administrative action inherently involves, he says with reference to Sartre, getting one’s hands dirty. Ultimately, the politics–administration dichotomy renders all discretionary administrative unavoidably illegitimate.

* Another problem is that the precise nature and extent of administrative discretion are often left unconsidered in most criticisms of the dichotomy. It is simply assumed that public administrators have (a great deal of) discretion, but this issue deserves close empirical scrutiny as well.

This is a sophisticated argument, but it overlooks the fact that within its restrictions discretionary administrative action may well be legitimated on other grounds than an explicit political command or regulation. Typically, the restrictions on administrative discretionary action are laws and other regulations. This leaves open the possibility (indeed the probability and desirability) that administrative discretionary action itself is subject to other norms, such as professional or moral norms. In their work, and especially in their exercise of discretion, administrators should be guided both by external incentives and by an “inner check” (cf. Finer 1981; Friedrich 1981). And when, finally, within the limits of all these norms still some discretionary room is left, choices made are not necessarily unjustified and dirty, as Harmon suggests, but instead they are all fully justified. Discretion, after all, means that one is *allowed* to do whatever one chooses within certain restrictions, and often there will be several ways to do a job that may all be, though perhaps not equally, acceptable. In the exercise of discretion, therefore, it becomes particularly clear that public administration can be regarded as a form of practical reasoning in which the virtue of practical wisdom (*phronesis, prudentia*) is of special importance (Dobel 2001: 361–363; Morgan 1990; Nieuwenburg 2003).

We can yet go one step further. Not only does the argument from discretion not seriously affect the politics–administration dichotomy, but it can even be turned in its favor. The concept of discretion implies the notion of separation as well as subordination at the same time. Thus, it can serve as an important conceptual tool to combine political primacy on the one hand and (some measure of) administrative independence on the other. By granting public administration a subordinate yet legitimate scope for action, the notion of discretion nicely suits my constitutional understanding of the dichotomy (see Chapter 6).

4.6 A Radical Rupture

The previous chapter showed how revisionist historiographers such as Van Riper and Svava have cast doubt on the endorsement of the politics–administration dichotomy by classical authors, in particular Wilson and Goodnow. They have argued that these classics never seriously intended to separate politics and administration but rather favored a ‘complementary’ relationship between them. More generally, they have argued that the dichotomy was not the founding theory of (American) Public Administration. Although such readings of the classics proved to be problematic, they have become widely accepted and are likely to have contributed to the further erosion of the dichotomy’s respectability and acceptability. Somewhat ironically, however, these same revisionist historiographers have also qualified the abandonment of the dichotomy by heterodox authors. Svava in particular has claimed that what heterodoxy opposed was not the idea of the dichotomy as such, but only its strictest manifestations in practice. As a result of this double move of qualifying first the classical endorsement and then the heterodox abandonment of

the dichotomy, he has been able to claim a strong continuity between the two periods. Only during a short interval of orthodox thinking in the 1920s and 1930s, he argued, the strict dichotomy was really endorsed, but this was nothing more than an “aberration” (1998).*

Now it must be admitted that the heterodox authors sometimes have given reasons to think that their opposition to the dichotomy was not very determined. In his own contribution to the heterodox assault on the dichotomy, Waldo, for instance, asserted that “disagreement is not generally with politics-administration itself; only with the spirit of rigid separatism” (1948: 121). Moreover, he often added qualifiers to his declarations of the death of the dichotomy, writing that a “simple” and “sharp” dichotomy between politics and administration has to be rejected as untenable (1948: 128 and 207, respectively) and that “politics-administration, at least in the you-go-your-way-and-I’ll-go-mine form, is fast becoming an outworn credo” (1948: 122). Thus, he suggested that other, more subtle versions of the dichotomy could perhaps be viable. Such nuances notwithstanding, however, the view that heterodoxy was just an extension of an ongoing tradition of ‘complementarity’ is untenable. The thrust of the heterodox arguments about the dichotomy is clearly dismissive. Whereas the classic authors intended to *disjoin* politics and administration the heterodox authors attempted to *join* them. This is a crucial difference that cannot be blotted out without thwarting the explicit arguments in the sources. When we further examine what exactly it was that heterodoxy rejected, we see that it was not only the practical separation of politics and administration, but also the conceptual distinction between them. Thus, the heterodox authors downplayed or rejected Wilson’s basic proposition that “administrative questions are not political questions” (1968a [1887]: 370–371). In general, the heterodox authors were convinced of three points: first, that a dichotomy between politics and administration was generally endorsed in Public Administration before the Second World War; second, that this dichotomy was conceptualized mainly as an instrumentalist distinction between deciding and executing; and third, that the dichotomy, thus understood, should be rejected as both empirically and normatively indefensible. The fact that only the first of these claims bears some truth does not make their opposition to the dichotomy any less.

Thus, the idea that there is a strong continuity between heterodoxy and earlier thinking about the dichotomy must be rejected. The heterodox break-away from the dichotomy was a radical rupture in the tradition of thinking about the

* Svava blames a 1958 essay by Wallace Sayre for “derailing the evolving discussion of the interaction of politics and administration” after the Second World War (2001: 178) and for introducing the view that the dichotomy was the foundation of Public Administration. By putting forward this “creation myth,” Svava argues, Sayre’s essay forcefully distorted both historiography and theory development: “From this point forward, the view that public administration is based on the simple dichotomy takes hold” (1999a: 684; cf. 2001: 178; 2007: 37). It seems exaggerated, however, to present Sayre’s four-page essay as a “watershed”; it did not have that much impact. Studies such as Waldo’s *The Administrative State* have been much more important to establish the historiography of Public Administration Svava opposes.

subject. Some (nonrevisionist) Public Administration historiographers have found this change of attitudes toward the dichotomy strong enough to use it for dividing the history of the field into different periods. Henry (1987), for instance, used “politics–administration dichotomy” to designate the earliest phase in the development of (American) administrative thinking. Likewise, Kaufman (1956) discerned a period of support for “neutral competence” in the history of Public Administration. Finally, Golembiewski (1977: ch.1) distinguished between four phases and argued that the dichotomy was endorsed in phase I (“analytical politics-administration”) and II (“concrete politics-administration”), and rejected in phase III (“a science of management”) and IV (“the public policy approach”). In all these variants, there is an important difference in administrative thinking about the dichotomy before and after the Second World War.

Within the study of public administration, the advent of heterodoxy had multiple consequences, some of them positive and others negative. On the positive side, one can say that the subfield of administrative ethics has developed rapidly precisely because of the ‘discovery’ of administrative discretion and the concomitant rejection of the dichotomy (Rohr 1989; Svava 2007). This development can be considered a beneficial effect of the rejection, however misinformed, of the dichotomy. On the other side of the balance sheet, however, there are severe costs: in particular it can be argued that the heterodox rejection of the dichotomy has thrown Public Administration into a serious identity crisis, so that it “could not decide how it should define itself and by what principles it should act” (Waldo 1980: 69).

The heterodox assault has managed to establish the dichotomy as an extreme and instrumentalist idea in which public administration is excluded from policy making and turned into a passive instrument in the hands of its political superiors. Because most empirical and normative criticisms of the dichotomy are directed against this distorted interpretation they usually do not hold much water. As Thayer aptly wrote, “textbook attacks on the dichotomy are false advertising” (1984: 264). Nevertheless, the extreme interpretation, is very persistent. Many knowledgeable theorists are decidedly prejudiced against the dichotomy and deliberately stick to its most untenable understandings. Svava, for instance, has rejected out of hand a proposal by Montjoy and Watson to reinterpret the dichotomy in a way that allows administrators to participate in policy making and only isolates them from partisan politics: “The ‘strict’ definition is the dichotomy model. It is not conceptually possible, as Montjoy and Watson suggest and as many practitioners would prefer, to have a one-way dichotomy that keeps elected officials out of administration but allows administrators to be active in policy-making” (1998: 52; cf. p. 57).^{*} It is not at all clear, however, why this moderate understanding is “not conceptually possible”; Svava

^{*} As other moderate understandings of the dichotomy, Svava mentions those of O’Toole and Rohr (Svava 1999a: 698 n. 2 and 700 n. 18, respectively). A comparable idea is Witte’s suggestion (1993) to conceive of a *trichotomy* with policy-managers standing in-between, and partaking in, both politics and administration.

simply insists that the dichotomy poses “a strict separation between elected officials and administrators and a narrow, instrumental role for administrators” (Svara and Brunet 2003: 202; cf. 1999a: 678; 2004: 6). In its “strictest statement,” he asserts, the “dichotomy model” consists of the following four propositions (2007: 37):

1. Elected officials do not get involved in administration.
2. Administrators have no involvement in shaping policies.
3. Administrators occupy the role of a neutral expert whose responsibility is restricted to efficiently and effectively carrying out the policies of elected officials.
4. Presumably, administrators do not exercise discretion. To do so opens the door to interpreting policy and choosing how and to what extent it will be applied.

This is a very strict statement indeed. Of these four propositions, only the first can be reasonably regarded as an expression of (a part of) the politics–administration dichotomy. The other three are entirely alien to the classical or, for that matter, any other meaningful understanding of the dichotomy. We can easily grant Svara that, understood in this way, the dichotomy is wholly indefensible and that it has found little if any support in the history of the field, but clearly this unduly strict view is not the only possible understanding of the dichotomy.

Although the heterodox authors have been very effective in their radicalization and rejection of the politics–administration dichotomy, the idea has not completely disappeared. After the heterodox assault, the field has had problems getting rid of the dichotomy and its abandonment, however loudly proclaimed, has often been only partial and half-hearted (Harmon 2006: 13–20).^{*} The great difference with earlier thought, however, is that the idea has now entirely lost its respectability and support. It is generally believed that the dichotomy, if not dead, is at least irrecoverably injured and that we should rid ourselves of it if only we could. Convinced that the dichotomy can no longer be seriously advocated, several administrative theorists have attempted to develop alternative conceptual constructs to capture the relationship between politics and administration. These alternatives are the subject of Chapter 5.

^{*} Harmon has noted the impossibility of getting rid of the idea, given the American constitutional order, the established administrative state, and their “concomitant set of public beliefs about ‘the way things are’”: “No matter how persuasive my critique of public administration’s standard narrative (..), some nominal distinction between ‘politicians’ (policy *makers*) and ‘administrators’ will persist for the foreseeable future, including continuing concerns about their proper spheres of influence and relation to one another” (2006: 7).

Chapter 5

Viability Substitutes?

[A]fter the discrediting of ‘politics-administration’ we have made little progress in developing a formula to replace it. (Waldo 1971: 264)

5.1 The Quest for ‘The Formula’

The previous chapter showed that since the middle of the twentieth century a range of criticisms has been launched against the politics–administration dichotomy. On close examination, most of these criticisms turned out to be directed against “oversimplified, distorted” versions of the original idea (Waldo 1968b: 13), but the dubious validity of the criticisms has not led to a serious reconsideration of the abandonment of the dichotomy, let alone to a reappraisal of its worth. For most students of public administration, the criticisms simply preclude the possibility of endorsing the dichotomy again. Its reputation has been damaged so badly that hardly anybody ventures to speak up for the dichotomy. Those that have done so (Waldo in his later writings, Stene, Montjoy and Watson, and a few others) are exceptional and not much listened to. Instead of attempts to recover the dichotomy, its alleged failure has created a strong urge to find alternatives. Since the late 1940s, the need to replace the dichotomy with other ideas has been continuously felt and occasionally expressed. Frederick Mosher, for instance, stated that “on the theoretical plane, the finding of a viable substitute [for the dichotomy] may well be the number one problem of public administration today” (1982: 8). The urge to find a “viable substitute” was further exacerbated by the belief—introduced by Waldo—that the abandonment of the dichotomy had helped to throw the field

of Public Administration into a serious identity crisis (1968b: 3–11; Brown and Stillman 1986: 148).^{*} In the quest for an alternative, therefore, more was at stake than the relationship between politics and administration only; the alternative also had to help restore the unity and self-esteem of the field.

Despite the acknowledged need for an alternative, it has often not been very clear what was actually required. The original purpose of the dichotomy being lost from sight, the criteria for its substitute were mostly left undetermined. Waldo wrote vaguely about the need for a “formula” (1971: 264–265; 1977: 9) or a “solution” (1977: 18) without being very specific about the character of the formula or the problem at hand. Only one requirement seemed clear: the alternative had to be more ‘realistic’ than the abandoned dichotomy had been. In particular, it had to recognize the legitimate existence of administrative discretion. Because of the indeterminacy of the required alternative, a great variety of suggestions have been made, ranging from modest reconceptualizations to proposals for the wholesale replacement of the dichotomy. This chapter offers an overview and assessment of various alternatives to the politics–administration dichotomy. Because the set of possible alternatives is so large and diverse, I limit myself to some important exemplary cases that have explicitly been offered to replace the dichotomy. To present them systematically, I use a distinction drawn by Michael Harmon between what he calls “four strategies for dealing with dualisms” such as politics/administration, namely, “splitting,” “reconciling,” “inverting,” and “dissolving” (2006: 23–25). In the following sections, these concepts are used—albeit in a slightly different order—to categorize the suggested alternatives into four groups, beginning from the least radical proposals and continuing with proposals that increasingly deviate from the (classical) dichotomy (see Table 5.1).

Table 5.1 A range of alternatives

	<i>Harmon's categories</i>	<i>Distinction?</i>	<i>Dichotomy?</i>
Section 5.2 Quasi-alternatives	Splitting	Yes (revised)	Yes
Section 5.3 Typologies	Inverting	Yes	Yes (among others)
Section 5.4 Complementarity	Reconciling	Yes	No
Section 5.5 Unifying concepts	Dissolving	No	No

^{*} The connection between the dichotomy and the identity crisis of Public Administration is nicely illustrated by the following index entry: “Politics–administration dichotomy, 63, 66, 67, 99, 198, 264 (n. 75). See also Identity crisis” (Farmer 1995: 311).

In the following section (Section 5.2), I first discuss alternatives to the dichotomy that resemble what Harmon calls splitting strategies. These are alternatives that, in his words, not only affirm the conceptual “dualism” between politics and administration, but also “urge as a practical matter the institutional separation of these activities” (2006: 23). I call them ‘quasi-alternatives’ because they do not really replace but rather reconceptualize the politics–administration dichotomy. In most cases, they particularly offer a revision or specification of the distinction between politics and administration and leave the dichotomous relationship between them unaffected. The next section, Section 5.3, discusses some typologies developed for the empirical study of political-administrative relationships. In these typologies, the dichotomy usually appears as one of various possible ways in which politics and administration can be related. These typologies are reminiscent of Harmon’s inverting strategies, although I recognize that for Harmon “inverting” means something more radical and subversive than it does here. For him, inverting strategies are “eccentric” attempts to reverse the priority of the two moments in, for instance, politics/administration or value/fact so as to “destabilize” and undermine the taken-for-granted status of such dualisms (2006: 24, 72). In comparison, most typologies discussed here are much more conventional, but they do resemble Harmon’s notion of inverting in the sense that they allow for the variation and potentially even the reversal of the traditional (hierarchical) relationship between politics and administration. The alternatives discussed in Section 5.4 (the third alternative) are still more radical than those in the previous category because here ‘dichotomy’ is no longer even a possibility. The concept is rejected and replaced by other relational concepts that are supposedly less antithetical. These alternatives resemble Harmon’s reconciling strategies: they try to harmonize politics and administration, even though they still affirm the conceptual distinction between them. Svava’s complementarity model is the most important example in this category. Alternatives in the fourth category (Section 5.5), lastly, imply the rejection not only of the practical dichotomy but also of the conceptual distinction between politics and administration. In this sense, they attempt to deconstruct (or “dissolve” in Harmon’s terminology) the very distinction between politics and administration and to fuse them by means of other, unifying concepts such as ‘government’ and ‘governance.’

The discussion of such a great range of alternatives to the dichotomy can, of course, not be exhaustive or very extensive. Hence, I dwell only briefly on each alternative and do not aspire to give a full overview of the different approaches in administrative thought to which they belong. Ultimately, this chapter (like the whole study) serves a theoretical rather than merely a historiographic purpose. After the discussion of the four categories, therefore, I will address the pertinent question whether any of these alternatives offers a ‘viable substitute’ to the politics–administration dichotomy, and if not, which requirements such a substitute would have to meet. These questions are addressed in the final section (Section 5.6).

5.2 Quasi-Alternatives

In Chapter 4, it has been argued that since the late 1930s the politics–administration dichotomy has predominantly been conceptualized in an instrumentalist manner: it was increasingly believed to mean that politicians take decisions (or make policies) without assistance and that administrators carry out these decisions (and policies) without discretion and judgment of their own. Until about the 1980s, this strict deciding/executing distinction was widely regarded as a faithful interpretation of the classical dichotomy, and only recently have administrative theorists and historiographers come to realize that the position of classical authors such as Wilson and Gulick was, in fact, much more subtle. Even though the classics have now been acquitted of the simplicities previously ascribed to them, however, the dichotomy itself continues to be interpreted in the instrumentalist way and is hence still generally rejected.

In this light, it is remarkable that even today distinctions are endorsed that remain very close to the instrumentalist dichotomy. A case in point is the distinction between ‘policy’ and ‘operations’ in New Public Management (NPM) theory. From the perspective of NPM, the ministerial departments of central government should limit themselves to the formulation of general policies and leave their implementation and other operational work to semiautonomous executive agencies (Box 1999: 21, 33). This division, though perhaps strictly one between two types of administration, is sufficiently close to politics/administration and policy/administration to evoke the association with the dichotomy. Writing about the British context, particularly about Thatcher’s Next Steps programs, Du Gay notes: “At the heart of the managerialist imperative (...) lies the dichotomy between policy and operations. Ministers are accountable to Parliament for their policies and for the frameworks within which those policies are conducted; ‘operational’ matters are the responsibility of the agencies and in particular of their chief executives” (2000: 131; cf. pp. 89–91). The phenomenon of and the emphasis on agentification in NPM may be new, but its basic distinction between policy and operations can easily be recognized as a reworking of the instrumentalist deciding/executing interpretation of the dichotomy (cf. Andersen 2005; Polidano 1999: 204). Perhaps because of a widespread hostility toward NPM among administrative theorists, the policy/operations distinction has, however, not played a major role in recent debates about the dichotomy. Most reformulations of the dichotomy have, in fact, been deliberately distinct from the deciding/executing interpretation. Let me discuss three examples of ‘quasi-alternatives’ in which this is the case.

The first example is Herbert Simon, who has offered an important critique of the instrumentalist view of public administration. His *Administrative Behavior* (1997 [1945]) was one of the first and most influential works drawing attention to the involvement of administrators in governmental decision making and policy making. He strongly criticized the idea of a dichotomy (which he associated with Goodnow) between deciding and executing as conceptually flawed and empirically

untenable. Simon did, however, not dismiss the politics–administration dichotomy altogether. He adhered to it as a norm to be realized or at least approached in practice, but he tried to give it a new foundation. As a logical positivist, he put forward the fact-value distinction as a helpful perspective from which to understand the reality of administrative decision making. In his work, Simon made an important distinction between judgments and decisions: judgments are either factual or normative, but a decision comprises always value judgments as well as factual judgments. Decisions in which one of the two is absent do not exist. So Simon did not simply say that administrative decisions concern only facts and political decisions only values.* He did not want to *replace* the distinction between politics (or policy, as he consistently says) and administration by the value/fact distinction (*pace* Sayre 1958: 104). In practice, he acknowledged, one cannot directly define “the proper roles of representative and expert” on the basis of the fact/value distinction (1997 [1945]: 65). He did assert, however, that value/fact “clarifies” the distinction between policy questions and administrative questions (p. 55), that the latter distinction is “dependent upon” the former (p. 66), and that value/fact “is the basis for the line that is commonly drawn between questions of policy and questions of administration” (p. 67). Thus, he presented the value/fact distinction as a new theoretical foundation for the politics–administration dichotomy.†

As said, Simon did not only endorse the dichotomy as a theoretical construct, however. To achieve its realization in practice too, he believed four things were necessary, namely, first, to invent “procedural devices permitting a more effective separation of the factual and ethical elements in decisions”; second, to allocate decisions to the legislature or the administration according to the relative weight and controversial character of these elements; third, to provide the legislature with reliable information to make its own factual judgments; and fourth, to keep the administration “responsive to community values” and ultimately completely answerable for its discretionary decisions (1997 [1945]: 66). What is striking about these four suggestions is that they come very close to the classical dichotomy and that, taken together, they create the very same problems as the dichotomy (the difficulty to determine whether a particular issue is more suited for political or administrative treatment, the paradox of separating and subordinating simultaneously, the dual responsibility of administrators to their political superiors as well as the public, and so on).

* Waldo made this error in his well-known brief polemic with Simon, when he ascribed to Simon the view that politicians are occupied with “value decisions” and administrators with “factual decisions.” Later, Waldo had to acknowledge that he had misinterpreted Simon on this point (see Waldo 1952a: 97–98 for the initial claim; Simon 1952: 494–495 for Simon’s reaction; and Waldo 1952b: 503 for Waldo’s acknowledgment; for a later reflection on the debate, see Waldo 1965: 13 and for a secondary analysis, see Harmon 1989).

† See Nieuwenburg (2007) for a philosophical argument that “for *conceptual* (not empirical) reasons, Simon’s effort to ground the politics-administration distinction on the specific value-fact distinction fails” (p. 92). Cf. also Fry 1989: 230, Kirwan 1977: 323–325, and the profound critique of Storing (1962) as well as the secondary analysis of this critique by Chisholm (1989).

In sum, Simon tried to base the divide between politics (or policy) and administration on the value/fact distinction rather than on that of deciding/executing, and he gave suggestions to realize the dichotomy in practice. Although Simon's approach was revolutionary in its criticism of the deciding/executing distinction and its reliance on logical positivism, it was quite traditional in its suggestion to maintain the separation between politics and administration as two governmental realms. He thus offered only a partial criticism of earlier Public Administration theory. This led Waldo to conclude that Simon was merely substituting one dichotomy for another. He claimed value/fact was a surrogate rather than a solution for the politics/administration quandary and called this "Simon's fault" (1984a: xviii): "[A] generation now convinced that the separation of politics and administration was a gross error might view the fact-value dichotomy as but a variation of a tired theme" (1965: 16; cf. 1968a: 451; 1968c: 5). Long had basically the same opinion:

The attempt of some writers, influenced by logical positivism, to construct a value-free science of administration may well have the unintended and logically unwarranted result of reviving the policy-administration dichotomy [*sic*] in new verbiage. Policy would become a matter of determining values, a legislative-political matter; administration would consist in the application of the values set by the political branch to sets of facts ascertained by the administrative. (1954: 22)

Although this is, as we have seen, too strict an interpretation of Simon's position, the general criticism seems justified: with his emphasis on value/fact, Simon has offered little more than a specification of the politics–administration dichotomy and not a real alternative.*

Another example of a quasi-alternative to the dichotomy that departs expressly from the instrumentalist interpretation is offered by the German sociological theorist Niklas Luhmann (1927–1998). His work shows that a rejection of the instrumentalist understanding of the dichotomy does not have to start from Simon's strict behavioralism, but can also depart from the in many ways opposite structuralist starting point. As the sheer volume of Luhmann's work and his idiosyncratic conceptual framework prevent me from doing justice here to his complex system-theoretical approach, I will only discuss those aspects that pertain directly to the dichotomy. Although not influential in the dichotomy debate, they are rather instructive.†

* Apparently, Simon's approach still has appeal. Frank Vibert (2007) has recently defended a distinction between unelected and elected bodies in which the former are concerned with empirical judgments in the policy-process, and the latter with value judgments. Clearly, the "philosophical fact/value" distinction underlies this division, although Vibert himself denies it (pp. 48–49).

† For helpful discussions of Luhmann's position, see Grunow (1994); Brans and Rossbach (1997); and especially King and Thornhill (2005). For the use of Luhmann's system theory in a deconstructivist analysis of the politics–administration dichotomy in the Danish context, see Andersen (2005).

Luhmann has argued that the traditional politics–administration dichotomy was ultimately based on two “respectable and virtually irrefutable” distinctions, namely, higher/lower and ends/means, and that these two distinctions were closely related to one another (1971: 68).^{*} Both the hierarchical and the instrumentalist distinction must be rejected, however. According to Luhmann, their predominance has even “theoretically ruined” the American study of public administration (1971: 69; cf. Brans and Rossbach 1997: 428). Pleading for a less hierarchical and instrumentalist approach, he argues that besides deciding on the course of policy, politics also has the function of granting policy its legitimacy and that administration uses this legitimacy in its execution.[†] Later, he entirely departs from the conceptualization of politics/administration as deciding/executing and (not very unlike Simon) equates administration with decision making and politics with the setting of decision premises. For Luhmann, politics and administration are mainly governmental functions rather than institutions: “In Luhmann’s view, ‘politics’ and ‘government’ are functionally and analytically differentiated” (Brans and Rossbach 1997: 428; Mayntz 1982: 43). He realizes that the “complex relationship” between politics and government “is not easily translatable into a particular institutional boundary” (Brans and Rossbach 1997: 429–430).

This does not deny that an important division exists between politics and administration in practice. Luhmann observes that the modern political system is actually differentiated into three subsystems, namely, “the politically relevant public,” “government,” and “(party) politics” (1982: 153; cf. 1966: 76; Brans and Rossbach 1997: 427). For us the distinction between the last two of these is the most important. In his theoretical language, the dichotomy between *Regierung* and *Politik* must be understood as an internal differentiation of the governmental system: “As to their roles and principles of rationality, politics and administration are fundamentally separated. Of course, this does not exclude broad contact zones (. . .). This differentiation, that systemically separates political communication processes and bureaucratic decision processes, is the groundwork of our state order” (1966: 75). He speaks of a “structural and concrete role differentiation” and “two distinct communication spheres with their own organizations and behavioral styles, languages, viewpoints, and standards of rationality” (1971: 66).

Luhmann’s treatment of the distinction and dichotomy between politics and administration reminds one of Goodnow’s. Both described politics/administration primarily as a functional distinction, and yet they both also saw it as a practical division between different parts of government (though recognizing the difficulty

^{*} “Wenn man von allem Beiwerk abstrahiert, bleiben zwei ehrwürdige, gegen alle Kritik anscheinend immune Grundunterscheidungen zurück, die zur Bestimmung der Verhältnisse herangezogen werden: die Unterscheidung von oben und unten und die Unterscheidung von Zweck und Mittel.”

[†] “Politik = Legitimationsbeschaffung, Verwaltung = Legitimationsverwendung in der Herstellung bindender Entscheidungen” (Mayntz 1982: 42).

of drawing the institutional boundary). A difference with Goodnow, however, and an attractive aspect of Luhmann's work is his even-handed treatment of the dichotomy. He is not concerned with defending administration against the interference of politics, or politics against that of administration, but rather with analyzing the function of the dichotomy in the state. This makes his thought helpful for the constitutional understanding of the dichotomy that will be developed in Chapter 6. At the same time, it is clear that Luhmann offers not so much an alternative for but only a reconceptualization of the dichotomy.

A third—and again very different—example of a quasi-alternative is offered by principal-agent theory. This approach, which describes mutually obliging contractual relationships between principals and agents, has been applied to all kinds of social spheres, and from the mid-1970s onward, it is also relatively popular among political scientists with an interest in the administrative side of government. Indeed, it has become “the basis for an extensive set of studies relating bureaucracy to elected officials” (Waterman and Meier 1998: 173), and some even think it is “currently the dominant theory of the political control of the bureaucracy literature” (Waterman, Rouse, and Wright 1998: 13).^{*} Jan-Erik Lane has asserted that “the distinction between politics and administration is best analysed within the principal-agent framework” (2005: 46; cf. Frederickson and Smith 2003: 232–233), but he hardly substantiates this claim. An interesting aspect of principal-agent theory with regard to the dichotomy debate is that it attempts to combine administrative instrumentalism with a recognition of administrative discretion. One could say that the approach takes the deciding/executing distinction as its starting point and then tries to deviate from it as far as analytical rigor allows. Basically, principal-agent theory entails relatively straightforward assumptions about the relationship between political institutions and administrative actors. It assumes, for instance, an asymmetrical one-to-one relationship in which the political principal sets the tasks the administrative agent has to carry out. It suggests that politics supervises and controls the bureaucracy, although the limits to effective supervision and control receive much attention in the principal-agent literature as well (Krause 1999: 2–3). Moreover, and related to the first assumption, principal-agent theory presupposes a certain inherent conflict of interests (based on a difference of preferences) between political principals and administrative agents. These two assumptions already show that both the distinction and the (hierarchical) dichotomy between politics and administration have a place in principal-agent theory. The relevance of the approach lies, however, in the elasticity of its assumptions. Attempts have been made to loosen the idea of a “dyadic” relationship between one principal and one agent only by allowing for the existence of “multiple principals” (Waterman and Meier 1998; Waterman, Rouse, and Wright 1998: 16–17). When this is accepted,

^{*} For applications of principal-agent theory on political-administrative relations, see, for example, Krause (1999), Gill (1995), and Wood and Waterman (1994) (which includes Wood and Waterman 1991 and Wood and Waterman 1993).

the relationship between the agent and its multiple principals is understandably often less hierarchical as well (Waterman, Rouse, and Wright 1998: 17–18). Other assumptions that are loosened are that of unitary actors, of information asymmetry, and of agreement on goals. Waterman and Meier have made an effort to show what it means to relax all these assumptions (1998).

Waterman and Meier's comparison of the principal-agent model and the politics–administration dichotomy will be discussed in the next section. Here we can already observe that, despite the relaxation of several important assumptions, principal-agent theorists maintain that politics is the principal that gives certain orders and administration the agent that has to execute them. There are, as far as I know, no serious attempts to reverse this basic structure. Therefore, principal-agent theory remains, in my view, little more than a metaphor that can be used for the abstract modeling of hierarchical relationships. It highlights certain aspects of the relationship between politics and administrators, but does not offer a substantively new perspective. In fact, allowing for administrative subordination and independence vis-à-vis politics (and discretion), it is in fact a rather traditional perspective and certainly not an alternative to the dichotomy. As Waterman and Meier themselves conclude: “[W]hile the principal-agent model raises interesting questions for the study of political control of the bureaucracy, it is far from a generalizable model of bureaucratic politics” (1998: 198; italics deleted).

The literature thus provides several quasi-alternatives of the politics–administration dichotomy. They are mostly reconceptualizations or specifications (sometimes merely surrogates) of the distinction between politics and administration that leave the dichotomy as a construct intact. As such, they certainly do throw light on particular aspects of the content of the dichotomy, but they are much less helpful to understand its purpose and relevance. Neither do they contain attempts to frame the relationship between politics and administration in other ways than as a dichotomy: the presupposition that politics and administration are distinct and separate is not questioned. This is exactly the point of the alternatives in the second category.

5.3 Typologies

The empirical study of political-administrative relations that has burgeoned since the late 1970s has resulted in a large number of typologies that usually present four or five and sometimes more ways in which politicians and administrators can relate to each other. All these possibilities presuppose the distinction between politics and administration, but usually one of them is singled out and specifically presented as a representation of the dichotomy. I cannot discuss all available typologies extensively here, but concentrate on only six important examples. (Graphical representations of them can be found in the Appendix at the end of this chapter.)

The first is the well-known typology from *Bureaucrats and Politicians in Western Democracies* of Aberbach, Putnam, and Rockman (1981): a book that has been

praised, exaggeratedly, as the “most direct challenge to the policy/administration dichotomy” in the literature (Campbell 1988: 246). In their typology, the authors present a continuum of four possible interpretations or “images” of the relationship between politicians and administrators, understood as a division of roles and responsibilities: Image I (“policy/administration”) represents what they interpret as the traditional “policy-administration dichotomy” of Wilson and Weber; Image II (“interests/facts”) is a division in which politicians and bureaucrats have a different rationality and policy-input; in Image III (“energy/equilibrium”) the distinction is blurred even further and the two groups differ mainly by their style of engagement; and Image IV (“pure hybrid”) represents a situation in which political and administrative roles are linked and merged in one and the same official.*

The second typology was developed by B. Guy Peters, especially in his book *Comparing Public Bureaucracies* (1988; cf. 1987). It presents “five very basic and, each in his own way, extreme models of the relationship between civil servants and their nominal political masters” (1987: 258). The first of these, called the formal-legal model, for Peters represents the traditional politics–administration dichotomy associated with Wilson. In the second, the village life model, politicians and civil servants live and work closely together and form one elite community at the peak of government. The third (the functional village life model) is highly similar, except for the fact that here several “villages” are formed in different functionally differentiated policy sectors. The adversarial model (fourth), unlike all the others, represents a situation of conflict and antagonism. Finally, the administrative state model is a situation of administrative dominance over politics and thus is squarely opposite to the first model (Peters and Pierre 2001: 5). Except for this opposition, however, the five models do not form a clear kind of continuum and added to the fact that they differ on no less than five dimensions, it is safe to say that Peters offers a rather complex picture.

Waterman and Meier, third, have in their attempt to expand principal-agent theory (1998) developed a typology on the basis of three dimensions: goal conflict/goal consensus among politicians and administrators, information level of politicians (high/low), and information level of administrators (high/low). This makes for eight possibilities, which the authors describe in some detail (pp. 188–194), but which can be left aside here. It is only worth noticing that the authors say their “case 2” (goal conflict and an information advantage of the agent over the principal) “represents the classic case of a principal-agent relationship” (p. 189), whereas “case 6” (“bottom line”: again an information advantage of the agent, but now in a situation of goal consensus) represents “the classic case of the politics/administration dichotomy” (p. 191). I will come back later to this contrast.

* Interestingly, the initial research and the typology are not only often referred to in the literature, but have also been discussed and qualified by the authors themselves (Aberbach and Rockman 1988b, 1994, 1997, 2006). For a discussion of Image IV, specifically, see Aberbach and Rockman (1988a); for an attempt to divide Image IV into three subcategories, see Campbell (1988).

Finally, Svava has developed and gradually refined a whole range of typologies of political-administrative relations. Here I discuss only three of them. In a 1985 article, he presented his “dichotomy-duality model,” in which he distinguished between four governmental functions (mission, policy, administration, and management) and argued that “there is a dichotomy of mission and management, but policy and administration are intermixed to the extent they are a duality, distinct but inseparable aspects of developing and delivering government programs” (1985: 227; cf. Hansen and Ejersbo 2002: 735–738). Some years later, however, Svava expressed his doubts about the quality of this typology and started to develop others.* In 2001, he presented a typology that was based on two dimensions: high/low level of independence of administrators and high/low degree of control by elected officials. The ideal situation, which he terms “complementarity,” has a high level of both (see Section 5.4); the other three options are less desirable.† In 2006, finally, Svava presented another typology based on two dimensions (namely, the control of politicians over administrators and the distance and differentiation between them), but also discerns between standard and extreme situations on each axis (see the Appendix). What makes the resulting eight-model typology particularly attractive is that it is more comprehensive than most other typologies currently available in the literature and at the same time still quite clear and elegant.

On closer analysis, these six typologies of political-administrative relations can be divided into two types. The simplest typologies, the first type, are based on only one dimension: they vary only in the way in which certain activities are distributed among politicians and administrators. Examples are the typology of Aberbach, Putnam, and Rockman and Svava’s 1985 typology. The second type is more sophisticated in the sense that it includes multiple dimensions. Two dimensions return particularly often. The first is a dimension of asymmetry, hierarchy, or power distribution among politics and administration. The second dimension is a dimension of closeness/distance, fusion/separation, or conflict/cooperation between politics and administration. The typologies of Peters, Waterman, and Meier, as well as Svava (2001 and 2006), are all based on these two dimensions. It must be noted, however, that conflict/cooperation actually has another meaning than the other distinctions and thus should perhaps be treated as a third dimension.

More important and interesting for us is that in each of these typologies the politics–administration dichotomy is presented as or associated with one particular model. Aberbach *cum suis* explicitly named their Image I “policy/administration”

* “As a normative guide, I believe that this division is still useful although the manager is not excluded from formulating mission nor is the council completely removed from management—at a minimum it is involved in the choice and approval of the city manager. Conceptually, it is unclear whether ‘dichotomy’ is an appropriate term given this mixture” (Svava 1998: 57 n. 10).

† In the meantime, Svava has offered two other typologies in his studies of political-administrative relations in American and foreign local government (Svava 1999b; Mouritzen and Svava 2002: 43), but as they differ little from the 1985 and the 2001 versions, respectively, I will further leave them out of consideration here.

and said that it means that “politicians make policy; civil servants administer” (1981: 4). This designation clearly reflects the American heterodox, instrumentalist interpretation of the dichotomy, although the authors themselves present it as the old and simple idea that can be traced back to Wilson, Goodnow, Gulick, and Weber. Peters relates the politics–administration dichotomy to his “formal-legal” model and associates it with Woodrow Wilson and the famous *Yes, Minister* television series (which is remarkable, because that series particularly does *not* show the functioning of the formal-legal model). He says that, although “obviously a caricature,” the model remains “important (. . .) as a normative standard” (1987: 258). In addition, he notes that, “despite being a caricature to more detached analysts in academe,” it remains “a model that many real-world executives (especially political executives) carry with them into their work” (1987: 259). As we have seen, Waterman and Meier also present the politics–administration dichotomy as one out of their eight options:

When the agent and principal share goals but the agent possesses a great deal of information that the principal does not have, we have the classic case of the politics/administration dichotomy. (. . .) Agencies are delegated a task with a clear goal and then are simply left alone as long as no major disasters occur. (. . .) In the bottom-line agency relationship, bureaucrats are technocrats. They are hired for their technical expertise, and the organization is built around the goal shared with the principal. Unless the agent tries to shift the blame during periods of crisis, none of the common principal-agent problems occur. (1998: 191–192)*

Svara, finally, presents the politics–administration dichotomy in several different ways: first as a dichotomy between mission and management (1985), then as a “political dominance” model (2001), and finally as a “separate roles” model (2006b). In the last, interestingly, he describes it as a situation of “subordination and separation between politicians and administrators” (2006b: 957):

. . . in the separate roles model, the administrator’s behavior is shaped by technical expertise as well as organizational position and resources. Elected officials set broad policy and conduct general oversight of performance. Administrators stress separate roles and the subordination of administration to politicians. Although spheres are separate, clear but remote control of bureaucracy by politicians is presumed. Administrators are neutral vis-à-vis their political masters while at the

* Correspondingly, they formulate the following hypothesis: “In areas with goal consensus but information asymmetry that favors the agent, bureaucrats will become technocrats and form relationships with principals that resemble those of the classical politics–administration dichotomy” (Waterman and Meier 1998: 192).

same time being committed to upholding professional competence. They are guardians of the law and fundamental principles of public administration. Still, administrators may be prone to adopt a passive stance when politicians shift attention and priorities. (2006b: 958)

This description of the separate roles model is an understanding and even attractive description of the politics–administration dichotomy, in my view, but it is, it must be noted, not the normative view Svava himself chooses to adopt (see Section 5.4).

Despite differences, these depictions of the dichotomy in the typologies also have some common traits. Let me mention four of them. First of all, the most striking aspect is that in these typologies the dichotomy is typically presented as an extreme case, representing one far end of a spectrum. The opposite end of the spectrum is often harder to discern, particularly when a typology is based on multiple dimensions. It can be either a situation in which politics and administration are fused into a hybrid (as in Image IV of Aberbach, Putnam, and Rockman) or a situation in which administrators have the upper hand and predominance (as in Peters' administrative state or in Svava's bureaucratic autonomy model).

Second, the dichotomy is typically presented as a certain division of labor. This is particularly evident in the simple, one-dimensional typologies. Thus, according to Aberbach *cum suis*, the dichotomy allows politics to be involved in articulating ideals, brokering interests, and formulating policy, and it relegates administration to the implementation of policy. Likewise, in Svava's 1985 typology, politics is mainly involved in mission statement and policy formulation, and administration in policy implementation and bureau management. It appears that (again) the distinction underlying these typologies is basically the deciding/executing distinction.

Third, in these typologies, the politics–administration dichotomy often represents an asymmetry or power imbalance. Peters's formal-legal model, for instance, implies a situation in which “the political executives will be masters over policy. In that model, it will be the task of the political leaders to shape decisions, and the task of the bureaucrats to implement those decisions” (1987: 266). Conflicts are resolved by law and hierarchical command: “‘Yes, Minister’ is the accepted form of conflict resolution” (1987: 267). The style of interaction is authoritative and based on the “formal power” of politicians: “the legitimate ruling status of the political executive is accepted by the bureaucrat” (1987: 267). Similarly, Svava (2001) also associates the dichotomy with “political dominance.” Hence, according to these authors the dichotomy clearly implies a hierarchical relationship; conversely, the alternatives for the dichotomy are characterized by a greater equality, symmetry, and power balance between politics and administration.*

* Krause (1999) has described the relationship between politics and administration as a “two-way street” in which there is mutual influence: not only top-down from politics to administration, but also vice versa.

Finally, the typologies also credit the dichotomy with one other aspect, but it is an aspect they are more ambiguous about. For some, the dichotomy seems to imply differentiation, distance, and even conflict between politics and administration. This seems the case in the typology of Aberbach, Putnam, and Rockman (as they do not allow for “shared responsibilities” in their Image I) and for Svava (2006), who speaks of a “separate spheres” model. Conversely, the alternatives to the dichotomy are characterized by cooperation, overlap, and fusion. For others, however, the dichotomy implies the opposite, namely, a certain degree of closeness, partnership, or even integration between politics and administration. For Peters, the formal-legal model implies an “integrative tone” between politics and administration: “a rather smooth or integrated pattern of interaction” (1987: 266). Likewise, Waterman and Meier associate the politics–administration dichotomy with a substantial degree of goal consensus between politicians and administrators, and the principal-agent situation, by contrast, with goal conflict.* Perhaps the same goes for Svava (2001), who associates “political dominance” with a “low level of independence of administrators” and thus with a close relationship between the two groups. In sum, for some authors the dichotomy refers to an antagonistic relationship or at least a distance between politicians and administrators, whereas for others it represents a relationship that is relatively harmonious and close.

Studying these typologies has proved instructive, as they offer alternatives to, and also alternative understandings of, the politics–administration dichotomy. The dichotomy still has a place in them, but is presented as only one possibility among others.† However, whereas the quasi-alternatives discussed in Section 5.2 mainly modified the content of the dichotomy, these typologies change its purpose, turning the dichotomy into a model that can be tested by empirical research. That is why Aberbach, Putnam, and Rockman noted that “policy/administration” (notwithstanding its important role as the “official norm in every state” and as “part of the mythology of practitioners”) was understandably rejected by academics as untenable and unrealistic (1981: 5). Public servants simply have a stronger hand in the shaping of public policy and legislation than this strict model allows for. Hence, they and the other scholars who develop such typologies do not even pretend to take the dichotomy model very seriously.

* They note that “cases 2 [principal-agent] and 6 [politics–administration dichotomy] are symmetrical. Case 2, the traditional principal-agent model, is by far the most conflictual— one could even say the most political. Case 6, on the other hand, is the least conflictual and the least political” (Waterman and Meier 1998: 199).

† Waterman and Meier note that the politics–administration dichotomy is often seen as only an initial phase in the development of bureaucratic control theory, to be followed by “iron triangle and capture theories,” “the principal-agent model,” and Sabatier’s theory of “advocacy coalitions” (1998: 194; cf. Waterman, Rouse, and Wright 1998: 14–15). They reject this historiography as “simplistic,” however, because “the various discrete models that have for so long dominated the bureaucratic literature are not at all mutually exclusive” but rather exist next to each other (1998: 194–195). Needless to say, I agree.

Of course, designing models of political-administrative relations and testing them by empirical research is fully justified. The growing wealth of empirical studies shows us how these relations vary across settings and develop over time (Jacobsen 2010). Presenting one of the models as the classical politics-administration dichotomy and associating it with the names of Wilson or Weber is misleading, however. As I have argued in Chapter 3, the dichotomy was originally intended not as a descriptive but mainly as a prescriptive model. To substitute the dichotomy, therefore, its alternatives should be prescriptive as well. To my knowledge, Svvara is the only or in any case the most prominent author who has attempted to provide such an alternative. It is the subject of the next section.

5.4 Complementarity

In the third category of alternatives to the politics-administration dichotomy, we find ideas in which ‘dichotomy’ is no longer even one possibility among others (as in the typologies), but is replaced by other, supposedly less antithetical relational concepts. As Harmon has pointed out, the dominant approach in the current Public Administration literature is not to pit politics and administration against each other but rather to “reconcile” them:

Perhaps aware of [the] pitfalls of splitting strategies, the [Public Administration] standard narrative’s more typical strategy for dealing with the tensions between administrative discretion and political accountability is to try to show how they might be reconciled with one another by asserting that both in theory and in much observed practice they are essentially complementary to, rather than antagonistic toward, one another. The frequent tensions between them that do arise, therefore, must result from an absence of enlightened leadership by and mutual respect between politicians and administrators. (2006: 16)

‘Complementarity’ is indeed the key term here, and the most important scholar developing this notion as an alternative to the dichotomy has, again, been Svvara (cf. Harmon 2006: 16–19). Svvara does not claim originality for this alternative, however. He has argued that the bulk of the Public Administration literature in the past and present actually supports his complementarity model. In Chapters 3 and 4, I have taken issue already with this reading of Public Administration’s history, but it is undeniable that Svvara’s idea of complementarity (albeit not exactly in this terminology) certainly has had its predecessors. One very early attempt to formulate a “reconciling strategy” was made by Luther Gulick. He presented a new way of thinking about governmental relations, a “new theory” about the division of powers. Put at its simplest, he stated that politics and administration should be cooperative rather than competitive. The great challenges of the New Deal period,

he believed, required a new theory of government that would “be concerned not with checks and balances or with the division of policy and administration, but with the division between policy veto on one side and policy planning and execution on the other” (1933: 65–66). For Gulick the transformation would include a series of institutional changes, including a more powerful initiating role of the executive and a limited controlling role of the legislative (with veto power), the role of political parties and pressure groups largely remaining the same.

In Chapter 7 of *The Administrative State*, Waldo commented on Gulick’s proposals, and although he acknowledged a certain feeling of “anticlimax” after reading them, he was rather optimistic that they pointed in the right direction:

[W]e seem to be on the way to a more adequate philosophy of the powers and functions of government, their nature and interrelation. This new philosophy may not be ‘true’ in any final sense, but it will serve our purposes better than the formulae it replaces. (. . .) Gulick has probably indicated accurately many of the ‘bricks and straws’ from which the new theory will be fashioned. (1948: 128–129; cf. 1980: 77)*

Despite this initial sympathy, Waldo later appeared to be rather disappointed by this particular approach. In the introduction to the second edition of *The Administrative State*, he wrote that the hoped-for “new synthesis” of politics and administration “now seems remote” (1984b: lv; cf. 1965: 16). Presumably, he had realized that a mere plea for harmony and unity would be too naive an approach for relating politics and administration. Moreover, Gulick’s institutional proposals seemed to sharpen the legislative/executive distinction at the cost of the deciding/executing distinction—which is hardly an improvement if one wants to reconcile politics and administration.†

After Gulick, administrative theorists have not stopped seeking a ‘reconciling’ approach to politics and administration, however. Long, for instance, stated back in the 1950s that “political superiors and their subordinates can be looked upon as a

* Waldo named this solution “administrative politics” (1948: 125–126). It basically meant, he explained elsewhere, that politics not merely interacts with administration from the outside, but that it “is a phenomenon of administration itself” (1968b: 465; cf. Fry 1989: 226; Reussing 1996: 123–124; Carroll and Frederickson 2001: 3).

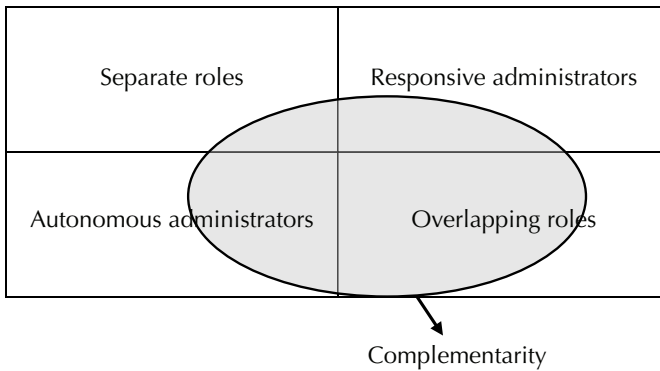
† Waldo also suggested that politics and administration might be reconciled in a “hierarchy” of interrelated values: “Through the idea of a ‘pyramid of values,’ the rigid division between ‘politics’ and ‘administration’ is replaced by an organic interrelation” (1948: 205). This solution has some obvious problems, however. It soon introduces a new distinction between higher-level political values and lower-level administrative values and offers little clarification of how politics and administration themselves are related. Indeed, different interpretations of the dichotomy might require different chains of values. If one takes into account the possibility of clashing values, furthermore, it is questionable whether the relationship could be a very “organic” one. Waldo never further elaborated on the idea.

problem-solving team” (1954: 29), and this view has been adopted by many others.⁸ Authors in this third category usually seek relational concepts that are supposedly more harmonious than ‘dichotomy.’ They typically find this concept too exclusivist, as if something can only be either political or administrative. Therefore, Svava has suggested to think of politics and administration as two distinct continua so that, to use a geometrical metaphor, a governmental phenomenon might score on both an x-axis of more-or-less-administrative and on an y-axis of more-or-less-political and thus be both at the same time (2001: 179; cf. also Nieuwenburg 2003: 215 and the ideas of Appleby described in Section 4.2). Though interesting, this idea has not yet been further developed. Instead, as we have seen, Svava’s typologies and complementarity model continue to presuppose that politics and administration are distinct phenomena, or at least that politicians (‘elected officials’) and administrators can be distinguished. Indeed, the very suggestion to cross ‘political’ and ‘administrative’ as two independent axes still presupposes that these adjectives have distinct meanings, and thus leaves at least this distinction intact.

A somewhat different but not unrelated objection to the concept of dichotomy is that it implies a primitive zero-sum logic, so that what administrators win in the power game, politicians must lose and vice versa: “The logic of *either-or* sees a cumulative process in which the supremacy of the elected legislative is replaced by the supremacy of an appointed bureaucracy” (Long 1952: 810). Now it may be asked why such a zero-sum logic is theoretically or practically problematic. Without addressing that question, however, Svava has simply argued that zero-sum relations between politics and administration are not inevitable, that win-win arrangements are possible. This is in fact the basic idea of his 2001 typology (see Appendix) and of his complementarity model more generally.

Svava presents his complementarity model as a “foundation on which we can build” (1999a: 676, 698). He has claimed that it has more historical, theoretical, and empirical support than any other model of political-administrative relations, particularly the dichotomy model. The historical claim has been considered in Chapters 3 and 4, and can now be left aside. As to the theoretical claim, Svava has argued that the complementarity model can be encountered in many recent theories about political-administrative relations (Svava and Brunet 2003). He himself often presents it as a blending of various other (standard) models of political-administrative relations, for instance, in an elaboration of the 2006 typology (see Table 5.2).

⁸ In a study about political-administrative relations in Australia, Dunn (1997) has argued for a “conditionally cooperative relationship” between politics and administration, which includes seven points, namely, blending the strengths of both in a symbiotic relationship (pp. 145–148); establishing and communicating clear objectives (pp. 150–153); establishing clear responsibilities and showing respect for neutral competence (pp. 153–159); amending the traditional dichotomy by allowing mutual involvement in policy making (pp. 159–163); appreciating the role of the legislature (pp. 168–170); and granting a longer tenure to political appointees (pp. 172–173). Writing about the Dutch case, Nieuwenkamp (2001) has made basically the same argument.

Table 5.2 Relating complementarity to standard models of political-administrative relations

Source: Reproduced from Svava (2006b: 968).

Empirically, lastly, Svava claims that the complementarity model is supported by the bulk of findings of studies on the local and the national level. In a study on the political-administrative relations in local government in several Western countries, conducted with Mouritzen, he has found that the great majority of interactions observed in local governments actually reflect complementarity and that “the characteristics of most administrators (...) are consistent with the idea of complementarity of politics and administration” (Mouritzen and Svava 2002: 254). And in the matrix visualizing the 2001 typology, the relatively large size of the ‘complementarity’ box is meant to illustrate the empirical generalization that “most interactions among officials reflect complementarity” (2001: 180).*

What is the content of this apparently widely supported model? Because Svava seeks a model that is not only normatively defensible but also accurately describes the dazzlingly complex empirical reality of political-administrative relations, he arrives at often very elaborate and nuanced formulations of how politics and administration do and should relate in practice. This can already be seen in his definition of the complementarity model:

The complementarity of politics and administration holds that the relationship between elected officials and administrators is characterized by interdependency, extensive interaction, distinct but overlapping roles, and political supremacy and administrative subordination coexisting with reciprocity of influence in both policy-making and administration. Complementarity means that politics and administration come together to form a whole in democratic governance. (1999a: 678; cf. 2007: 42–44)

* Similar conclusions have been drawn by Demir (2010), although he tends to confuse Svava’s complementarity model with his dichotomy-duality model. For empirical support of the latter, see also Browne (1985).

The essence of the complementarity model, and according to Svava also its strength, is that it “reconciles what have seemed to be contradictory aspects of public administration,” such as distinctness and interdependence, subordination, and autonomy (Svava and Brunet 2003: 204; cf. Svava 1998: 57).^{*} In particular, it supposedly reconciles a high degree of political control with a high degree of administrative independence (see the 2001 typology in the Appendix). Regardless of the logical possibility of this combination, Svava argues that possible tensions in this situation can be resolved by the moral commitment and mutual respect of the parties involved:

The reconciliation comes from recognizing the reciprocating values that underlie complementarity. Elected officials could, in theory, dominate administrative practice, but they are restrained by a respect for administrative competence and commitment. Administrators could use their considerable resources to become self-directed, but they are restrained by a commitment to accountability in the complementary relationship. (2001: 179)

The persistence of complementary relationships between politicians and administrators thus relies on their reciprocal value commitment: politicians respect administrative professionalism, and administrators respect political responsibility (1999a: 179). The complementary relationship between both groups ultimately depends on their *ethos*. Therefore, Svava has also often presented the complementarity model as a detailed list of guidelines specifying the attitude and behavior of administrators toward elected officials and vice versa, such as the following (2002: 10; cf. Svava and Brunet 2003: 203):[†]

Value commitments of administrators:

1. Administrators support the law and Constitution, respect political supremacy, and acknowledge the need for accountability.
2. Administrators are responsible for serving the public and supporting the democratic process.
3. Administrators are independent with a commitment to professional values and competence, and they are loyal to the mission of their agency.

^{*} Svava claims that his complementarity model is more “organic” (1999: 687, 688) than the dichotomy model, which he describes as “mechanistic” or “mechanical” (1998: 55; 1999: 683, 692, 697; 2001: 176, 177). With a delicious irony of history, this criticism of the dichotomy seems to echo the nineteenth-century German defenses of the ‘organic’ politics–administration dichotomy against the ‘mechanistic’ separation of powers doctrine.

[†] Elsewhere, Svava has presented his complementarity model by means of a similar list of 11 guidelines, each backed up with quotes from early public administration sources to illustrate their historical legitimacy (1999: 694–696).

4. Administrators are honest in their dealings with elected officials, seek to promote the broadest conception of the public interest, and act in an ethically grounded way.

Interactions of elected officials and administrators:

5. Elected officials and administrators maintain distinct roles based on their unique perspectives and values and the differences in their formal position.
6. Officials have overlapping functions as elected officials provide political oversight of administration and administrators are involved in policy making.
7. There is interdependency between elected officials and administrators.
8. There is reciprocal influence between elected officials and administrators.

This list illustrates the variety of notions covered by the complementarity model, but it also shows that the model can easily turn into what is almost a full code of administrative ethics. The sometimes fairly specific norms at the individual level threaten to make the approach not only very complex but also, to use Harmon's term, rather "moralistic" (2006: 18).

One other element of the complementarity model deserves our attention. This is the idea that politicians and administrators are involved in a common project, which Svava variously describes as "governance and service" (2001: 180), "the democratic process" (2002: 10), "the public interest" (Svava and Brunet 2003: 203), and "the complementary pursuit of sound governance" (2004; cf. 1999a: 696). However little specified, this last element of the model is important, because it suggests that (possible) divides can be avoided or overcome by commitment to a shared purpose. The model thus seems a step toward the development of unifying concepts in which both politics and administration are integrated (Section 5.5).

We see, then, that in Svava's work the concept of a dichotomy between politics and administration is radically dispatched and replaced by another relational concept. How should we evaluate the complementarity model? Complementarity is, in my view, the strongest alternative to the politics–administration dichotomy presently available. The approach has been adopted by others, including some authors in Dutch Public Administration (t Hart et al. 2003: 37–39; Nieuwenkamp 2001). It is a complex view on the relationship between politics and administration that offers an instructive account of how, ideally, political-administrative relations should be and that also has considerable historical, theoretical, and empirical support (although not as much as Svava claims). At the same time, Svava's alternative is not immune to criticisms either. For one thing, the notion of complementarity is so elaborate that its meaning is often hard to grasp. When Svava finds that nearly all observed interactions in local governments across different countries actually reflect complementarity, it is clear that his concept of complementarity has little

discriminatory value. It has become too elastic, if only for application in empirical research. Elasticity is, however, not the worst weakness of the complementarity model. A more serious problem is that the model seems to presuppose a world in which there are no power conflicts, and hence no need for checks and balances and other forms of constitutionalism. Indeed, complementarity sometimes seems to represent almost everything good in modern governance:

Complementarity stresses interdependency along with distinct roles, compliance with independence, respect for political supremacy with a commitment to shape and implement policy in ways that promote the public interest, deference to elected incumbents with adherence to the law and support for fair competition, and appreciation of politics with support for professional standards. (Svara 1999a: 697–698)

As Harmon puts it, “Svara and other ‘reconcilers’ ignore the structural and other largely hidden forces—cultural, economic, organizational, linguistic, psychological—that make tension and conflict between politicians and administrators predictable and pervasive” (2006: 18).^{*} The importance of value commitment and mutual respect is undeniable, but the reliance on these ideals to ensure the combination of political control and administrative independence makes the complementarity model look rather naïve. It is certainly true, as ‘t Hart and his colleagues have argued (2003: 37–39), that a pure power perspective can blind us to other important aspects of the interrelationship between politicians and administrators, but the reverse is also true: a too harmonious perspective eclipses structural tensions and power balancing going on between the two groups—and these are arguably the aspects we should be most aware of.

5.5 Unifying Concepts

In the first three categories of alternatives, the distinction between politics and administration is still endorsed or at least implied. Even the concept of complementarity still presupposes the conceptual distinction between politics and administration (in order to say that two things are complementary, one must obviously first distinguish between them). Svara maintains that separating politics and administration in governmental practice is not an “ideal” Public Administration scholars should pursue, but he acknowledges that it is not unreasonable to make an analytical “dichotomy of distinguishable functions” or “distinguishable logics” that is worthy of the name politics–administration dichotomy (2002: 6). This abstract distinction is moreover not a purely academic construct, but it is also recognized by

^{*} Although his criticism of the reconciling approach is justified, Harmon is not very constructive when he ridicules the attempts of Svara and others to reconcile politics and administration (2006: 17–18).

politicians and civil servants, who notwithstanding their interactions and entanglements “know that they are essentially different” (2002: 7). Although these remarks offer valuable nuances to Svava’s general position, the recognition of a conceptual distinction between politics and administration is, of course, not a very great acknowledgment (much more can be said in favor of the politics–administration dichotomy). It is, however, at least something that is not accepted by authors who look for concepts that unify politics and administration, practically and conceptually, into one single whole (Harmon’s fourth, “dissolving” category).

It was Gulick, again, who seems to have made the first suggestion in this direction when he described public administration as a “seamless web of discretion and action” (1933: 60). Much later, Waldo has suggested the use of policy case studies so as “to portray politics *and* administration as a continuous, indivisible *process*” (1968a: 468; cf. 1984a: xxi). More important than this was his suggestion, in the 1980s, of the concept of government. Reflecting on the historical disjunction between the Greek ‘civic culture’ tradition and the Roman ‘imperial’ tradition he speculated, “somewhat wistfully, that it might be useful for someone to put into one theoretical frame a balanced and reasonably complete account of *governmental* development” and that this “would repair the breach of the politics–administration dichotomy written into Western historical development” (Brown and Stillman 1986: 168). The concept of government could perhaps define a domain that encompasses both politics and administration. Waldo deliberately and explicitly chose for this concept rather than similar concepts such as polity, state, country, or nation because he believed it to be less clouded by ideological associations and (because of its etymological roots in Greek as well as Latin) also better suited to connect the two ancient traditions in Western civilization (1987: 110 n. 12; cf. Brown & Stillman 1986: 166). Thus, he hoped, the concept of government could facilitate the integration of politics and administration in our thinking.

Unfortunately, Waldo has never further elaborated on this suggestion. Its limitations are, however, apparent. The concept of government can certainly be used to designate the domain in which both politics and administration operate (as I do in this study; cf. also Raadschelders 2003), but it says nothing about the way they (should) interrelate. The theoretical and especially the practical consequences of Waldo’s suggestion are therefore very unclear. A more recent concept that has also been suggested to unify politics and administration (sometimes in opposition to ‘government’) is ‘governance.’ This concept has become exceedingly fashionable in recent years (cf. Frederickson and Smith 2003: ch. 9), although the term itself is neither new nor very common. In the Public Administration literature, however, it has come to represent almost all things new and good. In contrast to “government,” it refers to nonbureaucratic forms of organization and policymaking, to horizontal and deliberative decisionmaking, to public–private interaction, to the involvement of citizens and third parties, and much more (cf. Van Kersbergen and Van Waarden 2001). For most authors, moreover, the concept of governance bears positive associations: “Governance implies importance. Governance implies legitimacy. Governance implies a dignified,

positive contribution to the achievement of public purposes” (Frederickson 1997: 87). The interesting characteristic of the concept of governance for our subject is that it tends to erase formerly relevant distinctions such as state/society, public/private, and indeed politics/administration. Blurring “the distinctions between things political and things administrative public administration as governance,” Frederickson says, “presumes to reconcile the old politics–administration dichotomy as well” (1997: 85). Indeed, he continues, it also “presumes to bridge the separation of powers.”

The question is whether governance can live up to its promises. Frederickson, for one, is skeptical. It is worthwhile to quote him at some length for what he says not only about governance but about the dichotomy as well:

The word and concept of governance is a form of rhetorical reconciliation of the politics–administration dichotomy or policy-administration dichotomy. Because there is no politics–administration dichotomy in the modern view, it is unnecessary to ask whether a particular activity in the governance process is correctly regarded as either politics or administration. In the received wisdom there are elements of politics in administration, and of administration in politics, so governance seems a perfectly good way to describe public administration. The received wisdom also teaches us, however, that some domains of democratic government or the democratic polity are (or ought to be) the political representation of the people, while other domains should be based primarily on expertise, administration, or management. When public administration becomes governance, the importance of the proper distinction between these domains is diminished. (1997: 90)

This is a revealing passage because it shows how Frederickson, as a pupil of Waldo, wrestles with ‘the quandary’ (the double lesson of “received wisdom”), but also because it shows the incompatibility or at least the tension between the politics–administration dichotomy and the governance concept. This tension is not merely conceptual. Frederickson sees real, practical risks in the replacement of the politics–administration dichotomy by the concept of governance. First of all, for public administration itself: when public administration—in its broadest sense—is becoming understood as governance, he fears it will turn into “merely another form of politics or another political idea” (1997: 90). There is also a danger for government at large, however, as “the use of governance as a surrogate for public administration masks the fundamental issue of what ought to be the role of nonelected public officials in a democratic polity” (1997: 92). This is the kind of constitutionalist concern that most authors embracing the concept of governance seem insufficiently aware of.

One of those authors is Harmon, who after his deconstruction of the politics-administration dualism and its underlying dualisms proposes what he calls a “unitary conception of governance” and a collaborative interaction between different groups of government officials and citizens. He presents his proposals as a revolutionary

“transformation,” a “radically new politics” (2006: 131–132) in which administration *is* politics—not a “politics of policy making” but a “politics of the subject,” tailor-made for the citizens who are addressed by those policies (p. 133). He reflects that policy would be unnecessary “in a perfect world,” because there one could account for an endless amount of individual differences. As we live, however, in an imperfect world, policy is a “regrettable necessity” and an indication of the “failure of politics” (pp. 134–135). This last concession threatens to unravel Harmon’s entire argument, for as soon as it is granted that we do not live in a perfect world, a “politics of the subject” becomes indeed, as he says, “overly burdensome” (p. 135) and generally formulated policies become necessary. Subsequently, a division must be made between those who make these policies and those who carry them out, arrangements must be established to organize political and administrative authority, and thus the dichotomy reemerges. Harmon says he is confident that the “practical problems” inherent to his own proposals are “more real and tractable” than the old “theoretical” legitimacy problem (p. 136), but this is a delicious euphemism. It seems better to say, in his own words, that these proposals are “grandly naïve” (p. 7) and that to the extent that they are suitable for an imaginary perfect world, they are unsuitable for the real imperfect world.

I conclude that the available attempts to ‘dissolve’ the dichotomy by the introduction of unifying concepts such as government and governance have not been very successful. Apparently, the distinction and dichotomy between politics and administration lingers on in the real world and can only be fully abolished in the imagination. In Waldo’s words:

[A]ny thought that one or both of the two realms might somehow be transformed, or vanish, and that the problem of relating one to the other would thereby vanish, I regard as illusory. Utopias, whatever their differences, predict or presume abolition of the distinction, or at least present a satisfactory solution to the problem of putting the two together. (1984c: 232)

What is more, such attempts are also potentially dangerous, because they clear the field of theory from useful distinctions and the field of practice from prudential barriers, and leave us with a theoretical and practical wasteland.* For umbrella concepts such as ‘government’ and ‘governance,’ “the windup is better than the pitch” (Frederickson 1997: 92). They are useful to designate the domain of which politics and administration are part, but as they conceal rather than resolve the tensions between politics and administration, they cannot properly be seen as viable alternatives to the dichotomy. When situations become more complex, Weber once noted (1921: 123), we need sharper concepts, not vaguer ones.

* Indeed, Harmon’s reformulated “final exam question” for Public Administration—“How shall we live together?” or “What should we do next?”—is a question not for citizens of established states, but for primitives in a state of nature (albeit perhaps more that of Rousseau than that of Hobbes).

5.6 Toward a Renewed Understanding

In this chapter, various ideas have been discussed that have all been presented explicitly as alternatives to the politics–administration dichotomy. They certainly throw light on the relationship between politics and administration. Quasi-alternative reconceptualizations of politics/administration (Section 5.2) are often helpful to disclose hitherto unrecognized aspects of that distinction. The principal/agent distinction, for example, emphasizes the asymmetric, hierarchical, and potentially conflict-ridden relationship between politics and administration and helps to nuance fashionable ideas of a “two-way street” between them (Krause 1999). Typologies of political-administrative relations (Section 5.3), in turn, reveal the variety and variability of ways in which politics and administration can actually relate in practice. ‘Reconciling strategies’ such as Svava’s complementarity model (Section 5.4), third, offer elaborate and useful normative standards for the mutual conduct of politicians and administrators. Unifying concepts (Section 5.5), finally, bring to light the common context and purpose in which both politics and administration are situated. Thus, the suggested alternatives all help to clarify the meaning of the politics–administration dichotomy. Besides, they have all helped to refine our knowledge of the conceptual and practical relations between politics and administration. It would be highly incorrect, therefore, to present twentieth century thought on the subject merely as a decay or repetition of earlier ideas.

The question that concerns us here, however, is whether any of these suggested alternatives can be regarded as a ‘viable substitute’ for the politics–administration dichotomy. The expression may be explained by an analogy. When we seek a good alternative for something (say, a hammer), we would want the alternative (say, an axe) to be at least as useful to serve our purpose as the original and preferably even better. Likewise, a viable substitute for the politics–administration dichotomy must be an idea that can be used at least as well as the dichotomy for the same purposes. This means that a suggested alternative can fail to be a viable substitute in two ways: it may not serve the same purpose (in which case it is actually not a substitute at all), or it may serve that purpose less effectively, less durably, or otherwise less well (in which case the substitute is not very viable or at least not preferable to the original). Now, in my view, none of the suggestions discussed really offers a “viable substitute” for the original politics–administration dichotomy in this sense. Either they serve other purposes (the typologies, the unifying concepts) or they fare worse than the original dichotomy (the quasi-alternatives). ‘Complementarity’ is a special case of which I would say that it *assumes* the dichotomy instead of replacing it and that it serves broader rather than other purposes. None of the suggested alternatives in the end allows us to abandon the basic idea that in modern states politics and administration are and should be kept asunder. In the words of Seitz: “Until now,”

that is since the demise of the dichotomy, “there is no convincing normative model for the relation between politics and administration” (2003: 216).*

The main cause for this disappointing result must be sought in the widespread misconceptions of the meaning of the politics–administration dichotomy. While much is made of the supposed (ir)relevance of the construct, its content and particularly its purpose are usually paid little attention. In the suggested alternatives, the dichotomy is mostly treated as a question rather than as an answer itself, as it was originally conceived (see Chapters 2 and 3). This is not so much because the answer has turned out to be wrong, but because the initial question (how can we give public administration a legitimate but yet limited place within the state?) has been lost from sight. We can only hope to find a viable substitute for the dichotomy or a reconstruction of it if we go back to this original question.

That no viable substitute for the dichotomy has been found cannot be a very surprising outcome for those who are acquainted with Waldo’s writings. In the later half of his career, Waldo became increasingly skeptical of the possibility and likelihood of finding a viable alternative for the politics–administration dichotomy: “I cannot image the production or invention of any simple formula or ‘answer’ to replace the politics-administration formula. We must, I believe, continue to live with some aspects of that formula” (1982: IX, 6; cf. Waldo and Marini 1999: 523). Instead of introducing novel conceptualizations of the distinction, therefore, it seems most sensible to stick to ‘politics/administration’ itself as the richest and most common formula available. This need not be unbearable, however, because the previous chapters suggest several requirements for retrieving a meaningful reconceptualization of the dichotomy. The discussion of alternatives in this chapter in particular gives promising hints as to what a renewed understanding of the dichotomy could look like, with regard to both its content and its purpose and hence also its relevance.

As to the dichotomy’s content, first, we have repeatedly seen that conceptualizations of politics/administration on a low level of generality are more vulnerable to critique than those on higher levels of generality.[†] Deciding/executing and value/fact, for example, are more prone to critique than democracy/bureaucracy. In other words, the distinction better seems to fit the “regime level” than the “incumbent level” (Rosenthal 1990). The classics—especially Wilson and Weber but even Goodnow—arguably aimed at the regime level, even when they started at the incumbent level. For them, the dichotomy was part of a much broader political and constitutional view. The heterodox reconceptualization of politics/administration as policy/administration, however, and even more the instrumentalist deciding/executing distinction, has drawn the dichotomy to the lower level of individual officials, so that the contrast was increasingly drawn as one between the functions of politicians and administrators rather than

* Original: “Bis heute gibt es kein überzeugendes normatives Leitbild für das Verhältnis von Politik und Verwaltung.”

† Levels of generality are not the same as levels of abstraction. The dichotomy should be general and at the same time as concrete and practical as possible.

between politics and administration as governmental domains. Politics and administration are, however, general concepts and should rather be treated as such.

More important than this is the purpose for which the dichotomy is used. In Chapter 1, we have seen that the dichotomy can be used to serve four different purposes that are either descriptive or prescriptive and either theoretical or practical. In the contemporary literature, the politics–administration dichotomy is mostly used either as a descriptive model (‘politics and administration are separate in practice’) or as a theoretical distinction (‘politics and administration are *and* should be separate in thought’). Both uses are not particularly valuable, for different reasons. When the dichotomy is used as descriptive model, first, it can easily be ‘falsified’ by empirical evidence showing overlap and interaction between politicians and administrators (cf. Sections 4.3 and 5.3). That is not too surprising: the concept of dichotomy gives, of course, a very poor and inadequate description of the highly complex reality of political-administrative relations. But, I have argued, the dichotomy has originally not been meant and need not now be meant for descriptive purposes. Using the dichotomy as a descriptive model asks too much of it; the idea much better serves prescriptive purposes. Partly in a misguided response to this failure to describe, it has been suggested to regard the dichotomy as a purely analytical construct instead. Farmer, for instance, says that the dichotomy “can be recognized for theoretical or thinking purposes, even if such a dichotomy does not occur in reality” (2007: 1207) and Rutgers has proposed to treat the politics–administration dichotomy as an “ideal type” (2001: 14). In a similar vein, we have seen (Section 3.3), revisionist historiographers have tried to rehabilitate Goodnow by presenting his dichotomy as merely analytical and conceptual. The idea is that politics/administration, though not separable in practice, can still be distinguished in thought (Sections 3.6, 4.6, 5.3, and 5.4). This line of reasoning, which reduces the dichotomy to a mere conceptual distinction, is certainly attractive, but it asks too little of the dichotomy. As a mere analytical distinction without practical impact, the dichotomy is not as relevant as it has been in history and as it can be today. The principle that, within government, politics and administration should be kept apart was originally developed not only for theoretical, but also (indeed primarily) for practical aims and still continues to serve those aims.

We see that, paradoxically, when the dichotomy is used merely descriptively, it tends to become relevant as an analytical extreme only, while conversely, when it is used prescriptively it might also gain in practical relevance. Therefore, I conclude that the dichotomy is best adopted for practical-prescriptive rather than for theoretical and descriptive purposes.⁴ A meaningful (in the sense of relevant)

⁴ In his discussion of the dichotomy, Dunsire has argued that if a theory does not describe well, honest academics should not excuse it by presenting it as prescriptive (“Well, we know it doesn’t always work quite like that, but that is how it ought to be”), but instead seek an alternative formula that is more accurate than its predecessor. Hence, he suggests, we should abandon the dichotomy and replace it by a better “theory” (1973: 200). The problem with this argument is that Dunsire seems to suppose that theories about the relationship between politics and administration can only be descriptive, which is clearly not the case.

understanding of the dichotomy will thus be relatively general with regard to its content and practical-prescriptive with regard to its purpose. In the next chapter, I expound on a way to understand the politics–administration dichotomy that, in my opinion, meets these requirements.

Appendix: Typologies of Political-Administrative Relations

	Image I	Image II	Image III	Image IV
Implementing policy	B	B	B	B
Formulating policy	P	S	S	S
Brokering interests	P	P	S	S
Articulating ideals	P	P	P	S

B = Bureaucrat's responsibility; P = Politician's responsibility; S = Shared responsibility

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Typology 1 Bureaucrats and politicians: evolving roles

	Tone	Winners	Conflict resolution	Style	Impacts
Formal/legal	Integrative	Politicians	Command	Authority	Variability
Village life	Integrative	Both	Bargaining	Mutuality	Management
Functional village life	Integrative	Both	Bargaining	Expertise	Interest dominance
Adversarial	Adversarial	Variable	Power	Conflict	Variability
Administrative state	Integrative	Civil service	Abdication	Expertise	Stability

(Reproduced from Peters 1987: 266; cf. 1988: 162.)

Typology 2 Characteristics of ideal-type models of interaction

Goal conflict

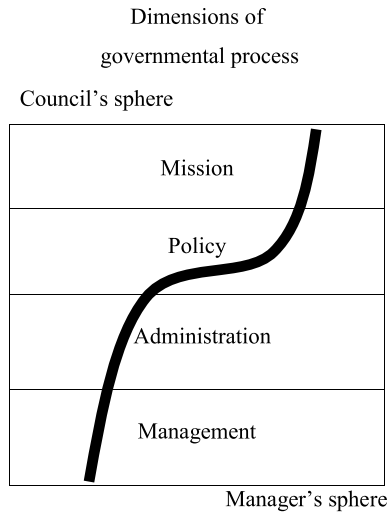
		Agent's Information Level	
		Little	Much
Principal's Information level	Much	4. Patronage systems	3. Advocacy coalitions
	Little	1. Bumper sticker politics	2. Principal Agent

Goal consensus

		Agent's Information Level	
		Little	Much
Principal's Information level Level	Much	8. Plato's Republic	7. Policy subsystems
	Little	5. Theocracy	6. Bottom line

(Reproduced from Waterman and Meier 1998: 188.)

Typology 3 Combining goals and information



(Reproduced from Svava 1985: 228; cf. Hansen and Ejersbo 2002: 736.)

Typology 4 Mission-management separation with shared responsibility for policy and the administration

		Elected officials: degree of control	
		High	Low
Administrators: level of independence	Low	Political dominance	Stalemate or laissez-faire
	High	<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 80%;"> <p style="text-align: center;">Complementarity</p> <p>Politicians respect administrative competence and commitment*</p> </div>	<p>Administrators are committed to accountability and responsiveness*</p> <p style="text-align: center;">Bureaucratic autonomy</p>

* Reciprocating values that reinforce the position of the other set of officials.

(Reproduced from Svava 2001: 179.)

Typology 5 Understanding the interaction between politicians and administrators

Degree of distance and differentiation between
elected officials and administrators

		Very high	Very low
Level of control of administrators by elected officials	Very high	Isolated Administrators	Manipulated administrators
		Separate roles	Responsive administrators
	Very low	Autonomous administrators	Overlapping roles
		Bureaucratic regime	Politicized administrators

(Reproduced from Svava 2006b: 956.)

Typology 6 Possible models of political-administrative relations: standard (shaded area) and extreme

Chapter 6

A Constitutional Principle

[A] near complete integration of politics and administration is a rather good characterization of totalitarianism, and perhaps liberty is a product of disjunction. (Waldo in Brown and Stillman 1986: 137)

6.1 Mistaken Identity

In the previous chapters, I have reconstructed the tradition of thinking about the politics–administration dichotomy in American and Western European administrative and political thought, from its earliest origins to its most recent treatments. Looking back on the road we have traveled, we unfortunately cannot conclude that almost two centuries of explicit discussion about the relationship between politics and administration have resulted in a greater consensus or even in greater clarity about the issues at stake. On the contrary, the tradition seems to have got stuck in a confused heap of misunderstandings and misunderstandings of misunderstandings. In retrospect, the history of the dichotomy looks like a comedy of errors in three acts with a recurrent motif of mistaken identity. Before suggesting a turn of events toward a happy ending or at least a happier continuation of the tradition, it may be illuminating to recall briefly how the *dramatis personae*—the classics, critics, and revisionists—have been deceived with regard to the meaning of the dichotomy.

The classics, by whom I have particularly understood Wilson, Goodnow, and Weber, have given authoritative accounts of the politics–administration dichotomy, although the idea itself stems from older political and administrative thinking. For all three, the dichotomy was not just an analytical construct, but above all a norm

to structure the practice of government. Depending on their particular circumstances, the classics had diverging motives to propose a dichotomy between politics and administration. Simply put, Wilson and Goodnow wanted to separate administration from politics in order to preserve administrative values, whereas Weber aimed to subordinate administration to politics so as to preserve political values.* This gives their formulations of the dichotomy a particular one-sidedness: they did not sufficiently take both sides of the problem into account. More important, they all three pitted the dichotomy against constitutionalism in general, and the separation of powers in particular. Wilson and Goodnow believed the dichotomy could serve as an alternative to the separation-of-powers doctrine. Weber was no less ready to abandon constitutional restraints, as his choice for plebiscitary democracy under nearly absolute political leadership makes clear (Slagstad 1988). Although the idea to separate politics and administration as such was very opportune, none of the classics perceived its constitutional relevance.†

Second, the heterodox critics of the mid-twentieth century, instead of improving on our understanding of the purpose of the dichotomy, have instead seriously distorted the classical case for it. After transforming politics/administration into policy/administration and interpreting the dichotomy in a way that turns administrators into the passive instruments of politics, they inferred its untenability from the ‘discovery’ that administrators do in fact have discretion and make policy decisions. Hence, they rejected the dichotomy and sometimes even the very distinction between politics and administration. Unfortunately, their instrumentalist misinterpretation is still omnipresent in the literature.

Revisionist authors in the last three decades, finally, have attempted to clarify and advance the debate through historical reconstruction and the proposal of theoretical alternatives. Their rereading has led to a general rehabilitation of the classics, but in their zeal to resolve some misunderstandings created by the critics they have gone so far as to deny every connection between the classics and the dichotomy. With the best of intentions, they did worse than a partial job resolving the puzzle,

* By means of the dichotomy, the classics aimed to *preserve* certain values, not to put them above all other values. Wilson, for instance, ultimately valued political freedom over administrative professionalism: “It is better to be untrained and free than to be servile and systematic” (1968a [1887]: 368). And: “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” (1968a [1887]: 372). This does not mean, however, that “constitutional and administrative questions, in contrast to political questions, are closely related for Wilson,” as Storing has claimed (1995a: 413; italics deleted).

† The classical dichotomy (in its ‘American’ version) was subsequently adopted by orthodox students of public administration in the 1920s and 1930s who integrated it with the ideas of Scientific Management. This association was neither necessary nor intrinsic, however, and this movement should not be seen as a distinct generation in the tradition of thinking about the dichotomy (see Chapter 4, Section 4.1).

often making the case for the dichotomy still worse. The theoretical substitutes they presented have not been suitable to replace the dichotomy.

Now it is one thing to reconstruct how a tradition of thinking has gone astray, but something else to get it back on track again. To approach the issue afresh, we must ask why we actually got the idea now known as the politics–administration dichotomy in the first place. One common error of all three generations just described is that they have not seriously enough considered the challenge to which the dichotomy was originally invented as a response: the challenge to give the increasingly powerful public administration a proper place within constitutional democratic government. I believe we can develop an understanding of the dichotomy that is based on these original considerations and at the same time is still relevant today. I call this ‘the dichotomy as constitutional principle,’ and I argue my case for this view in the following steps. First, in Section 6.2, I examine the relatively recently developed ‘Constitutional School’ in the study of public administration because my proposal connects to its approach. After that, it is explained what it means to say that the dichotomy can be understood as a constitutional principle (Section 6.3). Subsequently, I present a negative argument for understanding the dichotomy as a constitutional principle, based on Waldo’s suggestion to think through a situation in which there is no dichotomy at all (Section 6.4). In Section 6.5, then, I argue that the dichotomy already actually functions as a constitutional principle in practice. To strengthen my case, I then attempt to reconcile the dichotomy to the constitutional idea most closely related to it: the separation-of-powers doctrine (Section 6.6). I conclude with a brief section showing how this approach connects to the dichotomy’s original purpose, particularly as it was understood in the French approach described in Chapter 2 (Section 6.7).

6.2 The Constitutional School

During the greater part of the twentieth century, the field of Public Administration has paid little attention to constitutionalism and constitutional thinking. The idea expressed in Alexander Pope’s dictum cited earlier—“For forms of government let fools contest/whate’er is best administer’d is the best” (1963 [1733–4]: 535)—while rejected by most political philosophers (Anter 1995: 88 n. 197), has received much more sympathy from students of public administration. Woodrow Wilson, as we remember, argued in his famous essay that the time of constitutional questions was over and that attention should now be turned to administrative questions instead (“It is getting harder to *run* a constitution than to frame one”; 1968a [1887]: 362). He apparently overlooked the obvious fact that the position of public administration within the state and its demarcation from politics are important constitutional issues themselves. Nevertheless, most students of public administration have followed him on this point. While Wilson’s dichotomy between political and administrative questions has met general disfavor, his ‘second dichotomy’ between

constitutional and administrative questions has long remained almost unchallenged.* Even in Western Europe, where the study of public administration traditionally starts from a legal point of view, the field has been dominated more by administrative law than by constitutional law.

This situation has changed since the late 1970s with the emergence of a self-conscious constitutional approach in (American) Public Administration. The main initiator of this approach was Herbert Storing, who instructed several of its later adherents, including John Rohr, at the University of Chicago.† Both men were, in turn, students of the well-known political philosopher Leo Strauss (Pangle 2006: esp. 115–117) and, though not Straussians in the strict sense of the word, in their writings they often show the same predilection for classical political philosophy. Another major influence on this line of thought came from Leonard D. White, who as Public Administration's first textbook writer and historiographer showed that early American administrative thought and practice "were intrinsically connected with and subordinate to Federalist political and constitutional theory," as Storing put it (1965: 51). After Storing's early death, Rohr in particular has done much to further promote the constitutional approach to public administration, along with others such as Richard Green, Kent Kirwan, Peter Lawler, Douglas Morgan, and David Rosenbloom.‡ By now, the constitutional approach is established so securely among the theoretical perspectives on public administration that some even speak of a Constitutional School (Newbold 2010; Spicer and Terry 1993: 239ff.).

The main concern of this approach is the position and legitimacy of public administration in the constitutional order.§ Although it aims at a rather high level of generality, its literature is often quite specifically addressed to the American

* An exception to this rule is the work of Norton Long, who in an essay pointedly titled 'Bureaucracy and Constitutionalism' stated that "[a]n assessment of the vital role of bureaucracy in the working American constitution seems to be overdue" (1952: 810; cf. 1954: 30). Elsewhere he wrote: "Attempts to solve administrative problems in isolation from the structure of power and purpose in the polity are bound to prove illusory" (1962: 62–63).

† Storing primarily wrote about the American Founding (he published the *Anti-Federalist* writings) and about aspects of the American constitutional order, such as the presidency and slavery (1995d), but he also wrote a long and critical review of Simon's administrative thought (1962) and a much more sympathetic review of the work of Leonard D. White (1965).

‡ See, for instance, Cook (1996); Kirwan (1977, 1981b, 1981a); Lawler (1988); Lawler, Schaefer, and Schaefer (1998); Morgan (1988, 1990, 1998); Newbold (2010); Rosenbloom (1983, 1984, 2006); Schaeffer and Schaeffer (1979). See also Rohr (1995: xiii, including n. 6), for a helpful though now somewhat dated overview.

§ Because of this central question, and because of its predilection for classical political thought, the constitutional approach has a special position in contemporary public administration theory. In contrast to the modernist and mostly positivist mainstream, the constitutionalist approach is frankly normative (cf. Vile 1998: esp. ch. 11 and p. 386 about the opposition between constitutionalism and behavioralism) and in contrast to the postmodernist sidestreams, it willingly accepts the existing institutions of constitutional and representative democracy as a regime that is fundamentally (although not perfectly) just (cf. Rohr 1989: 91–92 n. 39; *pace* Farmer 1995; Fox and Miller 1996).

situation. To a large extent, the approach can be understood as a response to the waves of neoliberal bureaucrat bashing in the 1980s and new managerialism in the 1990s. Rohr and his colleagues were particularly triggered by President Reagan's declaration, in his first inaugural speech, that "government is the problem," and they have vigorously opposed New Public Management and Vice-President Gore's Reinventing Government initiative. This explains why these authors have been particularly motivated to argue against the alleged illegitimacy of the administrative state, and to combat the idea that public administration is at most a necessary evil and at best a passive instrument of politics. The constitutional approach is, however, much more than an outcry of political opposition to the New Right. In fact, Storing stated in the 1960s already that "administration is the heart of modern government precisely to the extent that public administration is not mere administration, but the main field in within which political and constitutional problems now move" (1965: 48; cf. pp. 45–46). Nor is its relevance limited to the American context. There is in principle no reason why the constitutional approach should not also be adopted in other parts of the world, including Europe. (Wilson described administration after all as running *a* constitution, not *the* Constitution.) Indeed, the approach can probably have a particular appeal for Europeans, as for them the (constitutional) legitimacy of public administration is generally more obvious than for Americans.

In their approach, the constitutional theorists have resuscitated normative concepts such as "public interest" and "responsibility" (Storing 1995b) and argued that the American administrative state is compatible with the constitutional republic envisaged by the Founding Fathers (Rohr 1986). Indeed, within that republican scheme, they typically elevate public administration to a position of high responsibility and respectability. Long already described it as "a constitutional check on both legislature and executive," stating: "It is high time that the administrative branch is recognized as an actual and potentially great addition to the forces of constitutionalism" (1952: 817 and 818). Rohr, in particular, has compared the role of public administration to the role the Framers originally designed for the Senate (1986: ch. 3; cf. Storing 1995a: 419 and 1995c: 302).^{*} In his view, public administration is the keel of the ship of state or the "balance wheel" between the traditional constitutional powers. When administrators perceive a distortion in the power balance of the three separated branches of government, they should deliberately "choose their constitutional master" and use their discretionary room to put their weight in the appropriate scale to help restore the equilibrium (Rohr 1986: 182; cf. Morgan 1988; Spicer 2010: 84–85). This is, basically, how public administrators can perform their duty of "democratic statesmanship" (Lawler, Schaefer, and Schaefer 1998; Rohr 1986: 185; Storing 1995a).

* Pestritto says Rohr wants the bureaucracy to play "the role originally intended for the House of Representatives" (not the Senate) and he strangely persists in this odd mistake (2005: 235–236).

Those within the field of Public Administration who have adopted the constitutional approach have mostly defended the administrative state, the ‘welfare/warfare state’ developed by Progressives and New Dealers in the early twentieth century and strongly expanded since the 1960s (following Rohr 1986).^{*} Some other authors adopting the same approach, however, have criticized this preference, arguing that it gives public administration too strong and too independent a role within government (e.g., Lawson 1994; Pestritto 2007; cf. also Marini 1994: 10, 11).[†] For our purposes, it is not necessary to determine the constitutional legitimacy of the administrative state in America. Even though the politics–administration dichotomy has indeed been used as an instrument to establish and expand that regime, the idea as such is not necessarily related to that effort. Indeed, those who are most critical toward the administrative state should perhaps particularly embrace the politics–administration dichotomy as a constitutional principle, because it implies the primacy of politics over the bureaucracy. I think, however, that I can even argue the more difficult case that the politics–administration dichotomy is a constitutional principle even if we assume the administrative state is *not* unconstitutional. This also seems to be the more relevant case, because, as Vile has said, “opponents of the administrative state should not assume that it can be abolished” (1998: 408) and therefore our aim should rather be to constitutionalize it.

Even if one appreciates the main tenets of the constitutionalist approach, as I do, one can be critical of some of its elements as they have been developed in the (American) literature. For one thing, it is not always easy to understand how the lofty idea of public administration of its representatives can be matched with their Tocquevillean orientations (Lawler 1998) and their aversions to “big government” (Storing 1995c). Of course, an elevated view of public administration need not preclude a wish to keep government limited, but the combination of both is certainly politically odd and theoretically paradoxical. Furthermore, the constitutionalist approach often seems to overshoot its mark. Calling all civil servants potential ‘statesmen’ is an exaggeration that threatens to erode the meaning of statesmanship

^{*} In *To Run a Constitution*, Rohr claims to show “the [constitutional] legitimacy of the administrative state,” as the subtitle says, but throughout the book the constitutional legitimacy of that regime remains undetermined. What it does succeed in, in my view, is to establish the constitutionality of public administration as an institution (irrespective of its size or power). This is surely an achievement, particularly in the United States, but it is clearly something different.

[†] These critics have especially stressed two points: that the delegation of administrative powers by Congress is unconstitutional (the so-called nondelegation doctrine) and that according to article II of the American Constitution *all* executive and hence also all administrative power is vested in the President (the unitary executive doctrine). These claims are subject to debates in American constitutional law that cannot be resolved here, but if correct, they have disastrous consequences for the constitutionality of the administrative state as it has developed since the New Deal.

as an ideal.* Likewise, catchphrases such as ‘balance wheel’ and ‘choosing one’s own constitutional master,’ though understandable from the political climate in which they originated, are better shunned as potentially perilous overstatements. They go against the grain of the constitutionalist approach itself. For if public administration is granted a legitimate place within the constitutional order, it should at least be subject to the checks and balances and other mechanisms of constitutionalism characterizing and sustaining that very order. The idea of public administrators using their discretion to choose freely among their constitutional masters seems alien to this order. Public administration, though autonomous in some respects, should ultimately be kept subordinate to the traditional three branches (an aspect Rohr recognizes but does not strongly emphasize; e.g., 1986: 181–185), and administrative decisions should never be as authoritative and definite as legislative, executive, or judicial decisions. Particularly from a constitutionalist viewpoint, therefore, the legitimacy of public administration has to be complemented with notions such as the primacy of politics and political accountability.

This brings us to the politics–administration dichotomy again. Interestingly, several representatives of the Constitutional School have addressed the dichotomy in their work. They do so in a way that differs from what is common in the study of public administration. As Rosenthal has noted, one can study the relationship between politics and administration on the “regime level” as well as on the “incumbent authority level,” but unfortunately, “the fascination of analysts rests mainly with the latter—at the expense of a more detailed structural investigation of democratic political-administrative regimes” (1990: 392). Representatives of the constitutionalist approach, by contrast, have primarily directed their attention to the meaning of the dichotomy for the polity in general. Their appreciation of the dichotomy, however, varies from mild ambivalence to outright rejection. Norton Long, for one, was a severe critic of the politics–administration dichotomy (1962), and Storing, recognizing the discretion of administrators, emphasized that public administration is a political actor in its own right. At the same time, he said that administration, though not neutral and merely technical, should also not be susceptible to the “shifting political breezes” either (1965: 49; cf. Kirwan 1981a: 210–211). Rohr, in turn, is also critical of the dichotomy, but surprisingly he also sees it as the expression of a relevant constitutional insight. It is worthwhile to cite him at length:

* Hence, Green rightly says that administrators are “both clerk and statesman” (1998: 91; cf. p. 109), but it seems even better to say that they are neither of these, but something in between. In any case, “true statesmen are rare” and “*administrative* statesmanship is a drastically limited version of the original concept” (1998: 107). Hence, he adopts the useful distinction between “being a statesman” and “performing acts of statesmanship,” adding: “We needn’t require officials to *be* statesmen. The qualities of statesmen are too rare and their powers too awesome. However, we do want officials to perform occasional acts of statesmanship” (1998: 108; cf. Dannhauser 1980).

The link between subordination to constitutional masters and freedom to choose among them preserves both the instrumental character of Public Administration and the autonomy necessary for professionalism. In this way we can reinstate the great insight of the discredited dichotomy between politics and administration. This tired old war-horse still plays the mighty stallion, despite academic efforts to put him out to pasture. Every student of Public Administration denies the possibility of making a distinction between politics and administration; but everyone else continues to make that distinction. Although the attack on the dichotomy is well-founded in social-science literature, it always fails to convince because the dichotomy holds the high ground from which administration can be seen both as subordinate to the political leadership of the day and as professionally exempt from political interference. By suggesting a theory of Public Administration that combines constitutional subordination and autonomy, I hope to preserve the enduring insight of the venerable dichotomy without succumbing to its naïve view of administration as apolitical. Administration is political; but like the judiciary, it has its own style of politics and its distinctive functions within the constitutional order. (1986: 183, 184)

Here we see a truly ambivalent stance toward the dichotomy. From its problematic interpretations, Rohr tries to save a meaning of the dichotomy that he does not want to discard lightly. Lawler shows the same ambivalence when he first rejects the politics–administration dichotomy, saying that it “rests on an imprecise or distorted understanding of the nature of the American regime,” but then (on the very same page) adds that for good reasons public administrators “are comparatively insulated from the passions of partisan politics,” and even that “the legitimacy of the existence of the career civil service in America is rooted in the distinction between politics and administration” (1988: 52). And Spicer, finally, amid his stark descriptions of an increased political role of (American, federal) public administrators, also acknowledges “our unease with the practice of politics in administration,” which he calls an “uncomfortable reality” (2010: 84). Overall, authors such as Long, Storing, Rohr, Lawler, and Spicer seem to hold that public administration should be exempted from party politics, but not from politics per se. Just like Wilson, these authors want to free public administration from bad politics, but at the same time infuse it with good politics. As I have argued before (Overeem 2005), the combination of rejecting the dichotomy and still accepting the value of political neutrality of administrators is conceptually and practically problematic, because political neutrality presupposes the dichotomy: in order to keep administration politically neutral, it must be distinguished and distanced from (partisan) politics.

Authors in the Constitutional School are very sensitive to the fact that Wilson and Goodnow proposed the dichotomy as an alternative to the separation-of-powers doctrine. Pestritto, for instance, scorns Wilson for the idea that “the

inefficient separation-of-powers system should be replaced with the more efficient separation of politics and administration” (2005: 227; cf. pp. 24, 127; cf. Rohr 1986: 61, 88). Its historical background gives these authors a justified suspicion of the politics–administration dichotomy that, however, also debars them from imagining alternative understandings of the dichotomy that are more congruent with the constitutionalism they hold dear. They seem deluded by the arguments from administrative discretion and policy making that we have found to be insufficient to refute the dichotomy in Chapter 4 (e.g., Rohr 1989: ch. 1). They think Wilson’s two dichotomies are inextricably linked, believing that the dichotomy “allowed scholars of public administration to avoid addressing complex questions surrounding public law and the constitution” (Levy 2009: 147). This is a misunderstanding that makes their stance toward the dichotomy needlessly critical and ambivalent. These problems vanish as soon as one realizes that the goal of keeping politics and administration apart is itself of great constitutional interest. In this chapter, therefore, I build upon insights from the Constitutional School but also go beyond them, arguing that the dichotomy (properly understood) is in fact quite consistent with their line of thinking. The following three sections offer three arguments for this view.

6.3 The Dichotomy as Constitutional Principle

First of all, it must be considered what it means to say that the politics–administration dichotomy can be understood, even best be understood, as a constitutional principle. The term *constitution* and its derivatives do not just refer here to a written document of basic law, but more broadly, to the highest legal and political order in the state. At the same time, it is intended to mean something more specific than Rohr’s concept of regime, which refers to the order of the entire political community and thus, to use a modern distinction, not only that of the state but particularly also that of society (1989: 68, 90–91 n. 33; cf. *ancien régime*, for instance, or *politeia* in ancient Greek). To me, the politics–administration dichotomy is first and foremost a principle of government. Further, describing the dichotomy as a constitutional principle also refers to the concept of ‘constitutionalism’ (literally, it would be better to call it a constitutionalist principle, but this expression is too uncommon). Constitutionalism refers to the fact that constitutions do not only establish and empower governments, but also limit them by law.* Constitutional principles are

* These two sides of constitutionalism have been indicated by the Latin words *gubernaculum* and *jurisdictio* (Maddox 1982: 808–809). In a well-known exchange, Giovanni Sartori and Graham Maddox debated which of the two is the primary purpose of constitutionalism: checking government power in order to guarantee the freedom of citizens against public power (Sartori 1962, 1984), or establishing government power in order to protect citizens against private powers (Maddox 1982, 1984). As could be expected, the debate has not ended and is still undecided.

thus meant to prevent anarchy by making government powerful enough through the division and coordination of functions, and to prevent tyranny by limiting government (i.e., checking its power) by means of accountability procedures and checks and balances. Constitutional principles are concerned with what Vile calls “two functional requirements, *control* and *co-ordination*” (1998: 362; cf. pp. 362–368, 376, 409, 417). Both elements are important, but overall the emphasis in constitutional theory seems to lie on the prevention of tyranny rather than on the prevention of anarchy. This asymmetry makes the integration of constitutionalism with administrative thought (which is typically more concerned with performative values such as effectiveness and efficiency) often particularly difficult.

Constitutional principles concern the distribution of authority within a polity, and so they do not specify exact interactions but tend to be rather general and gross. Constitutional principles, says Vile, “have the same relation to political action as military strategy has to tactics”: they set broad goals without specifying the details of (the proper action in) each particular situation (1998: 326; cf. pp. 8–9). Because of their general character, constitutional principles are not restricted to one particular national context. The doctrine of the separation of powers, for instance, has different meanings and applications in the United States, France, and Great Britain, to name only some important countries (Gwyn 1965; Rutgers 2000; Vile 1998). Nevertheless, these conceptions are sufficiently similar to make comparisons between them possible and sensible.

Grey (1979) has presented an analytical framework to classify constitutional principles or norms, as he calls them, on three dimensions. First, their status can be described as extralegal (uncodified, unenacted), as ordinary law, or as fundamental law (inflexible and overriding). Second, the way in which constitutional principles are enforced may be either political or special. Grey speaks of political enforcement when the constitutionality of legislation is ultimately determined by the “ordinary lawmaking and law-approving bodies” and of special enforcement when this is done by other bodies, mostly constitutional courts or committees (1979: 196). Finally, constitutional principles vary with respect to the source of their authority: some are based on claims to reason and truth or self-evidence (as in the case of natural-law-inspired norms), others on claims to usage and acceptance, and a third group on legal enactment. This framework helps to characterize the politics–administration dichotomy. How exactly the dichotomy functions as a constitutional principle will differ from country to country, but in general, it seems that the dichotomy itself is mostly extralegal (it is uncodified and not formulated explicitly in most constitutions), although ordinary legislation can be and often actually is derived from it. The fact that the politics–administration dichotomy is normally not codified and enacted as law does not make it less important, however, not even in a legal sense: “A supreme enacted constitution may coexist with unenacted constitutional norms that have the full status of judicially enforceable fundamental law” (Grey 1979: 205). Further, the dichotomy seems to be upheld by different bodies in different countries, depending on whether there is judicial review by a constitutional

court (as in the United States) or not (as in the Netherlands). Lastly, the dichotomy seems to derive its authority in most cases mainly from a claim to reasonableness and secondarily perhaps from a claim to usage and acceptance. It mostly does not derive its authority from legal enactment.

The fact that constitutional principles are first of all norms does not mean that they are detached from reality. As Vile has explained, they contain both empirical and normative considerations:

‘Constitutionalism’ consists in the *advocacy* of certain types of institutional arrangement, on the grounds that certain ends will be achieved in this way, and there is therefore introduced into the discussion a normative element; but it is a normative element based upon the belief that there are certain demonstrable relationships between given types of institutional arrangement and the safeguarding of important values. (. . .) It is therefore a type of political theory that is essentially empirical, yet which overtly recognizes the importance of certain values and of the means by which they can be safeguarded. (1998: 8–9)

Vile illustrates nicely how constitutional principles combine both empirical and normative elements with the case of the separation-of-powers doctrine. The “pure” doctrine of the separation of powers, he argues, consists of three elements, namely, first, a prescription to make a division between three “agencies” or branches of government, that is, the legislative, the executive, and the judiciary; second, an assertion, as “a sociological truth or ‘law,’ that there are in all governmental situations three necessary functions to be performed (. . .). *All* government acts, it is claimed, can be classified as an exercise of the legislative, executive, or juridical functions” (1998: 17); and third, a recommendation to have “separate and distinct groups of people, with no overlapping membership” and distributed over different branches to perform these functions (1998: 15–18). No matter how related these three elements are, the second of them differs essentially from the other two: while the first and the third are clearly prescriptive, the identification of government functions (their number and nature), however general and controversial it may be, is an empirical or better a factual claim.*

* In general, it seems that claims concerning government functions tend to be empirical or factual, and those concerning government institutions normative. For a constitutional principle, it is important to distinguish between the institutions and the functions of government. Merry has emphasized the need “to distinguish the separation of functions from the separation of institutions” and argued that, for constitutional purposes, the functional arrangement is more important than the institutional arrangement: “For the prevention of undue concentration [of power, PO], the separation of institutions is only a necessary preliminary. Final sufficiency depends upon the functional arrangement” (Merry 1978: 104). As we have seen, Goodnow in particular made use of this distinction (cf. Vile 1998: 347ff. on the concept of function).

The notion that constitutional principles contain empirical elements (*is*) as well as normative elements (*ought*) applies also to the politics–administration dichotomy. Wilson’s assertion that “[a]dministrative questions are not political questions” (1968a [1887]: 370–371) and Goodnow’s statement that “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) are factual claims, claims of what is the case. Hence they can, in principle, be falsified by factual counterevidence, even though they are so general that it will be difficult to do so convincingly. At any rate, those who formulate constitutional principles must reckon with reality: “[L]ike the military strategist they will be the more successful the more they keep in mind the hard facts of the terrain they survey” (Vile 1998: 326). One example of such a “hard fact,” according to Vile, is “the tendency towards the abuse of power in political man” (1998: 367; cf. pp. 406–407). Constitutional principles that do not reckon which such basic facts are unrealistic and vulnerable to charges of naïveté.

What hampers the possibility of ‘falsifying’ the politics–administration dichotomy, of course, is that it contains not only empirical but also normative elements. To the extent that it does so, the dichotomy-as-constitutional-principle is immune to empirical criticism. Noticeably, Wilson’s just-quoted empirical or factual claim about the essential difference between political questions and administrative questions is immediately followed by this normative claim: “Although politics sets the tasks for administration, it should not be suffered to manipulate its offices” (1968a [1887]: 371). Referring to actual practice in order to show that Wilson was incorrect here amounts to a naturalistic fallacy. Instead, opponents should show that Wilson’s recommendation is not the right way to achieve the goals he wants to achieve, or that these goals are not the right goals. When this route is taken, the discussion becomes much more normative. Just like the separation-of-powers doctrine, the dichotomy is based on the presupposition that, in Vile’s just-cited words, “there are certain demonstrable relationships between given types of institutional arrangement and the safeguarding of important values” (1998: 9). These arrangements and values are at least in part constitutional in nature.

6.4 Counterfactual Reasoning

A helpful way to see that the politics–administration dichotomy does indeed function as a constitutional principle is to imagine a situation in which the dichotomy would be completely absent. As a thought experiment, Waldo has proposed trying to imagine a state without the dichotomy: “What would a ‘polity’ that transcends politics and/or administration *be*?” (1981: 5). This is not simply a polity in which the line dividing politics and administration is blurred, which is all too familiar, but one in which such a line is entirely absent and perhaps even unthinkable. Waldo’s own answer to his question is interesting and disturbing and involves two steps. First, he claims that a state in which the politics–administration dichotomy

is entirely absent simply cannot exist. The complete abolition of the dichotomy is an illusion: “[A]ny thought that one or both of the two realms might somehow be transformed, or vanish, and that the problem of relating one to the other would thereby vanish, I regard as illusory. Utopias, whatever their differences, predict or presume abolition of the distinction, or at least present a satisfactory solution to the problem of putting the two together” (1984: 232). Conversely, this means that in every existing state the dichotomy manifests itself. Hence Waldo speaks of the “perdurability of the politics–administration dichotomy” (1984). Next, Waldo argues that attempts to realize a state without the dichotomy are not only bound to fail but are also pernicious. He suggests that such a state is properly described in George Orwell’s *1984*, the best-known combination, in his view, of a political and an administrative novel (1968: 25). The line between politics and administration is blotted out especially in totalitarian states. This insight—that the abolition of the dichotomy is pernicious and characteristic of totalitarian states—has remained largely unnoticed by students of public administration, but it has been recognized by some others. Roger Scruton, for instance, states it very clearly in his *Dictionary of Political Thought* under the lemma “bureaucracy”:

In totalitarian states (...) it is impossible to distinguish government from administration, appointment to political office and to administrative office being alike determined by the ruling party. In one sense this provides the nearest approach to complete bureaucracy that has yet been achieved. In another sense, however, it is further removed from bureaucracy than from any form of government known in the West, since it prevents the existence of genuinely administrative, as opposed to political decisions. The policies of the party are enacted at every level, from Politburo to factory floor. This amalgamation of politics and administration has sometimes been thought to be a feature of oriental despotism. (2007: 69)*

We can extend Waldo’s argument a bit further. As we know, totalitarianism comes in two types: a left-wing communist type, the most characteristic example of which has been the Soviet Union, and a right-wing fascist type, typified by Nazi Germany. (To see the point even more clearly, one should not think of the historical, actually existing totalitarian states, but of the totalitarian ‘ideal’ states, if one may call them thus, of which these actual states were deliberate but unfinished approximations.) Now it seems that on the left, in the communist ideal states, all

* Similarly, Luhmann observes that establishing the “functional differentiation” between politics and administration is difficult in both “developing countries” and “ideologically integrated societies” (1982: 381–382 n. 29). See also Harris’s understatement: “In the developing states of the developing world the distinction between politics and administration is not always clear” (1990: 10; cf. pp. 11–12, with references to the Soviet Union, China, and postcolonial countries).

activities of the state (insofar as it is not withered away) are officially transformed into administration, planning, and management. In such ideal states, at the end of history, there is no politics left, as Marx and Engels said in the *Communist Manifesto* (cf. Schluchter 1987: 11 n. 1). On the right, in fascist states, by contrast, all activities of the state (which does not wither away, but is instead massively present) are turned into politics, power play, and ultimately, as the continuation of politics with other means, war.* Thus, it seems that in these two variants the politics–administration dichotomy is abolished in opposite ways: in communist states, politics is eclipsed by administration, while in fascist states, administration is devoured by politics. (Of course, both politics and administration have here obtained a character that differs significantly from that in constitutional democracies.) These are two “simple,” indeed much too simple, ways of “reconciling” politics and administration (Lawrence 1954).

As said already, the actual, historical totalitarian states are incomplete approximations of these ideological ideals, but the resemblance is strong enough for one to notice that the politics–administration dichotomy was actually rejected in practice as well. Ruge has noted that “both Italian fascism and German national-socialism (. . .) disclaimed the liberal tenet about the separation between politics and administration; both preached the ideal of a state entirely pervaded by one ideology and commanded by one leader” (2003: 180). Like so many other things, they did this with different degrees of intensity. The Nazis tried to establish the strongest and most absolute political leadership over the administration possible: “The assertion of the primacy of politics, understood as leadership in contrast to administration, was one of the main themes of political thought in the Third Reich” (Stirk 2006: 94). When the Nazi regime became more established, however, and more permanent forms of civil government had to be established in occupied countries as well, the independence of administration gradually reemerged so that, eventually, administration (*Verwaltung*) was even recognized as a form of rule (*Walten*) in its own right. Stirk calls this “the ‘turn towards administration’ in the political thought of the Third Reich” (2006: 95). Whereas in Germany there were “persistent tensions between the Nazi party and traditional bureaucracy,” in fascist Italy an unstable and “tacit compromise” was reached in which the bureaucracy and the government agreed to leave each other more or less alone (Ruge 2003: 180). In general, however, one can say that both right-wing and left-wing totalitarian regimes have failed to erase the politics–administration dichotomy entirely: although formally removed at the constitutional level, a certain kind of dichotomy between politics and administration irrepressibly reemerged at the operational level (cf. Murphy 2007: 405–406 with evidence from the regimes of Hitler, Stalin, and Mao). At the same time, although there is some kind of division of roles and responsibilities in totalitarian states as

* Carl Schmitt, the renowned legal philosopher who is also notorious for having paved the ideological way for German Nazism, sharply objected to the “depoliticization” and “neutralization” of the modern state (1932).

well, politics and administration are clearly much less distinct there than in free, constitutional governments.

For the lessons to be drawn from this excursion into anticonstitutionalism, we can return to Waldo. He argued that attempts to abolish the politics–administration dichotomy are illusory as well as dangerous. The dichotomy is ominously absent in totalitarian states and a characteristic trait, conversely, of constitutional governments. Apparently, certain beneficial effects result from its maintenance. It creates problems that are in fact blessings in disguise:

In a situation in which there is principled as well as practical lack of congruence between politics and administration there are opportunities as well as problems, freedoms as well as frustrations. It is close to the mark to say that problems of congruence are a defining characteristic of liberal-democratic institutions. Put the other way around, the term *totalitarian* might best fit an entity in which politics and administration are a seamless robe. (Waldo 1987: 106)

As a government run completely by either bureaucrats or politicians cannot be a limited government, a certain separation between them seems to be a distinctive element of constitutionalism. By pitting politics and administration against each other, the dichotomy helps to preserve freedom: “[A] near complete integration of politics and administration is a rather good characterization of totalitarianism, and perhaps liberty is a product of disjunction” (Waldo in Brown and Stillman 1986: 137; cf. 1981: 5; 1984: 232; 1990: 82; Carroll and Frederickson 2001: 7). For most students of public administration, this will be a counterintuitive and provocative thesis. Unfortunately, in his writings Waldo presented these ideas only very tentatively and never elaborated on them. In particular, he nowhere explained the exact mechanism by which the dichotomy works its beneficial constitutional effects. We must therefore proceed from Waldo’s negative, counterfactual argument to a more positive argument and see how the politics–administration dichotomy does actually function as a constitutional principle.

6.5 Constitutional Functioning in Practice

So far we have seen that the politics–administration dichotomy shares the formal characteristics of constitutional principles in general and that it is absent or at least deliberately suppressed in unconstitutional regimes. After this section, we will also see that it is closely related to the hallmark of constitutionalism, the separation-of-powers doctrine. These are all helpful indicators to make us aware of the constitutional character of the dichotomy. The most important reason to regard the politics–administration dichotomy as a constitutional principle, however, is simply that it functions as such in the practice of modern constitutional states. Indeed, it

seems permissible to say of *all* modern constitutional states, because in contrast to particular constitutional arrangements such as bicameralism, federalism, or judicial review, which are present in some constitutional states but not in others, the politics–administration dichotomy is not an optional ‘add-on’ but an indispensable element. That is why the rejection of the dichotomy is so much an academic exercise; in practice, it continues to be widely accepted.

This is, of course, a crucial claim, but for several reasons it is far from simple to ‘prove’ it. As far as I am aware, no has as yet systematically studied the actual constitutional functioning of the dichotomy. All we have are tentative suggestions and fragmentary evidence. Moreover, it is difficult to establish convincingly that a certain institutional arrangement has a so far unrecognized function that goes beyond the immediate goals of the involved actors. While one can easily show that the politics–administration dichotomy often serves the legitimate and not-so-legitimate interests of both politicians and administrators, it is much more difficult to show that it also helps to preserve the constitutional form of government of which they are part and thus, ultimately, to serve the interests of the citizens. Finally, it is to be expected that the precise way in which the dichotomy is made to function as a constitutional principle differs from case to case. As with the separation of powers, different countries will have developed different ways to make the dichotomy constitutionally effective.

Notwithstanding these difficulties, I think there are important signs indicating that the dichotomy does indeed function as a constitutional principle in practice. In particular, I want to refer to the perhaps unlikely case of the United States—the country in which the dichotomy has been most severely criticized and also the country that is still known for its (now relatively limited) spoils system. I do not argue that in the United States (or any other constitutional state) there actually is a clear-cut and uncontested separation between politics and administration. My point is rather that the dichotomy functions there as an important constitutional norm. In several studies, it has been shown that especially the Supreme Court, the formal guardian of constitutionalism in the United States, has a long tradition of articulating and enforcing highly ‘orthodox’ ideas about public administration in its rulings, and that the politics–administration dichotomy is prominent among them (Rosenbloom 1984; Schultz 1994; Stover 1995). This adherence to the dichotomy has worked in two ways. One is that the Supreme Court has, in several important decisions, upheld the Hatch Acts, a series of laws prohibiting a large selection of American (federal) civil servants to engage in various kinds of partisan political activity.* These laws were first passed in the 1930s, and, as they have been substantially amended over the years, their content and the case law following from them have grown extremely complex. Although these acts have been the subject of

* Particularly in *United Public Workers v. Mitchell* (1947) and in *United States Civil Service Commission v. National Association of Letter Carriers* (1973) (cf. Rosenbloom 1984: 107–109; Schultz 1994: 420–422).

ongoing controversy, their basic idea is still widely shared and the Supreme Court has consistently upheld them against charges of unconstitutionality, violation of states' rights, and vagueness (cf. Bowman and West 2009). By doing so, it has prevented administrators from mingling in party politics. At the same time, in several other decisions the Supreme Court has also opposed political patronage, cronyism, and spoils.* It has upheld the principle that administrators cannot be hired, fired, transferred, or promoted on the basis of their political convictions. In other words, (partisan) politics is not allowed to interfere in the administrative process. Although these two lines of rulings—defense of the Hatch Acts and rejection of patronage—are sometimes thought to be contradictory, this impression vanishes as soon as one realizes that, in both ways, the Court has maintained the need for a dichotomy between politics and administration in the practice of government. Concludes Schultz:

Examination of Supreme Court assessment, Hatch Acts, and patronage decisions indicates that the Court has been a consistently strong defender of the politics/administration dichotomy. (. . .) Together, these decisions constitute a rejection of the Jacksonian claims that spoils are necessary for strong parties, party government, and popular government. The Court has instead adopted the language and assumptions of the Progressive reform era in seeking to place administrative duties beyond the realm of politics. (1994: 426)

An important question for us is *why* the Supreme Court defends the politics–administration dichotomy. Schultz's general reference to “the language and assumptions of the Progressive reform era” does not really provide us with an answer and may even lead us on a wrong track. The question is important, however, because it involves whether the Court sees the dichotomy as a constitutional principle or as something else (a convenient division of labor, for instance). Hence, Rosenbloom rightly observes that “[a] central issue raised by the Court's decisions is what *purpose* the creation of a dichotomy between politics and administration can serve” (1984: 116; italics added). To answer this question, he uses his important distinction between “partisan politics” and “policy politics” (see Chapter 7, Section 7.2). The Supreme Court, he argues, has tried to maintain the politics–administration dichotomy only when ‘politics’ means the former and not when it means the latter. Thus, by upholding the Hatch Acts, the Court has shown that it wants to keep administration out of partisan politics while its defense of the merit system shows that it wants to keep partisan politics (spoils and patronage) out of administration. But the Court has also permitted administrators to make comments on public policy (most famously in *Pickering v. Board of Education* [1968], a case in which

* Most famously in *Elrod v. Burns* (1976), *Branti v. Finkel* (1980), and *Rutan v. Republican Party of Illinois* (1990) (cf. Rosenbloom 1984: 109–112; Schultz 1994: 422–426).

a public school teacher criticized certain policies of his school organization in a newspaper). This shows that the Court has not wanted to keep administration out of “policy politics.” It believes that the quality of public deliberation about policy can in fact be served by the contribution of civil servants.

This subtle contrast shows that the Court aimed at different goals in its rulings. By protecting the Hatch Acts, it particularly aimed to protect the openness and fairness of the democratic process. By countering patronage, it protected not only administrative efficiency, but above all the rights of the individual (employee) over and above the narrow political values of spoils and strong parties. In general, it seems that the Supreme Court employs a relatively clear and stable hierarchy of values in which, generally speaking, administrative values (efficiency) rank lower than political values narrowly defined (strong parties and party government) and these in turn rank lower than constitutional values (individual rights and the functioning of democracy in general).^{*} In particular, it is important that—in contrast to the orthodoxy of American Public Administration—the main reason for the Court to defend the dichotomy lies *not* in administrative efficiency. This is not to say that the Court finds efficiency unimportant. In fact, Carl Stover has argued that a concern for this value has been dominant in many Court decisions (1995).[†] It is striking, however, that Stover refers rarely to cases about the relations between politics and administration (those that are so important to Rosenbloom and Schultz), but almost exclusively to cases that concern the workings of administration itself. He shows that, on that terrain, the Court has been a consistent proponent of the ‘principles of administration’ formulated by the Public Administration orthodoxy in the 1920s and 1930s. So the Court has surely valued administrative efficiency, but the main rationale behind its defense of the dichotomy is something different.[‡] Wrote Rosenbloom: “Simply put, the Court has been unwilling to allow the abridgement of public employees’ constitutional rights for the sake of the elimination of ‘friction’ [i.e., inefficiency] alone” (1984: 114). He quotes a statement of Justice Brandeis that clearly expresses the Court’s prioritization of constitutional values over administrative values:

^{*} For Rosenbloom, the (broader) political end of the dichotomy and its constitutional end tend to merge. The reason is that, in America, liberty is understood mainly in terms of individual rights and democracy. Protecting these becomes therefore a matter of protecting constitutional values as such. In European thought, by contrast, traditionally a public interest or common good is sought that transcends these individual and political concerns.

[†] Schultz sometimes also suggests as much, particularly when it comes to very early decisions on the political neutrality of civil servants such as *Ex Parte Curtis* (1882) and *United States v. Wurzbach* (1929) (1994: 418–420). With respect to the Hatch Acts cases, he says: “The Court’s rationale in upholding these restrictions clearly appealed to the rhetoric of neutral competence, including the language of efficiency, the articulation of the evil effects of politics upon administration, and the need to limit party influence in government” (1994: 422; cf. Rosenbloom 1984: 109 for a slightly different assessment).

[‡] Again, we see that the politics–administration dichotomy is not necessarily related to Progressivism and the principles of Scientific Management (cf. Chapter 4, Section 4.1).

The doctrine of the separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was, not to avoid friction, but by means of the inevitable friction incident to the distribution of governmental powers among three departments, to save the people from autocracy. (*Myers v. United States* [1926], quoted in Rosenbloom 1984: 115)

To conclude, we can say that the Supreme Court has defended the politics–administration dichotomy in the way it is described in this chapter: as a constitutional principle. While allowing for the involvement of administrators in policy making, it has consistently attempted to keep them out of partisan politics (the Hatch Acts), while at the same time also trying to keep partisan politics out of administration (patronage). This double-edged effort has above all been guided by a constitutional concern for the preservation of liberty—understood in the typically American, even Lockean, way in terms of individual rights and popular government. In comparison, a Wilsonian concern for administrative efficiency and a Weberian concern for strong parties and strong political leadership do not seem to have been the most important rationale behind the Court’s adherence to the dichotomy, although such administrative and (purely) political values are certainly considered in its decisions, too. Therefore, the defense of the politics–administration dichotomy by the Supreme Court should not be interpreted as a sign of the Court’s backwardness, but rather as evidence of its constitutional perspicuity.

As said, the constitutional functioning of the dichotomy is not typical for the United States federal government only, but seems to be present in other contexts as well. It can be found, for instance, at the level of local and regional government, most famously but not exclusively in the American council-manager system (Montjoy and Watson 1995; but cf. Svava 1985, 1999; Demir and Nyhan 2008; Demir 2009).^{*} It can also be found in parliamentary systems, in which the system of ministerial responsibility can be interpreted as a typical manifestation of the dichotomy-as-constitutional-principle. Moreover, all modern constitutional states maintain certain formal and informal norms to constrain the intrusion by politicians on the workings of administration on the one hand, and the political activity of administrators on the other.[†] Hence, the ongoing concerns about the politicization of administrators (Peters and Pierre 2004). Conversely, politicians almost everywhere enjoy certain responsibilities and immunities that most administrators do not have. Indeed, many institutional arrangements suggest the pervasiveness of the dichotomy as a constitutional principle: “The separation between politics and

^{*} Schultz has noted that the defense of the dichotomy by the Supreme Court has trickled down toward lower levels of government: “The Court’s decisions have not only helped politically to neutralize the federal bureaucracy, but along with other Supreme Court and lower court decisions, have done much the same at in state and local governments” (1994: 426).

[†] See Matheson et al. (2007) for a good overview of such norms in twelve countries.

administration is deeply ingrained in the civil service. Merit principles are widely recognized as useful imperatives, ethics codes reinforce these principles, and merit system structures are designed to implement these principles. Statutory law and common law protections exist, often buttressed by union contracts . . .” (Bowman and West 2009: 59).

The dichotomy thus seems to have a greater normative force in governmental practice than most present-day Public Administration theorists would be willing to admit. This raises the question why findings of administrative discretion and interactions between politicians and administrators are easily interpreted as evidence against the politics–administration dichotomy, whereas obvious differences and barriers between them are not as willingly recognized as evidence in its favor. One reason is surely that the dichotomy itself is commonly though unnecessarily interpreted in very specific and instrumentalist ways (Chapter 4). Another reason might be the idea that acceptance of the politics–administration dichotomy must be absolute, in the sense that, in Svava’s words, “you either have dichotomy or not” (2006: 134). This seems needlessly strict, however: it is very well possible to say that in one situation the dichotomy (understood as a constitutional principle) is observed or institutionalized in a higher or lower degree than in another. The main reason for overlooking the dichotomy and its actual constitutional functioning, however, seems to be that its institutional expressions are so well-known, so much taken for granted that their rationale is hardly considered. While we study the subtle and shifting interactions between politicians and administrators, the details of regulations and norms governing their behavior, and the differences in political-administrative relations across countries, we tend to forget the broader picture and to overlook the massive fact that politics and administration in our states are simply different and kept apart. The very persistence of this broad divide requires explanation, however, and for more detailed research in this direction, I would suggest framing the explanation in terms of its thus far underestimated constitutional function.

6.6 The Dichotomy and the Separation-of-Powers Doctrine

One important obstacle to accepting the interpretation of the politics–administration dichotomy as a constitutional principle could well be its apparent incompatibility with the separation-of-powers doctrine, arguably the most important construct in our constitutional thought and practice. The idea that the two constructs exclude one another is nourished, of course, by knowledge of the fact that Wilson, Goodnow, and Weber all treated them as alternatives. Even if it is granted that their positions need not be exhaustive, and that there might be another (French) approach to the dichotomy that is more sympathetic to constitutionalism in general and the separation-of-powers doctrine in particular, the question

remains how the dichotomy between politics and administration can be reconciled and integrated with the traditional trichotomy between the legislative, executive, and judiciary. The relation between the two is clearly ambiguous and complicated (Overeem and Rutgers 2003: 174–178). Several authors have struggled with the conceptual frictions between them, and different positions on this issue have been adopted. Some believe it is impossible to combine the two simply because they differ with respect to the number and nature of the functions and branches of government: “[T]wo won’t go evenly into three” (Rosenbloom 2006: 87). Others, however, have noted that in practice the two constructs often do go together (O’Toole 1987). In any case, it is clear that the dichotomy, to be acceptable at all, somehow “must be accommodated to [a] constitutional system that ordains that government shall be organized under three rubrics, not two” (Waldo 1987: 106).

One straightforward solution to the puzzle is simply to discard the dichotomy as fundamentally incompatible with American constitutionalism. This, we saw, is the approach of several representatives of the Constitutional School. They emphasize the undeniable fact that the classics presented the dichotomy as a substitute for or at least an amendment to the separation of powers (cf. Pestritto 2005, 2007; Rohr 1986: 55–89; Rutgers 2000: 293–295). In the words of Waldo, “the politics-administration formula, perspective, approach, dichotomy—pick your own noun—was an attempt on the part of public administration to work with and/or around the separation of powers” (Brown & Stillman 1986: 153). Because the two constructs seem obliquely opposed, some would prefer to reject the one to save the other. As we have often seen in this study, however, it is not easy to get rid of the dichotomy and it will recur as long as no perfect utopia or dystopia has been reached. Moreover, the separation-of-powers doctrine on its own provides no answer to the question of how public administration can be integrated into the constitutional order—the original, nineteenth-century challenge to which the dichotomy aimed to provide a (partial) answer. Adopting this solution, therefore, seems to be rather unwise.

Fortunately, there are reasons to believe the dichotomy and the separation-of-powers doctrine can be reconciled. We have seen earlier (Chapter 2, Section 2.3) that the separation-of-powers doctrine and the politics–administration dichotomy have striking parallels. They are not only theoretical distinctions between government functions, but also practical imperatives to disentangle the government bodies and the officials who perform those different functions. They both combine the notions of separation and coordination. At least since Madison, the separation-of-powers doctrine allows for interaction, partial overlap, and sometimes even cooperation of the branches and so does the politics–administration dichotomy. Further, there are important relationships between the two in governmental practice. As O’Toole (1987) has shown, many practical innovations that have shaped the administrative state in America (such as the Pendleton Act and the Hatch Acts) have strengthened the dichotomy and the separation of powers simultaneously. Luhmann has even stated that “the separation of powers acquires its meaning only when it is related

to and shaped according to the distinction between politics and administration” (1966: 75).^{*} The question remains, however, how we can theoretically reconcile or even integrate them. Several answers to this question present themselves. Briefly put, the politics–administration dichotomy can be seen as a dividing line *within*, *between*, and *behind* the three separated branches of government. Let us consider these three approaches in turn.

First, the dichotomy can be regarded as a division *within* the traditional branches of government. A relatively well-known idea, of course, is that of politics/administration as a division within the executive. Although some take this to be the original American conception (Lawson 1994; Pestritto 2007), it rather seems a typically European approach (Rutgers 2001). Whereas American constitutional thought tends to limit the executive to the White House, Europeans generally use a much broader concept of the executive. For them, the executive encompasses not only the ‘core executive’ (the president or prime minister, and the ministers of the cabinet and their direct staff) but also the ministerial departments and many other institutions of the government bureaucracy. In this approach, the politics–administration dichotomy runs between the political head and the administrative body of the executive. This contrast has deep roots in nineteenth-century European thought (Chapter 2) and is often framed as a contrast between the government (*gouvernement*, *Regierung*) and public administration (e.g., Ellwein 1970).

Although this distinction is obviously very important (in fact, most studies of political-administrative relations concentrate on the interactions between political executives and their senior civil servants only), it is not exhaustive. Politics/administration can be traced as a division within *all three* branches: not only the executive but also the legislative and even the judiciary are divided into political and administrative echelons.[†] They are composed of authorities that can in many ways be called political (whether elected or appointed), and these are supported by administrative support staffs. Murphy has vividly described the importance of this kind of support staff within all three branches (2007: 399–403).

What is attractive about this first solution is that it leaves the tripartite division of the separation of powers intact, while at the same time acknowledging that all three branches combine political as well as administrative elements. An important problem of this approach, however, is that it treats all three branches equally, whereas in terms of the distinction between politics and administration there are important differences between them. The judiciary, in particular, does not fit easily into this scheme (can Justices of the Supreme Court and lower judges be properly called political?), but even the support staff of members of

^{*} Original: “Erst in bezug auf diese Unterscheidung [i.e., between politics and administration]—und insofern ihr nachgeordnet—gewinnt die Gewaltenteilung ihre Bedeutung.” He refers to Goodnow and Bülck.

[†] I am thankful to the late John Rohr for suggesting this point to me (personal conversation, May 16, 2006).

a relatively powerful legislative such as the United States Congress dwarfs in comparison to the bureaucracies supervised by ministers. This approach thus tends to overrate a limited group of support staff in comparison to the mass of public administration.

A second way to combine the politics–administration dichotomy and the separation-of-powers doctrine instead concentrates on the differences *between* the branches. It takes politics/administration as a division between the traditional branches. In this approach, it is most tempting to equate politics/administration with legislative/executive.* But whereas in the politics–administration dichotomy the branch that exercises the deliberative and decisional functions has primacy over the branch that exercises the executive functions, this is not necessarily the case in the separation-of-powers doctrine. In America, at least, the doctrine of legislative supremacy is not accepted as part of the constitutional tradition, and even in the parliamentary democracies in Europe, the primacy of the legislative over the executive and the judiciary and that of politics over administration is far from absolute. In its relation to the legislative, the executive paradoxically combines a subordinated formal position with a strong, possibly even predominating, informal position. This “ambivalence of modern executive power” (Mansfield 1989; cf. Vile 1998: 96) parallels the position of the public administration within the state—as is nicely indicated by the fact that the Latin verb *administrare* means “‘directing’ and ‘serving’ at the same time” (Dunsire 1973: 1). The thought that the politics–administration dichotomy can be taken as a mere reformulation of the division between legislative and executive therefore comes naturally, but is not unproblematic either.

Again, one may wonder how the judiciary fits into the scheme, but even when we leave that question aside, it is clear that conceptually there are “vital differences between this new formulation of politics and administration and the early modern distinction between legislation and execution” (Vile 1998: 307). For a start, the concept of politics is “a much wider concept than ‘the legislative power,’ embracing the need for leadership in the formulation of policy, for securing the passage of legislation, and for the oversight of execution” (ibid). Equating the early modern concept of the executive with the much younger concept of public administration is perhaps even more problematic. Whereas the executive usually consists of a rather limited club of people and is often highly personalized, public administration often implies large numbers of officials and is much more impersonal, even anonymous.

* West, for example, sees a “neat correspondence between the politics/administration dichotomy and the separation of powers” (1995: 206; cf. p. 195). He chides what he calls “the traditional model,” which in his view is based on “the assumption that administration is an instrumental process that can and should be divorced from politics. It follows from this that one can clearly delineate between the legislative function and administrative/executive activities (which are one and the same under the traditional model), and that these two powers can be formally divided between Congress and the president, respectively” (1995: 99). That this “traditional model” has very little to do with the classical dichotomy should be now go without saying.

Whereas the executive is traditionally very much occupied with defense and foreign affairs, public administration mostly concerns internal affairs.* Overall, therefore, it is unwarranted to treat politics/administration as a mere reformulation of legislative/executive, notwithstanding the undeniable conceptual connection between the two.

There is, however, a more subtle way to regard the politics–administration dichotomy as a division between the branches of government. In this version, public administration is not equated with one of the branches but given a place among them, as a fourth branch. One very simple way to do so is to use the basic distinctions of deciding/executing and general/particular that (as I have argued in Chapter 2, Section 2.3) lies at the root of both the separation-of-powers doctrine and the politics–administration dichotomy: law must be first be made and then implemented, and law must be general, not particular. Whereas the deciding/executing distinction divides politics and administration by the kind of function they perform, general/particular divides them by the kind of issues they deal with. Now, these two basic distinctions can be used to understand the place of public administration among the traditional three branches of government (see Table 6.1).

Thus, politics and administration are functions of government that are unevenly distributed over four different institutional branches.† In this scheme, the legislative is the most political branch, because it typically makes decisions that regard general issues. The executive is somewhat less political and more administrative: although it also deals with general issues (budgets, foreign policy), it typically treats them in a more covert and less directly accountable way than the legislative. It has tremendous powers, and is known to have them, but we hide them behind the fiction that the executive merely executes. This is the ambivalence of the modern executive mentioned before (Mansfield 1989). The judiciary, similarly, is also political in a limited degree only, because it typically deals with particular cases, albeit that its decisions are authoritative and binding and made in an overt, publicly accountable

Table 6.1 Administration among the branches of government

	<i>'Deciding'</i>	<i>'Executing'</i>
<i>'General'</i>	Legislative	Executive
<i>'Particular'</i>	Judiciary	Administration

* This is the old contrast between 'politics' and 'policey' (Heidenheimer 1986).

† This idea is nothing new; it was a prominent contribution of Goodnow already. Vile argues that certain governmental functions are simply more typical of some branches than of others: "It is not possible to allocate particular functions exclusively to each branch of government (. . .), but it is possible to say that there is a function which is more appropriate to a particular procedure, to attempt to restrict each branch to particular *procedures*, and therefore to make one function the dominant concern of that branch" (1998: 415). Reussing 1996: ch. 22 adopts a similar kind of solution).

(although not necessarily democratically legitimated) manner.* The administrative, finally, is the least political and obviously the most administrative of the four powers, because it deals with particular, small, and generally uncontroversial issues and it lacks the constitutional authority to make final decisions.

There are, of course, some serious problems with the solution presented in Table 6.1. ‘Political’ and ‘administrative’ are multidimensional concepts and cannot be reduced to the two simple distinctions of deciding/executing and general/particular. They are helpful but clearly not sufficient to understand the dichotomy properly. Conceptual reductions of politics/administration by straightforward equations with other distinctions have mostly been made by authors who reject the dichotomy (see Chapter 4). Further, the solution suffers from all the problems associated with the deciding/executing decision so sharply highlighted by the Public Administration heterodoxy. The very suggestion that the executive and the administration ‘merely’ execute, is unacceptable.† Additional problems are connected to the general/particular distinction. As we have seen before, it is impossible to frame the difference between politics and administration in terms of the issues they deal with. Proponents (Weber) as well as opponents (Gulick, Appleby) of the dichotomy have noted that every administrative issue can in principle become a political issue (and vice versa). Finally, Table 6.1 suggests a constitutional position of the administration as an equal among the traditional branches that must be rejected as constitutionally inappropriate.

In the first approach (*within*), the separation-of-powers doctrine was broader than the dichotomy: this view attempted to integrate the dichotomy into the separation of powers rather than the other way around. The appeal of this approach may have to do with the idea that since chronologically the separation-of-powers doctrine came first, it must therefore also be conceptually prior, but this is clearly a logical fallacy. In the second approach (*between*), the two equal each other: the politics–administration dichotomy is, in fact, a reformulation of the separation-of-powers doctrine. A third option, finally, is to reverse the relationship and think of the politics–administration dichotomy as not more specific, but as more general (and perhaps even older) than the separation-of-powers doctrine. In this approach, the dichotomy is prior to and presupposed by the separation-of-powers doctrine. Politics/administration is a division *behind* the separation of powers, setting the three traditional branches apart from administration. In this view, the separation-of-powers doctrine not only arranges the relations between three branches of government but also excludes other institutions from the list of branches. There are three,

* The fact that we more easily call the executive ‘political’ than the judiciary might indicate that general/particular carries greater weight in our conceptualization of politics/administration than deciding/executing.

† To overcome the problems related to the concept of ‘executive,’ Vile has remarked that “[i]t would be less confusing if we were able to drop the term ‘executive’ altogether” (1998: 400). His alternative label for the second branch (“the policy branch”) seems not much better, however, because as we have seen, administrators are heavily involved in the policy process, too.

and only three, constitutionally recognized branches. Other possible candidates are relegated to less authoritative (though not necessarily illegitimate) positions. The traditional branches are singled out, because they are (potentially) political, while the rest of government is regarded as administrative. (Following this approach, the expression *trias politica* should be taken much more literally than it is usually understood and probably originally intended.) While popular representatives, chief executives, and judges have got their responsibility and legitimacy directly from the constitution, administrators obtain theirs only indirectly.

Following this view, it is fundamentally misguided to treat public administration as a ‘fourth branch’ of government: that would put the public administration on a par with and against the other, established branches. Surely, some authors have favored this notion. One of them is Long: “The theory of our constitution needs to recognize and understand the working and the potential of our great fourth branch of government, taking a rightful place beside President, Congress, and Courts” (1952: 818). Similarly, Peters has spoken of public administration as a separate branch of government (*öffentliche Verwaltung als eigenständige Staatsgewalt*; 1965), and even Vile, although a traditionally minded constitutional theorist, has urged his readers to “accept that there are now four branches of government” (1998: 400). There are many more authors who support this idea of public administration as a fourth branch (e.g., Meier and Bohte 2007; Merry 1978: 11–12; Reussing 1996: ch. 21), but others have rejected the notion. Rohr, for one, sees the public administration as subordinate (though certainly not a mere instrument, but autonomous, even choosing its own constitutional masters), and hence not as a constitutional branch of government on a par with the traditional three (1986: 182; cf. Nichols 1998). I agree with him that it is misleading to treat ‘the administrative’ as a fourth branch among the others.* This exclusion of the administration from the set of constitutional branches of government need not be based on an originalist reading of the American Constitution, but on the very character of public administration. While the other three branches have a ‘final say,’ the interpretations and decisions of civil servants “though usually accepted as valid, are in principle subject to review” (Vile 1998: 360).†

How do these three solutions relate to each other? They all three seem to make some sense, but simple logic appears to forbid us to see administration at the same time as the lower echelon of each branch (*within*), as associated with some branches (*between*), and as excluded from all three branches (*behind*). The fact that, in practice, these approaches do exist next to each other suggests that the distinction between politics and administration is a distinction of a different order than that

* Calling public administration a fourth power seems to confuse Montesquieu’s two concepts of power: *puissance* and *pouvoir*. Although it evidently *has* power, it therefore *is* not a power.

† Thus understood, this third solution is an expression of the French approach associated with Montesquieu in Chapter 2, Section 2.4. When administration is seen as separate from but not subordinate (perhaps even as superior) to the other branches, however, it rather reflects the German approach associated with Hegel. Perhaps one could say that in the former politics/administration is a line *below* the three separated powers, whereas in the latter it is a line *above* them.

between the legislative, executive, and judiciary. It seems less a distinction between branches or institutions, and more one between rationalities, principles, or norms. Further, it is clear that, from the viewpoint of constitutionalism, the third solution takes precedence over the other two: after it is established that public administration as an institution is not equal but subordinate to the traditional constitutional branches, it can be allowed that each of the constitutional branches has a lower administrative support staff and that some branches are more political and others more administrative. The politics–administration dichotomy would not be nearly so important if it was only a separation within or between the traditional branches of government. Only by treating the dichotomy as a division *behind* the separation of powers, it addresses the issue of how to give public administration a place within the constitution. How exactly it functions as a constitutional principle in connection with the separation-of-powers doctrine will require, however, more theoretical reflection and empirical research in the future.

6.7 Coming Full Circle

Although an increasing number of scholars have recognized the relevance of studying public administration from a constitutional viewpoint, most of them have remained suspicious of the politics–administration dichotomy because they regard it as incompatible with the separation-of-powers doctrine. I have argued that the two are not only compatible, but even presuppose one another. Moreover, the dichotomy has the formal characteristics of a constitutional principle: it is a practical yet not unrealistic norm for the distribution and control of government power. Although mostly unrecognized, it functions as such a principle in modern constitutional states, while in states lacking a proper degree of constitutionalism (such as failed states, many developing states, dictatorships, and totalitarian regimes), it is conspicuously lacking. In sum, understanding the dichotomy as a constitutional principle can help to make sense of actual thought and practice.

It also provides an opportunity to reconnect our understanding of the dichotomy to its origins, because (as was shown in Chapter 2) in nineteenth-century Europe the dichotomy was mainly conceived for constitutional reasons. In particular, it reconnects the dichotomy to the approach of Montesquieu, the Federalists, and Tocqueville—the ‘road not taken’ when (neo-)Hegelian thought hijacked the tradition. Under neo-Hegelian influences, Wilson and Goodnow established not only a *politics*–administration dichotomy, but also a *polity*–administration dichotomy: they rejected the separation of powers and attempted to distance administration from the established constitutional order. The Hegelian approach evoked the critique of Weber, but he did not resume the French still-born constitutional approach either. The confrontation of Hegelian and Weberian one-sided understandings of the dichotomy has brought us in Waldo’s quandary.

Therefore, I propose ‘going back’ to the French tradition discerned in Chapter 2.^{*} This means that we draw again upon the tradition of Montesquieu and his followers rather than those of Hegel and Weber and conceive of a legitimate but subordinate role for public administration within the constitutional order.[†] Authors such as Vivien have related the distinction and separation between politics and administration to the separation-of-powers doctrine, giving administration a legitimate but subordinate place within the state. This approach has remained hidden, so to speak, for more than a century, but it has partly reemerged since the 1980s. The tentative and preparatory work of Waldo and particularly the constitutional approach developed by Rohr and others, though often ambivalent toward the dichotomy, provide us with the intellectual resources to imagine and appreciate the dichotomy as a constitutional principle again. It allows us to combine the constitutional legitimacy of public administration with a concern for limited government and respect for the separation of powers and procedural justice (Spicer 2010: 80–84). Its basic idea is aptly summarized by Vile: “The autonomy of the administration should be recognized, but at the same time it should be subject to effective control” (1998: 411). This combination of separating administration from politics while also subordinating it to politics is typical for the dichotomy understood as a constitutional principle. It shows that the dichotomy, similar to all constitutional principles, is meant to prevent both anarchy and tyranny.

Because of these twin aims, the dichotomy is inherently ambiguous. This is already very well known for the separation-of-powers doctrine, which, as Vile has shown, in the course of its history has integrated the notions of ‘separation’ and ‘balance.’ Historically, the doctrine of the mixed or balanced constitution preceded the doctrine of the separation of powers, but gradually the two merged. Conceptually, however, they are contradictory: whereas the notion of balance implies close and constant relations between the powers, that of separation suggests the absence of such relations (Vile 1998: 107, 108; cf. Rutgers 2000). In the politics–administration dichotomy, two similar ideas are juxtaposed (see Chapter 3, Section 3.5). On the one hand, the dichotomy refers to a separation: politics and administration should be ‘cut in two’ in theory and in practice. This side of the coin has been advocated particularly by the American Progressive Reformers (Wilson, Goodnow) and their orthodox successors. They who have stressed this aspect have been particularly concerned with empowering the administrative state and with the preservation of administrative values. On the other hand, the dichotomy also refers to the subordination of administration to politics—or, conversely,

^{*} Lowery has argued that such a return is impossible because of an unbridgeable gap between our concerns and those of the Founding Fathers, as we no longer believe (he claims) in the fragility of liberty and the predominance of human self-interest, as they did (1993: 197, 204). The constitutional approach undercuts precisely these contemporary assumptions (cf. Vile 1998).

[†] Bovens associates Montesquieu only with what he calls “horizontal accountability,” and does not sufficiently acknowledge the subordinate role of public administration vis-à-vis the established constitutional powers (2003: 65–66).

the primacy of politics over public administration. This is the approach taken by Max Weber, particularly, and in much of the European literature more generally (Hyneman [1950] is one of the few Americans taking this line). Although subordination, of course, presupposes at least an analytical separation, this approach aims not so much to liberate public administration from political interference as to maintain or (re-)establish political control over administration in order to prevent administrative tyranny (*Beamtenherrschaft*, as Weber called it).

Probably unwittingly, Vile has advocated a combination of these two positions. He agrees with “the earlier advocates of administrative autonomy” (i.e., Wilson and Goodnow) that public administration should be made exempt from political interference and political turmoil, but he also insists upon its being subjected to certain controls:

Unless the administrative state is abolished altogether—an unlikely eventuality—in some sense politics will have to be taken out of administration. This does not mean, however, that the administrative machinery should be left to get on with the job uncontrolled (. . .). It means that effective methods of control must be established to safeguard the rights of the individual to prevent the abuse of power by administrators, as much as by the legislature or the policy branch [i.e., the executive branch]. (1998: 401)

This is a clear statement in support of the understanding of the politics–administration dichotomy defended here: the constitutional cause (whether the protection of individual rights, as Vile has it, or the achievement of some notion of the common good, as I would prefer) requires that administrators are separated from and subordinated to their political superiors.* Bülck has expressed a similar idea: “The administration is dependent and independent at the same time. In the first instance it is dependent and in the second independent, namely from and vis-à-vis the political leadership” (1965: 52).† If this combination of separation and subordination

* In the rest of his argument, Vile unfortunately tends to emphasize separation at the cost of subordination. He aims to distance public administration from “the policy branch” and subject it to judicial and especially legislative controls only (1998: 413–420). This seems naïve: if the executive branch is unable to control the bureaucracy effectively, the judiciary and the legislature will be even less so. He poses a false dilemma when he says that “either the government [i.e., the executive or ‘policy branch’] must accept full responsibility for every action of the administration, which is unrealistic, or it must be detached altogether from its operation. The middle ground is unacceptable and unworkable” (1998: 413). In most modern governments, however (not only in parliamentary systems with ministerial responsibility, but also in presidential systems), both options are, of course, adhered to, although in mitigated form: the government is held fully responsible (but not *sanctioned*) for even minor administrative errors and yet also more or less detached from the actual administration—as the dichotomy requires.

† Original: “Die Verwaltung ist abhängig und selbständig zugleich. In erster Linie ist sie abhängig und in zweiter selbständig, nämlich von und gegenüber der politischen Führung.”

seems like the squaring of a circle, it helps to remember that the familiar concept of administrative discretion includes them both (see Chapter 4, Section 4.5). Discretion implies that certain limiting rules are set by a hierarchically superior (usually political) authority, but also that these rules leave room for professional and prudential (administrative) decision making. Hence, the notion of administrative discretion perfectly fits my understanding of the dichotomy as a constitutional principle (cf. O’Neill 1988). Cook has captured the point precisely: “Within a general theory of constitutionalism, (. . .) a constitutional theory of public administration is a theory of responsible discretion” (1996: 177).

Ultimately, however, the constitutional importance of the politics–administration dichotomy lies not primarily in the fact that it allows discretionary room to administrators, or in the fact that it allows primacy and supervision to politicians. As a constitutional principle, the dichotomy first and foremost contributes to the legitimation and limitation of government in its interactions with citizens. It is through the *combination* of separation and subordination that the dichotomy works its most beneficial effects. The mechanism, hinted at but never elaborated by Waldo, is that by maintaining a division between politics and administration within the state its elements can keep each other in check, which in turn gives them less latitude to trample on the liberty of citizens and creates room for responsible citizenship. I think Montesquieu, the Federalists, and Tocqueville would agree.

Chapter 7

The Meaningful Dichotomy

That we are the beneficiaries as well as the victims of the cleft between politics and administration is recognized. The cleft gives room for maneuver. Its tensions, lapses, confusions, and contradictions can and do sometimes serve ends we value. Arguably, indeed, some of the ends we value have been created by the existence of the cleft. (Waldo 1990: 82)

7.1 The “Perdurability” of the Dichotomy

The politics–administration dichotomy is a social construct. It is not given by nature or logic, although it can appear quite natural and logical in some of its conceptualizations, and we have no warrant that it might not pass into disuse and disappear. The dichotomy is not universal either. The existence of a division between political and administrative functions and functionaries seems typical of modern constitutional governments only and alien to earlier and other forms of government. The very idea was absent or at least unarticulated in premodern and early modern thought, and it is presently (allegedly) transcended or deconstructed in postmodern thought. At the same time, the dichotomy is not an arbitrary artificiality that we can easily dispose of. Through a long historical development, it has become embedded in our Western way of thinking about government. Closely related to the separation-of-powers doctrine, it adds a new chapter to the continuing story of constitutional thinking. Especially during the twentieth century, the dichotomy

has been codified in laws and regulations, upheld by court rulings, internalized by public officials, and presupposed in much scholarly work. It has become ingrained in our understanding and structure of government and is not likely to disappear any time soon.*

A good way to characterize the politics–administration dichotomy is to follow current fashions in Public Administration and Political Science and call it an institution. It is a particular kind of institution, however, namely, a constitutional principle. Such institutions are typically not the main focus of today’s neoinstitutionalism, which arose in the 1980s and has since become the dominant approach in both fields. To be sure, different kinds of neoinstitutionalism can be distinguished, each putting its own emphases on different types and aspects of institutions, but in general they pay most attention to relatively specific and often informal institutions such as decision rules, social norms, routines, and conventions.† This was different in classical institutionalism, which was dominant in Political Science and to a smaller extent Public Administration until the rise of behavioralism in the 1950s and 1960s. Peters has offered a useful description of this “old institutionalism” in terms of five characteristics (2005: 3–11). The first three of them (legalism, structuralism, and holism, in his terms) basically say that the old institutionalism concentrated on constitutional structures. Authors such as Carl J. Friedrich (e.g., 1968 and 1974) discussed the merits of, for instance, presidential and parliamentary democracy, federalism, bicameralism, and the rule of law on a relatively high level of generality. They were interested in the principles of government rather than its precise workings. Peters’ last two characteristics of the old institutionalism (its historical and normative emphases) point to the fact that the approach was still firmly rooted in political philosophy. Whatever the merits and demerits of classical institutionalism in general, this brief characterization may suffice to show that it provides a promising theoretical background for a constitutional understanding of the politics–administration dichotomy. The fact that today the dichotomy is seldom recognized as a relevant institution, let alone as a constitutional principle, can be understood from the demise of classical institutionalism and the predominance of behaviorist and neoinstitutionalist orientations in the field (cf. Vile 1998).

That the politics–administration dichotomy is indeed a deeply ingrained institution in our thinking is shown by its remarkable persistence in the face of widespread and often vehement criticism. Public administration scholars have been surprised by “the perdurability of the politics–administration dichotomy” (Waldo 1984b)

* Similarly, Merry notes that the comparable though more specific “boundary” between the presidency and public administration is “neither official nor systematic, but it is substantial and persistent” (1978: i; cf. pp. 47, 71).

† Svara has associated the difference between the dichotomy model and his own complementarity model with contemporary debates between rational-choice and sociological variants of neoinstitutionalism (2001: 179; Svara and Brunet 2003: 190). This parallel is less than helpful, however. As this study has shown, the dichotomy can well be understood from many more perspectives than rational-choice.

and “the lingering influence of politics-administration” (Denhardt 2007: 47). Speaking about “the ancient proverb of public life that politics and administration are separate enterprises,” Peters has observed that “[a]lthough any number of authors have attempted to lay this proverb to rest, it has displayed amazing powers of survival and reappears in any number of settings in any number of political systems” (2001: 182). Many explanations have been offered for the persistence of the dichotomy.* One type of explanation refers to characteristics of the construct itself. Waldo has suggested that the dichotomy may be so tough simply because dichotomies in general are basic to human thinking: “I have speculated that dichotomies or paired opposites have a base in the biology of the brain, given their prominence in our thought ways” (1987: 111 n. 18).† Others have explained the endurance of the dichotomy from what they see as its simple and rational character (Hansen and Ejersbo 2002: 734–735). These suggestions may have some merit, but they are not sufficient to explain the persistence of this particular dichotomy, because dichotomies can and do of course also fall into oblivion despite, or perhaps rather because of, their simplicity and rationality. In the case of the politics–administration dichotomy, something more seems to be the matter. Its durability does not seem to be caused by its simplicity, but rather by its complexity. It is a many-sided construct that cannot easily be discarded, perhaps a many-headed monster that cannot easily be slain. When one understanding of the dichotomy is rejected, such as deciding/executing or value/fact, other possible conceptualizations remain unaffected.

A more sophisticated explanation of the dichotomy’s persistence refers not just to characteristics of the dichotomy itself, but to its function for those who use it. A common argument is that while the dichotomy itself must be regarded as untenable, it remains in use because it serves the interests of certain involved actors, who keep it alive as a “useful” or “salutary” myth (Lawler 1988: 51; Miller 2000: 314; Richardson 1997: 41). Public servants, in particular, are often said to profit from maintaining the dichotomy. According to Peters, for instance, the dichotomy allows bureaucrats to hide behind their “apparent professional detachment” so that they “may make otherwise unacceptable decisions more palatable to the public” (2001: 182). The same idea is expressed by Cook: “The perpetuation of the dichotomy means the perpetuation of the contradiction between what the public is told about the role of public administration and what they can readily see of its influence on the shape and substance of the polity” (1996: 97; cf. Miller

* Skelley has given a useful and extensive analysis of the reasons for the persistence of the dichotomy. As an additional explanation of his own, he suggests that “the dichotomy’s persistence may have its foundation in the nature of the decision-making processes of large bureaucratic organizations” (2008: 549). In particular, he points to the hierarchical structure and divisions of labor in many organizations. This seems an attractive explanation, but treating the politics–administration dichotomy only as a management principle of public organizations overlooks its (historically, theoretically, and practically more important) constitutional rationale.

† In general, the use of dichotomies was a typical trait of Waldo’s way of thinking (Carroll and Frederickson 2001: 2, 5; McCurdy and Rosenbloom 2006: 203–204).

2000: 325). Alternatively, the dichotomy is sometimes also said to serve as a useful myth for politicians. According to Peters again, “it may allow politics to shape, or at least influence, an important decision that will be announced by a ‘nonpolitical’ institution that will not be held publicly accountable” (2001: 182). Thus, in the power game between politicians and public servants, the dichotomy may serve as a rhetorical tool or hiding cloak to either party—or indeed (a possibility that is little noticed) to both parties simultaneously.

In an even subtler attempt to explain the dichotomy’s endurance, the ‘useful myth thesis’ is not applied to practitioners but to academics. According to this argument, scholars continue to take the dichotomy seriously not because they see any value in the idea itself, but because it suits their own interests, for instance, because its simplicity makes it useful for Public Administration ‘pedagogy’ (Rugge 2003). They find it attractive to start a course or textbook on public management, administrative ethics, or another subject in Public Administration with the “creation myth” (Svara 1999: 676) that in the beginnings of the field of Public Administration simplistic dichotomy was advocated but that gradually we have come to know better. This way of presenting the history of the field is not only easy, but also reassuring, because it gives the impression that at least on one point real progress has been made—a comforting idea in a field struggling with a self-imposed identity crisis. Hence, Harmon has suggested that the continuation of controversies about the dichotomy can be explained from the “status anxiety” of administrative theorists suffering from “their field’s repressed authority problem”: the endless debates on this seemingly fundamental “pseudo-problem” makes the field look relevant and serious (2006: 39, 137). Whether applied to academics or to practitioners, in each of these variants the basic idea is that the politics–administration dichotomy does not go away because it functions as a useful myth: “For all three groups (elected officers, appointed administrators, and political scientists) the policy-administration dichotomy is a convenient crutch, or myth, to support and justify their current status” (Mosher 1982: 8).

I do not deny that in all probability these explanations for the dichotomy’s persistence carry some truth. Undoubtedly, many civil servants and politicians will attempt to hide behind the shield of the dichotomy when it suits them, and in Public Administration textbooks and undergraduate courses a condescending reference to Wilson’s and Goodnow’s ‘simplistic’ idea does indeed seem to belong to the established opening ritual. But even if not entirely false, these explanations are not unproblematic either. An obvious problem of the ‘useful myth thesis’ is that it has never been supported by empirical studies, but only by assertions and anecdotes. Perhaps the thesis cannot be falsified or corroborated. The existence of hidden motives is difficult if not impossible to prove, and those who try to do so may themselves be suspected of hidden motives and “status anxiety” in turn. A more fundamental problem of the thesis is that it assumes what most of its adherents tend to deny, namely, that the dichotomy has a strong normative appeal, at least for citizens and practitioners. If it had not, it could not function as a very effective

smoke screen. This normative appeal requires an explanation the useful myth thesis itself cannot offer. Most important, however, these explanations for the persistence of the politics–administration dichotomy seem overly cynical. They assume that the dichotomy is at bottom an indefensible idea, so that its endorsement must be either unintelligent or insincere, making the concept a ‘noble lie’ at best (Marion 1990). This ignores the possibility that there may be good though unrecognized reasons to stick to the dichotomy, and illustrates once again that many authors have lost sight of the problem the dichotomy was initially meant to solve. Therefore, it is important to return to this problem and to acknowledge with Waldo that “the politics-administration distinction (. . .) cannot or at least should not be wholly abandoned. The distinction serves many useful purposes in analyzing and operating the government” (in Brown and Stillman 1986: 47).

The complexity and enduring value of the dichotomy take us back to the central question formulated in Chapter 1: *What is the meaning of the politics–administration dichotomy?* In this chapter, I will take stock of the different meanings encountered in this study and try to clarify how my own understanding of the dichotomy as a constitutional principle sits among them. The following sections subsequently discuss how the dichotomy can and should be conceptualized (*content*; Section 7.2), what it can and should be intended to accomplish (*purpose*; Section 7.3), and finally the reasons for which it can and should be endorsed (*relevance*; Section 7.4). In the final section (Section 7.5), I return to the opening observation of this study that while the dichotomy is rejected by most students of public administration, it is accepted by most others, and try to see whether, at least on this topic, social science and common sense can be brought in closer harmony.

7.2 Content: A Layered Construct

If this study underscores anything, it is the importance of conceptualizations. Svava was right when he argued that “the heart of the problem in understanding the relationship between politics and administration has been our inability to conceptualize it” (1985: 4). Conceptualizations are fundamental: obviously the dichotomy is more useful and therefore more relevant in some conceptualizations than in others. The main message of this study is therefore that, again in Svava’s words, rejecting the dichotomy “is not necessary if the dichotomy is properly understood” (2002: 5). Much too often, the sense and especially the nonsense of the politics–administration dichotomy are proclaimed without a proper consideration of what the notion exactly means. Of course, providing a defensible conceptualization is not easy. As this study has shown, the dichotomy has a kaleidoscopic character: it can be seen from different viewpoints, each of which shows different, sometimes contrasting aspects. Waldo already noticed in *The Administrative State* that “even though two writers may both accept the politics-administration formula as true, they may be completely at variance as to its meaning in practice” (1948: 115). In a similar vein,

Rutgers has observed that “[d]epending on the approach taken, [the dichotomy] can be assigned different characteristics that may lead to its acceptance or rejection: the domain of applicability of the dichotomy seems to change constantly” (1998: 25). To unravel this sometimes mind-boggling diversity of conceptualizations, I will now first examine the distinction between politics and administration, and then the dichotomous relationship between them. For both, the implications of treating the dichotomy as a constitutional principle will be assessed in particular.

A first crucial step to reduce confusion is to break the conceptual chain of ‘administration-policy-politics’ that was forged in the 1930s and 1940s by heterodox authors such as Gulick and Appleby (Chapter 4, Section 4.2). Its first link, the equation of administration and policy, in part reflects an empirical development. Since the first articulation of the dichotomy in the nineteenth century, the policy role of public administrators has strongly expanded. The emphasis of much public administration work (as of much other work in modern industries) has shifted from doing to thinking, from policy execution to policy preparation, including—spectacularly but not exclusively—the drafting of legislation. This development has made the instrumentalist conceptualization of politics/administration as deciding/executing even more inadequate than it had already been before. It is therefore understandable that the growing involvement of administrators in policy making has often been invoked as an objection against the dichotomy. In itself, however, this development need not imply a rapprochement between politics and administration. Students of public administration often tend to forget that while public administrators have got a larger policy role during the twentieth century, politicians have greatly expanded their electioneering, campaigning, and spin-doctoring activities as well. Moreover, as we have seen, the concept of administrative discretion has played an important but not always appropriate role in forging the administration-policy equation. Properly understood, discretion rather presupposes a distinction between administration and policy, because it implies the free operation of administration within a certain policy framework (see Chapter 4, Section 4.5).

With regard to the second link of the conceptual chain, it is crucial to reinstate the distinction between ‘politics’ and ‘policy’ (cf. Overeem 2005: 320–322). After politics/administration and policy/administration were thrown together in the heterodox literature, they have been intermingled ever since. Only a handful of administrative theorists have tried to break this conceptual link as well. Among them, Frank Marini is particularly outspoken:

Part of the difficulty with the usual position on the politics administration dichotomy is that it moves carelessly between arguments about the possibility of distinguishing between policy and administration and the possibility of distinguishing between politics and administration. There are languages in which it is impossible to distinguish between the concepts ‘politics’ and ‘policy,’ but contemporary American English is not such a language. Yet too often public

administration arguments move from an argument that it is difficult to administer policy without impacting policy to the argument that it is impossible in an intellectually respectable fashion to distinguish between politics and administration. (1994: 3)*

Although others, such as Stene (1975b), have also emphatically and intelligently insisted on the distinction between the concepts of politics and policy, their pleas have unfortunately been of little avail. Indeed, some attempts to put things straight have introduced new confusions, for instance, when Thayer defines politics as “the theory and practice of winning elections” and policy as “what winners do while in office” (1984: 264), when Montjoy and Watson describe policy/administration as a “conceptual” dichotomy and politics/administration as an “institutional” one (1995: 232), or when Harmon conceptualizes politics/administration as expressing/executing and policy/administration as general/particular (2006: 124–126). These interpretations all specify and simplify the issue unjustifiably.

Part of the difficulty of gaining more clarity about the difference between ‘politics’ and ‘policy’ is that, as Rohr has noted, “the relationship between the two concepts is one of whole to part. That is, all public policy is political but not all politics is policy. Electoral politics is the most obvious example of political activity frequently unrelated to policy” (1989: 55 n. 44).[†] Following this view, we end up with the distinction Rosenbloom made between “two relatively distinct types of politics,” namely, “partisan politics” and “policy politics” (1984: 104 and 2008; cf. Overeem 2005: 321–322).[‡] Undoubtedly, “the boundaries between policy and party politics are hazy” (Etzioni-Halevy 1983: 98), but it is necessary to maintain the distinction. Indeed, I would argue that because of its normative value, doing so becomes more necessary as it becomes more difficult.

Of course, not all difficulties of conceptualizing the dichotomy are caused by the concept of policy. The politics/administration distinction itself is also vexingly “multidimensional” (Hansen and Ejersbo 2002: 749). Politics and administration are complex phenomena denoted by complex concepts, and the distinction between them can be understood in many different ways, such as general/particular, deciding/

* In a similar vein, and more surprisingly, Thayer has argued that acknowledging the distinction between politics and policy is not only a matter of conceptual clarity, but also of honesty toward public administrators about their constitutional responsibility: “Careerists deserve a respite from academic badgering. Their jobs can be, and often are, challenging and exciting, but it is unfair to suggest that because their instrumental value decisions can be casually described as ‘making policy,’ they should assert that they do what they are not constitutionally entitled to do (i.e., perform the same function as those elected to direct them)” (1984: 269–270).

[†] Harmon makes the same point when he says that “[p]olicy (...) is properly regarded as a limited feature (...) of politics” and that “politics is a more protean concept” (2006: 7–8, 124–126).

[‡] In Chapter 4, Section 4.2, we have seen that some of the heterodox authors continued to make the same distinction (Appleby 1949: 53, 153; Gulick 1933: 59, 60; cf. Fry 1989: 1034).

executing, generalist/specialist, elected/appointed, democracy/bureaucracy, and partisan/neutral, to name only some of the most prominent. These conceptualizations all contribute to our understanding of politics/administration (although surely not in equal measure), and therefore we should not dismiss particular conceptualizations too easily. Indeed, as Waldo has argued, something can be said even for deciding/executing, which is definitely the most criticized conceptualization in the literature: “The twofold schema has too much going for it in logic and usefulness simply to disappear. We *do*, commonsensically, decide and execute, set policy and administer” (in Brown and Stillman 1986: 153; cf. 1980: 69; 1984b: 232). Thayer, though radically critical of the dichotomy as such, has acknowledged the same: “Nothing is more common than the everyday distinction between those who make policy and those who implement it” (1984: 269). Thus, even deciding/executing, although clearly insufficient to serve as an understanding of politics/administration on its own, can be useful as a starting point.

If we should not dismiss particular conceptualizations lightly, far less should we reduce politics/administration to one single conceptualization or a small set of conceptualizations. In Chapters 4 and 5, it was shown how such conceptual reductions (for instance to value/fact) have led to misguided criticisms of and unhelpful alternatives to the dichotomy. To take another example, the partisan/neutral contrast is certainly helpful to understand politics/administration: administrators are generally and rightly expected to be less partisan or more neutral than politicians (cf. Overeem 2005). Yet, party political neutrality cannot be a sufficiently distinguishing attribute of public administration as long as there are other institutions in government that are also nonpartisan, or at least expected to be so (for instance, the judiciary, or the monarchy if there is one) and as long as there are also highly partisan public administrators (for instance, in dictatorial regimes). Thus, the partisan/neutral distinction is important, but politics/administration cannot be reduced to it. The same goes for other distinctions. No single conceptualization or small selection of conceptualizations seems capable of capturing the full meaning of politics/administration. Instead of simplifying politics/administration by dismissing unattractive conceptualizations or overrating attractive ones (let alone introducing ever new ones), it seems more sensible to give up on Waldo’s quest for one simple ‘formula’ and to accept politics/administration, complex as it is, as a meaningful distinction itself.

A more commendable way to reduce complexity, and at the same time doing justice to it, I would suggest, is to understand the politics/administration distinction as a layered construct with different conceptualizations pertaining to different levels of generality, for instance, as deciding/executing on the micro-level of functions performed by individual officials, as political/professional accountability on the meso-level of organizational design, as legislative/executive on the macro-level of national constitutional structure, and as civic culture/imperial traditions

on perhaps the most general level of Western civilization.* Unconscious switching between these different levels is a major source of confusion in debates about the dichotomy. Conceptualizing politics/administration as a layered structure reveals why criticisms aimed at one level often do not affect the distinction at other levels.

Within this layered structure, conceptualizations at lower levels of generality (especially those at the level of individual functionaries or issues) tend to be more vulnerable to theoretical and empirical objections than those at higher levels. In particular if the dichotomy is to be understood as a constitutional principle, politics/administration must be conceptualized on a relatively high level of generality. The doctrine of the separation of powers, or that of the separation of church and state, also do not prescribe the relations and interactions between government powers or between government and religious groups in detail, but allow these to be specified in laws, regulations, and other (sometimes unwritten) norms. The situation of the politics–administration dichotomy is no different: it gives a general principle, not a detailed rule book. In Waldo’s oeuvre, we see a fascinating shift toward increasingly general conceptualizations of politics/administration (cf. Overeem 2008a). In his early writings, he conceptualized the distinction mainly by means of the relatively narrow understanding of deciding/executing and rejected it as such, but his later writings show increasingly more general conceptualizations and therefore also a greater appreciation of the distinction. Democracy/bureaucracy in particular became the most prominent conceptualization in his later work (e.g., Waldo 1977).

The relationship between democracy/bureaucracy and politics/administration is not evident. On the one hand, politics/administration cannot and should not be reduced to democracy/bureaucracy only, because it is possible to conceptualize the former without the latter: one could imagine a dichotomy between aristocratic politics and feudal administration.† We should never forget that “democracy is not the same thing as politics” (Spicer 2010: 87), and that it can easily lead to a tyranny of the majority and “soft despotism” (Tocqueville 2000 [1835–1840]: 661–665), particularly when it is supported by a modern administrative apparatus. On the other hand, the politics–administration dichotomy originated in a time when politics

* This idea is derived from Waldo, who identified the issue of the “definition of the unit” as an important problem in thinking about the dichotomy: “What is the appropriate population or universe for calculating the optimum mix of democracy and administration?” (1977: 10). In his answer, he suggested individual organizations, clusters of related organizations, the nation state, and finally even the entire world, recognizing that each level depends on the other levels (1977: 10–11). Implicitly and explicitly throughout his work, however, Waldo showed a clear preference for the national state as the most appropriate level (1977: 10; cf. 1981: 3).

† Specifically, it would be misguided to reduce the distinction between politics and administration to the distinction between elected and appointed, so that “politics is what is done by politicians, that is people elected to office in certain conditions; and administration is done by appointed people” (Schaffer 1973: 111). The relationship between these two distinctions seems rather the reverse: elected/appointed is dependent on the prior distinction between politics and administration rather than vice versa.

became increasingly democratic and administration increasingly bureaucratic, and since Weber democracy/bureaucracy has often been adopted in the literature (e.g., Hyneman 1950; Etzioni-Halevy 1983). Compared to other conceptualizations, democracy/bureaucracy is certainly a very important and comprehensive one, and it is particularly suited for contrasting those particular forms of politics and administration that continue to dominate theory and practice in modern Western government. Had democracy/bureaucracy been taken as the focal distinction rather than deciding/executing, the long-standing debate about the dichotomy would certainly have been much more fruitful.

Having examined the politics/administration *distinction*, we can now turn to the other element and see what it means to say that there is a *dichotomy* between politics and administration. I have no difficulty admitting that ‘dichotomy’ is after all an unfortunate term that has caused many misunderstandings in the literature.^{*} It is, of course, a strong term, and one should not suggest that as long as there is no ‘pure hybrid’ there is already a dichotomy between politics and administration. A mere distinction and minor differences seem not sufficient to speak of a dichotomy. Conversely, there is no need to reserve the term dichotomy for absolute and impenetrable separations only. Stene has rightly chastened critics of the dichotomy who “tend to accept the idea that if two concepts cannot be clearly distinguished, they are identical” (1975b: 83). The demand of absolute demarcation is unworkable, he adds, because “there is always a gray area.” The inevitable overlap should not deter us from endorsing the politics–administration dichotomy. In a passage that nicely captures my general argument, he says:

[O]ur inability to distinguish sharply between politics and administration, or between policy-making and policy-implementation, or even ‘the intermingling of policy and administration,’ does not mean that a dichotomy cannot be propounded for purposes of justifying a distinction of roles or for promoting institutional change. The fact that some advocates carried the distinction beyond its original intent does not justify a complete rejection; nor are the most vocal critics of the dichotomy any more realistic than the purists at the other extreme. (1975b: 85–86)

Thus, an overly strict as well as an overly elastic usage of ‘dichotomy’ threatens to rob the term of its practical utility. The phrase ‘politics–administration dichotomy’

^{*} See, for instance, Harmon’s definition: “*Dichotomy* not only connotes an analytical distinction between one element and another but also packs the added punch of suggesting that the distinction between the two elements is especially clear cut, or ‘radical,’ and even that their relation is contradictory or antagonistic” (2006: 20–21). This definition combines three elements, namely, (1) analytical distinction, (2) being clear cut or radical, and (3) contradiction or antagonism. While the first element makes the concept too thin (the dichotomy is not only an analytical distinction but also a separation in practice), the second and the third threaten to make it too thick (the dichotomy need not be very clear-cut and antagonistic).

need not be taken too literally; its use is comparable to that of ‘separation of powers’ and ‘separation between church and state’—standard expressions that do not imply watertight demarcations either. But this is largely a matter of terminology. In this study, I have been concerned not so much with terminology as with conceptualizations. In fact, as I have written elsewhere (2006: 140), I am not half as concerned about preserving the term *dichotomy* as some are about abolishing it. Alternative terms such as noninterference, insulation, separation, demarcation, distance, or disentanglement would all be acceptable as well, as long as they express the idea implied by the original dichotomy, namely, that politics and administration should be kept apart and not mixed up. From a constitutional viewpoint, ‘dichotomy’ refers to nothing less but also nothing more than the idea that continuous efforts should be made to preserve the conceptual distinction and practical division between politics and administration. They should not be completely separated, but be kept at a distance from one another.

Another important finding of this study is that both separation and subordination must be included in our concept of dichotomy (cf. Golembiewski 1981: 35). It should not be reduced to either the one or the other: the very tension between them enables the dichotomy to function as a constitutional principle. From a constitutional viewpoint, the position of administration toward politics must be one of “subordinate autonomy,” to use Rohr’s apt phrase. This is clearly paradoxical. When should administration be subordinate and when autonomous? Here Rosenbloom’s distinction between “partisan politics” and “policy politics” may be helpful: generally speaking, public administration should be separate from partisan politics and subordinate to policy politics (cf. Etzioni-Halevy 1983).⁷ This seems to me a defensible line of thinking, because it acknowledges the professional independence of administrators as well as their partisan political neutrality. Politicians, on their part, should respect the professional autonomy of civil servants when it comes to policy making and policy implementation, and at the same time not try to involve administrators in their partisan political activities. Svvara has ably and in great detail elaborated the requirements of such a relationship in his complementarity model, and I have no objection to adopting his guidelines here, provided they are recognized to be based on and congruent to the politics–administration dichotomy as a constitutional principle and not an alternative to it.

7.3 Purpose: Three Rationales

Now that we have specified how the politics–administration dichotomy can and should be understood, the question emerges what we can expect it to accomplish.

⁷ Though slightly different, this reminds one of Vivien’s position who said in the mid-nineteenth century already that administration should be separate from politics in particular measures and subordinate to politics in general measures (1859: 42; cf. Chapter 2, Section 2.5).

Table 7.1 The main purpose of the dichotomy

	<i>Descriptive</i>	<i>Prescriptive</i>
Theoretical	Politics and administration are separate in thought	Politics and administration should be separate in thought
Practical	Politics and administration are separate in practice	Politics and administration should be separate in practice

What can it be meant *for*? In terms of this study, we have to determine the purpose of the dichotomy. To articulate more precisely what the dichotomy should and should not be intended to do, I refer to the table introduced earlier (Table 7.1).

First of all, and most important, the politics–administration dichotomy cannot be reasonably expected to give an accurate description of governmental reality. From the outset, the dichotomy was intended as a normative principle rather than as an empirical model, and in the twenty-first century, this is even more sensible than it was in the nineteenth century. Notwithstanding the fact that a persistent pattern of divergence between politics and administration can be found in most modern states—a divergence that may even be growing sharper again in recent years—the dichotomy on its own clearly does a very poor job describing the highly complex relations and interactions between politicians and administrators. The demands of description overburden the dichotomy, and if meant for this purpose alone it would have to be rejected out of hand.

In reaction to this descriptive inadequacy, it has been proposed to understand the dichotomy as a purely theoretical construct without any practical bearing, as an “intellectual escape” (Mosher 1982: 70) or “ideal-type” (Rutgers 2001). This approach, which effectively reduces the dichotomy to a theoretical distinction, seems to me overly cautious and unambitious. To be sure, the politics/administration distinction does serve a valuable analytical function. Even statements saying that politics and administration are mixed, complementary, or simply interrelated presuppose the distinction between the two. As even Svava has acknowledged: “We must be able to tell the difference between politics and administration in order to describe how they are or prescribe how they should be related” (2002: 3). In similar vein, Marini notes with typical pithiness: “It has become almost an obligatory slogan that the so-called ‘politics–administration dichotomy’ is (or should be) dead. Yet the distinction is encountered frequently; it is encountered not infrequently in the very arguments which memorialize its demise and allege its patent ridiculousness” (1994: 3).^{*} The distinction remains indispensable for our understanding of

^{*} Harmon captures the same point: “[O]ne might choose to reject the existence of a dichotomy between politics and administration on the ground that, as a factual matter, the activities that each of the two domains comprise inevitably intrude into those of the other. In order to make any sense, however, the statement requires a prior analytical (functional) distinction in the absence of which we could not know what is intruding into what” (2006: 21).

government. Postmodern and pragmatic attempts to “dissolve” the distinction and its underlying “dualisms” (e.g., Harmon 2006) have so far not been very successful (Chapter 5, Section 5.5).

The politics–administration dichotomy is, however, more than a purely theoretical distinction. Above all, it serves practical-prescriptive purposes: it especially intends to say that politics and administration should be separated in governmental practice. This is not to say that the dichotomy does not also serve other purposes (it surely does), but historically and theoretically this one seems to be the most defensible use of the dichotomy. But if the main purpose of the dichotomy is prescriptive and practical rather than descriptive and (merely) theoretical, what is this purpose in substantive terms? What function does it serve in government? In most modern constitutional states, politics and administration are to a significant degree kept apart. Disregarding for a moment the specific ways in which their division is conceptualized and arranged, we should try to articulate the rationale behind this recurring pattern. Why do we have a dichotomy between politics and administration at all? Despite the mass of literature about political-administrative relations, this question has seldom been asked. The answer appears to be threefold, and points to administrative, political, and constitutional rationales.

First, the politics–administration dichotomy helps to safeguard or at least promote the independence and correct functioning of public administration and public administrators and thus serves typical administrative values such as stability, reliability, effectiveness, and efficiency. It does so by upholding the separation of administration from politics, particularly partisan politics, and by promoting the professional autonomy of civil servants. In this respect, the dichotomy creates a position for civil servants that is largely comparable to that of judges (Lawler 1988: 52). An additional motive to uphold the dichotomy-as-separation can be the wish to infuse public administration with management techniques or practices adopted from the business sector, but this ambition is certainly not a necessary or intrinsic correlate of the dichotomy. In fact, it is typical only for the Scientific Management movement in American Public Administration during the 1920s and 1930s and the New Public Management movement in international Public Administration since the 1980s. The classics—particularly Weber, but also Goodnow and even Wilson—show that it is possible to support the dichotomy without this additional motive. One can wish to insulate administration from political interference in order to achieve a very different kind of administrative quality, one that is not ‘scientific’ or business-like but, for instance, morally upright, legally competent, constitutionally sensitive, demographically representative, citizen-oriented, supportive of underprivileged minorities, and so on. Thus, those who wish ‘to take politics out of administration’ can still strongly disagree about the ideal character of a depoliticized public administration, but this is a secondary issue. What they agree about is that the main reason to uphold the dichotomy is to protect and thereby to improve public administration.

A second—and in many ways opposite—view on the rationale of the dichotomy treats the dichotomy primarily as an instrument to protect the interests and quality of politics and politicians against administrative interference, thus serving typically political values such as open deliberation, democratic responsiveness, fair play of the power game, strong leadership, and others. Whenever this is the main purpose of the dichotomy, the emphasis is typically not on the separation of administration from politics, but rather on its subordination to politics. The notion of ‘the primacy of politics’ is often invoked in this connection, particularly in literature from the European Continent. The attempt “to take administration out of politics” can be associated especially with Weber, whose main concern in advocating the dichotomy was to protect political leadership against administrative dominance (*Beamtenherrschaft*), but again, as in the previous case, Weber’s heroic and existentialist ideal of politics is definitely not the only option available. Neither is the reason to promote the dichotomy necessarily a democratic one. Many think the dichotomy is based on (representative) democracy, but the dichotomy can also be imagined if not found in nondemocratic constitutional states. We do not have the dichotomy because we have a democratic government, but because in our government democratic elements are alloyed with other elements, including administrative ones.

Both approaches can be elaborated somewhat further. Politics and administration are predominantly although not exclusively understood as (representative) democracy and bureaucracy in Western states, and it is particularly in this understanding that upholding the dichotomy is most important and reasonable. Dunsire has elegantly captured the democratic and bureaucratic rationales together:

[W]e, the masses, need a category of people in public office who will be on ‘short term’ tenure, so that the quality of their stewardship of office can be frequently assessed, and innovation made possible; a class of person who can be got rid of without violence to our consciences or theirs. But we need also a category of public officer on ‘long term’ tenure, so that there can be assurance of the development of skills and expertise, experience and specialization; and in respect of these persons it is better that we should never be put in the position of wishing to get rid of them. So it is clear that this “long term” tenure class must be inhibited from taking sides in matters on which we are likely to be divided amongst ourselves, and that on such a matter, sides should be taken only by the ‘short term people.’ (1973: 159)

When politics is conceived as democratic and administration as bureaucratic, the relationship between them becomes especially tense. Democracy and bureaucracy are after all opposed in several respects: “[T]he principle of hierarchy stands *against* the principle of equality, and the principle of liberty stands *against* discipline, precision, rules” (Waldo 1977: 6; cf. 1984a: lv). Etzioni-Halevy has

characterized the relationship between bureaucracy and democracy as a double dilemma (1983: 87–93). The bureaucracy, on the one hand, creates a dilemma for democracy, because it is both a threat to and is indispensable for democracy: a threat, because it increases state domination and tends to grow exempt from political control; indispensable because it guarantees equality by its nonpartisan allocation of values. Democracy, on the other hand, also creates a dilemma for bureaucracy, as it demands that the bureaucracy be both subordinate and independent: the bureaucracy must be under the supervision of politics but is also expected to be professional, and thus to some extent independent. The classics—Wilson and Goodnow on the one hand and Weber on the other—represent opposite sides of this double dilemma. The two Americans emphasized mainly that public administration is indispensable in a democracy and that it should be independent from politics, whereas the European emphasized that public administration can pose a threat to democracy and (therefore) should be subordinated to politics. In the conflict of these two approaches that has so bothered the field of Public Administration for so long (Waldo's quandary), the double dilemma is not fully confronted, but reduced to a dilemma between only two halves of each.

One more crucial step must, however, be made. According to Etzioni-Halevy, the double dilemma of democracy and bureaucracy creates strains and power struggles, and sometimes outright conflict, that can eventually even lead to the breakdown of the constitutional order (1983: 97–98). Hence, the administrative and political rationales for the dichotomy are not exhaustive. As each of them serves only one side of the dichotomy, they cannot fully explain why we have the two-sided dichotomy, let alone justify why we should keep it. We have to transcend the double dilemma and find a third more encompassing rationale for the dichotomy. In my view, treating the dichotomy as a constitutional principle serves this purpose. Separating administration from politics and simultaneously subordinating the former to the latter helps to control the tensions between democracy and bureaucracy, creates room for the involvement of citizens, and thus ultimately serves constitutional values such as justice, self-government, and especially liberty. Understood in this way, the politics–administration dichotomy is an exercise in what Michael Walzer has called the “art of separation” that is typical of constitutional democracies but conspicuously absent in “authoritarian states, which systematically violate institutional integrity” (1984: 329).

Understanding the dichotomy as a constitutional principle does not imply that a complete and definite separation between politics and administration will ever be established. Upholding the dichotomy is not static but dynamic. It calls for a continuous attempt to keep politics and administration apart and hierarchically ordered. The dichotomy-as-constitutional-principle assumes that out of sheer power hunger or for nobler aims, politicians and administrators will always be tempted to encroach on each other's territory. The dichotomy is meant to curb this tendency. At the same time, never will a state be achieved in which politics and administration are completely and definitively separated. This is fortunate, too. As Walzer

notes: “The art of separation works to isolate social settings. But it obviously doesn’t achieve, and can’t achieve, anything like total isolation, for then there would be no society at all” (1984: 327). In other words, the dichotomy should and will always remain prescriptive and never become descriptive. Constitutionalism is a balancing act between allowing power to exist and at the same time keeping it in check. Every radical attempt to end this tension is at odds with constitutionalism.

All three rationales for the dichotomy are legitimate, but they are not equally important. My argument so far has presupposed a hierarchy in which constitutional values rank above political and administrative values. Constitutionalism itself implies that the constitutionalist rationale for the dichotomy transcends and overrides the bureaucratic and democratic rationales. Serving political and administrative values can never be the final goal; the common good for which government ultimately exists is something broader. Therefore, if a dilemma occurred in which disentangling politics and administration could serve the promotion of a constitutional value such as liberty but at the cost of democratic politics and bureaucratic administration (e.g., because politicians would lose some of their popularity or because a policy would become less effective), we should be willing to make the administrative and political costs for this constitutional purpose and uphold the dichotomy. That the dichotomy also serves bureaucratic and democratic values is not negligible (indeed, it is evidently very valuable), but it is a secondary blessing. To say that constitutional values rank higher does not mean, of course that we do not have to care about political and administrative values. In fact, they presuppose each other: as politics cannot function well without a professional and loyal administration, and administration not without strong and responsible political leadership, likewise constitutionalism cannot thrive without authoritative political leadership and strong administrative capacity. In particular, constitutionalism requires a certain power balance between politics and administration. Although so far we know embarrassingly little about the exact mechanisms, it is clear that this tension between political control and administrative independence, between subordination and separation, contributes to the preservation and promotion of constitutional values.

7.4 Relevance: Escaping from the Quandary

The starting point of this study was the quandary formulated by Waldo that “we can neither accept the politics-administration formula nor get along without it” (1982: IX, 6; cf. Waldo and Marini 1999: 522). This was not an idiosyncratic concern of Waldo only, but a puzzle that has occupied the field of Public Administration for about 60 years now. It is echoed, for instance, by March and Olsen: “Everyone ‘knows’ that policy making and administration should be kept distinct. At the same time, everyone ‘knows’ that policy making and administration cannot be kept distinct and that the distinction itself is difficult to make precise” (1989: 141). There

are several ways to deal with a quandary like this. One might be simply to ignore it, but the issue is too fundamental to make it a realistic option. The issue lies at the root of the identity crisis of Public Administration. Moreover, we cannot avoid the simple practical question of why modern states (should) continue to differentiate between politics and administration at all. These are not issues that we can easily 'grow over' as the field becomes more mature, as Harmon (2006) suggests. Alternatively, one might choose to retain and appreciate the quandary as it stands, leaving the tension unresolved. This approach is favored by March and Olsen in the passage just quoted, but it is not the approach I have taken. Although I have argued that certain tensions can certainly be beneficial and productive (such as that between separation and subordination), I have also tried to discern the meanings of the dichotomy we cannot live with from those we can live with. This implies that, although I have tried to counter many misguided attacks on the dichotomy, I have not unconditionally defended every possible meaning given to it. The dichotomy can be and indeed has sometimes been carried too far. Instead, I have tried to identify an understanding that does make sense (the dichotomy as constitutional principle) and distinguish it from less meaningful understandings of the dichotomy, particularly from the instrumentalist dichotomy of politics-as-deciding and administration-as-execution, from the policy-instead-of-politics-administration dichotomy, and from the dichotomy-as-testable-empirical-generalization.

The 'relevance' of the dichotomy, in my definition, has to do with the question of whether and why (i.e., on the basis of which arguments) the dichotomy can be and should be endorsed. Clearly, the three aspects of its meaning—content, purpose, and relevance—are interdependent. We can adapt our conceptualization of the dichotomy to a particular purpose, or choose a purpose that best fits our default conceptualization of the dichotomy. Most of all, the relevance of the dichotomy depends on the combination of its content and purpose: in some conceptualizations and uses the dichotomy is more relevant than in others. This is not as trivial as it may sound. As we have seen, the Public Administration literature contains many claims about the relevance, and particularly the irrelevance, of the dichotomy that are not based on serious attempts to determine its content and purpose. However, if we are to give any judgment on the relevance of an idea, we must know what it amounts to and what it is intended for. Just as the value of a hammer depends on the shape, strength, and other characteristics of the instrument itself and the kind of work one wants to do with it, likewise the relevance of the dichotomy depends on the combination of its content and purpose. For example, conceptualized as a strict separation between deciding and executing (content), the dichotomy is not very useful (relevance) for describing governmental reality (purpose).

The very suggestion that the politics-administration dichotomy can be relevant at all will be hard to swallow for many students of public administration. I have derived it first and foremost from Waldo, whose writings reveal that he became increasingly aware of the relevance of the dichotomy, although he also remained ambivalent (Waldo and Marini 1999: 520–522). In this study, I have attempted to

continue Waldo's line of thinking from the point where he left it. He only tentatively suggested the constitutional workings of the dichotomy and nowhere elaborated on possible ways to reconcile the dichotomy with the separation-of-powers doctrine. On his work, I have built the two main elements of my account, namely, first, my understanding of the dichotomy as a layered construct with different meanings on different levels of generality, in which the democracy/bureaucracy distinction occupies an important but not exclusive position, and second, my proposal to regard the dichotomy as a constitutional principle that demands a continuous effort to keep politics and administration apart in our system of government in order to preserve not only administrative (or bureaucratic) and political (or democratic) but above all constitutional values. Together these elements provide my understanding of the content and purpose and hence the relevance of the dichotomy and thus my answer to the question after the meaning of the politics–administration dichotomy.

Who may profit from this reconstruction of the dichotomy as a constitutional principle with different conceptual layers? The approach seems first of all important for administrative theorists who have so far not regarded and appreciated the dichotomy from a constitutional point of view. Even representatives of the so-called Constitutional School have treated the dichotomy with unnecessary suspicion and ambivalence, although some of them have also recognized its merits. Yet the idea to treat the dichotomy as a constitutional principle well suits their ideas about the place of public administration in the constitutional order. While I concur with them that the study of public administration in general might benefit from greater attention to constitutionalism and constitutional thinking (Carter 1986; Maletz 1998; Rohr 1989), I suggest that the politics–administration dichotomy can become an important part of that perspective.

More empirically oriented students of public administration, second, can take the dichotomy-as-constitutional-principle as an important object of their research. My argument is not merely that the dichotomy should be understood as a constitutional principle, but also that it already is part of modern constitutional thought and practice, though largely unrecognized. As an important norm in practice, the dichotomy can be studied from an (classical) institutionalist perspective. Alternatively, the dichotomy-as-constitutional-principle can also be adopted as a standard by which to assess the constitutional condition of governments around the world.

Recognizing the politics–administration dichotomy as a constitutional principle might further serve to remove a blind spot of constitutional theorists from the fields of Law and Political Science. Even as we live in what is aptly called an administrative state, they typically continue to neglect the administrative side of government:

Political theorists and social commentators concerned with the future of liberal democratic constitutionalism have paid public administration very little heed, except perhaps for the concern about bureaucratic tyranny. That is a serious oversight, for any theory of democratic constitutionalism that does not incorporate, to use John Rohr's label, a

‘constitutional theory of public administration’ is fatally deficient.
(Cook 1996: 176)

Because constitutional theorists tend to overlook public administration as a constitutionally relevant player in modern government, they have so far not explicitly recognized the politics–administration dichotomy as a constitutional principle either. Constitutional thought shows a preoccupation with the separation-of-powers doctrine that tends to draw attention away from the politics–administration dichotomy. Perhaps my reconstruction of the dichotomy can help change this situation.

Finally, thinking about the dichotomy as a constitutional principle can also be relevant for practitioners (politicians as well as administrators, but also others, such as judges, lobbyists, journalists, and so on). Their professionalism requires a clear awareness of the constitutional principles that shape the context in which they have to work. In particular, it requires an awareness of their constitutional position and the established but often implicit norms that govern their role and position—including the politics–administration dichotomy. As Vile has put it, one should expect from public officials “a *conscious* attempt to maintain a distinction between what they have been taught to regard as their own *primary* functions and the primary functions of other officials” (1998: 356).⁷ Rohr has tried to make civil servants aware of their constitutional responsibility in his *Ethics for Bureaucrats* (1989) and other writings, but unfortunately, he dismissed the dichotomy too easily. More sensibly, in this regard, Merry has observed that making practitioners and citizens aware of the importance of, in his case, the “presidential-administrative separation” is a worthwhile “educational challenge” (1978: 105).

Clearly, endorsing the dichotomy as a constitutional principle goes against the grain of the way in which many academics and practitioners currently teach and think. There is a strong tendency to blot out distinctions and divisions that used to be regarded as important. In many approaches, both the overly realistic or cynical and the overly idealistic or naïve, the dichotomy between politics and administration is erased. In part, this follows from the mistaken assumption that when social reality becomes more complex, our conceptual frameworks can be allowed to become less precise, too. Attempts to solve the quandary of the dichotomy by subsuming politics and administration under such general labels as “things governmental” (Waldo 1987: 92) or “governance” (Harmon 2006) beg the question, however. Even the Constitutional School’s general call on administrators to act as ‘statesmen’ threatens to keep hardly any distinct form of apolitical administration left. Politics and administration depend on each other. To preserve them both, even to preserve one of them, we should pit them against each other in a dichotomous relationship. We have to ‘live with’ the politics–administration dichotomy: “Unless

⁷ He adds: “Thus professional loyalty, or integrity, the acknowledgment that a certain ‘function’ is their primary concern, is an essential ingredient in the attitudes of ministers, judges, and administrators in the constitutional State” (Vile 1998: 356).

the administrative state is abolished altogether—an unlikely eventuality—in some sense politics will have to be taken out of administration” (Vile 1998: 401).

As I have written elsewhere (Overeem 2008b: 42), much criticism of the dichotomy in contemporary Public Administration, especially in America but also in Western Europe, starts from a luxury position. In contrast to failed, weak, dictatorial, and totalitarian states, modern constitutional states are blessed with a relatively clear and stable division of roles and responsibilities between politics and administration. Proposals to ‘dissolve’ the dichotomy or replace it by concepts such as ‘complementarity’ can only be seriously put forward because the dichotomy is firmly in place—so firmly, indeed, that its existence and importance tend to be forgotten. But like other constitutional principles, the dichotomy requires a clear awareness and continuous vigilance. It should not be thoughtlessly taken for granted, but consciously and carefully cultivated. Overlooking the constitutional value of the dichotomy can have serious consequences. Waldo poses the fundamental question of what modern states would be without the politics–administration dichotomy. The answer he gives to that question (either utopian or totalitarian) can only cause uneasiness for critics of the dichotomy.

A sobering observation is also due. We should not overestimate the extent to which the dichotomy can solve the major problems in our governmental theories and practices. As a constitutional principle, the politics–administration dichotomy is an institutional solution to a practical problem. As such, it is necessarily insufficient in itself: the quality of government ultimately depends on the moral and technical quality of its laws, rulers, and citizens and not merely on its institutional design. The dichotomy thus appears a necessary but not a sufficient requirement for the safeguarding of constitutional values in contemporary states. Moreover, as a constitutional principle, the politics–administration dichotomy is by definition not absolute, but entangled with and counterbalanced by other constitutional principles. The principle of the rule of law, for instance, binds politicians and administrators together and thus counterbalances the dichotomy. Constitutionalism is not a matter of logic but of prudent decision. Tensions inevitably remain, as they should. As in architecture, counterbalancing tensions all serve to uphold the structure of constitutional government. This also means that the removal of the dichotomy will dangerously weaken the form of government most people in the Western world hold dear. As Nicole de Montricher has put it in a recent formulation of the French approach that, I hope, will turn out prophetic: “The twenty-first century sees positively the powers that balance the possibly oppressive behavior of a neutral administration. Technocracy and the hazardous tyranny of a political majority should be challenged” (2003: 293).

7.5 “A Commonsense Usefulness”

While endorsing the politics–administration dichotomy is unacceptable for most of today’s theorists in Public Administration, many other people outside and inside

government, happily unaware of the state of administrative scholarship, tend to accept the dichotomy (in some version or another) as not particularly problematic. The idea seems to fit their commonsense notions of how government does and should work quite comfortably. Of course, this fact in itself does not speak in favor of the dichotomy. It only means that we face a tension between the carefully thought-out views of specialized scholars on the one hand, and the comparatively less informed opinions of practitioners and citizens on the other. In this final section, I want to argue that my constitutional understanding of the politics–administration dichotomy can resolve or at least weaken this tension and bring administrative theory and common sense into closer harmony.*

In *The Administrative State*, near the end of the ninth chapter, Waldo offers some interesting reflections on the relationship between science and common sense in general and the worth of common sense for Public Administration in particular. His basic conviction is that the two need not be incompatible: “Rightly conceived, common sense is indeed a desirable quality in administration and administrative study” (1948: 190). Of course, administrative scholarship should go beyond common sense, but it should at the same time also be based on it, he believed. Particularly in a practically oriented field such as Public Administration, the common opinions of practitioners and other insiders should be taken seriously. Thus, Waldo offered a nuanced but mainly positive assessment of common sense.

When it comes to the politics–administration dichotomy, however, its commonsensical nature is often presented as a weakness rather than as a strength. Dunsire, for instance, has drawn a contrast between “academic theorists” and “practitioners”—i.e., the users of common sense—and argued that the dichotomy is relevant only for the latter:

Newtonian physics is good enough for everyday purposes; and so, in our present field, is the politics/administration dichotomy, perhaps. Most practitioners, even at lower hierarchical levels, would agree that there is a need for *some* theory or another to justify the difference between the career official and the elected politician, and would find that the conventional dichotomy still made reasonably good sense in most circumstances. (1973: 200)

Just as academic physicists have replaced Newton’s theories by those of Einstein, Dunsire suggests, likewise administrative theorists should abandon the dichotomy and adopt a more refined theory of the relationship between politics and administration instead. Waldo has made a similar analogy, stating that the dichotomy “*still* serves some useful purposes both in academia and in government, in the same way that ordinary instruments of measurement continue to serve useful purposes after

* Note that I here refer only to ‘lower-case’ common sense, not to philosophical concepts of common sense such as those advanced by Thomas Reid or the Pragmatist William James.

the invention of much more sensitive instruments” (1980: 69). He suggests that as we learn to use these more refined and sophisticated alternatives, we can ultimately get rid of the suboptimal dichotomy.

These analogies are problematic for several reasons. For a start, it is not true that more sophisticated alternatives are available that serve the same purpose as the dichotomy (Chapter 5). As long as there has been no administrative Einstein, we will have to work with the old Newtonian dichotomy. More important, Dunsire’s and Waldo’s analogies suggest that the dichotomy primarily fails because it is imprecise when it comes to description, but as we have seen (Chapter 4, Section 4.3; Chapter 5, Section 5.6; and Chapter 7, Section 7.3), it is much better taken as prescriptive. Finally, the analogy between Physics and Public Administration is misleading. In our field, we cannot hope, and perhaps should not even desire, to achieve the same measure and kind of exactness as in the natural sciences. Administrative, political, and constitutional principles are necessarily rather general. Not only that, but Public Administration is also an applied field of study in which the accepted notions of practitioners have to be taken seriously. Neglecting them would indeed be imprecise. Therefore, common sense rightly carries substantial weight for the administrative theorist: he should be careful never to be too much out of touch with governmental reality. Rather than a weakness, therefore, the commonsensical character of the politics–administration dichotomy can be regarded a strength. As Waldo has noted, “the politics-administration formulation has an intuitive appeal and a commonsense usefulness. In many situations it represents a first approximation to understanding; and in some situations it may be a sufficient rationale for action” (Waldo and Marini 1999: 285).*

I conclude with Stene’s way to illustrate the commonsensical character of the dichotomy and the absurdity of its rejection. In a little-noticed, one-page ‘Parable on Politics and Administration (1975a),’ he tells the story of a revolution in “the scientific discourses among water color analysts,” initiated by the work of some professor Turk Quoistig who discovered that respondents confronted with “a color card of turquoise shade” could not agree upon an “operational distinction between blue and green.” As a result of these findings, the community of water color analysts came to believe that “the blue-green dichotomy has been thoroughly discredited” and that henceforth one could properly speak “only in terms of the amount of yellow mixed in.” But this was not the end of it, because soon other colors were also discovered to blend into one another. Therefore, these specialists, unhampered by the persistent stupidity in the outer world, came to conclude that “[n]o one could

* Elsewhere, Waldo expressed the same thought even more pointedly, although a bit pejoratively: “All considered, the idea that a distinction can be made between politics and administration is simplistic but not absurd. It is simplistic because so many governmental phenomena are a mix of some variety of politics/policy and administration/management. It is not absurd because often there is enough of a distinction to have analytic and prescriptive importance. The distinction is important enough to justify institutional structures and operating procedures” (1987: 106).

suggest any distinction between proper and improper use of colors, or of honesty or dishonesty in the identification of colors.” Thus, they abandoned a set of very practical distinctions and in effect undermined their own scientific field.

Epilogue: The Study of Administration and Politics

A theory of administration is in our time a theory of politics also.
(Waldo 1990)

In this study, I have argued that that the idea known in the literature as the politics–administration dichotomy is not as nonsensical as it is often believed to be, but (if properly understood) can still be relevant for our theories and practices of government. Now, it may be thought that this endorsement of the dichotomy between politics and administration in government implies a tacit endorsement of the division between the *studies* of politics and administration in academia as well. Should Public Administration not be separated from Political Science? I believe this does not follow, at least not from my position on the dichotomy. There may be other reasons to establish and maintain Public Administration as a separate field of study (separate, also, from Political Science), but the continuing relevance of the dichotomy is not one of them. On the contrary, I think that if we want to improve our understanding and appreciation of the dichotomy we should better not separate the studies of politics and administration but rather combine the two. This brief epilogue is intended to explain this paradox. Returning once more to Dwight Waldo, I look at his involvement in the two fields and his ideas on the relationship between them, and then I argue for a closer integration of political and administrative thought in the light of my understanding of the dichotomy as a constitutional principle.

Waldo’s great interest in the relationship between Public Administration and Political Science can in large part be understood from his biography. After obtaining a master’s degree in Political Science, he wrote his dissertation at Yale (later published as *The Administrative State*) as a doctoral candidate specializing in political theory, not as a student of public administration (1984: 1–11; Brown and Stillman 1986: 19–33). In fact, at the time he had “a certain animus toward and

contempt for” Public Administration (1965: 6), to his later regret sharing much of the pretentious disdain for practical questions and applied science so typical of many political theorists (1984: x–xi; 1990: 74–75). From 1942 to 1946, Waldo was employed in the federal bureaucracy in Washington, D.C. This wartime employment further stimulated his interest in and his respect for public administration: “The Washington experience gave me an appreciation of the *administrative* component of government—an appreciation of its importance and of its difficulties” (Brown and Stillman 1986: 46; cf. 1965: 7). After the war, Waldo went to the University of California, Berkeley, where he taught many different subjects, except the one that he was hired for: political theory (1965: 7; 1984: xii). During these years, the process of detachment and reidentification continued: “I was still, in those years, between the universes of political theory and public administration but leaving political theory behind and becoming more and more identified with public administration” (Brown and Stillman 1986: 55; cf. 1984: xii; 1987: 100). During the turbulent 1960s, at many American universities the tensions between Political Science and Public Administration rose high. The negative, almost hostile attitude of Berkeley’s political scientists hurt Waldo, and he strongly felt he and his colleagues from Public Administration were treated without proper respect (Brown and Stillman 1986: 82, 100). In 1967, he transferred to the friendlier environment of the Maxwell School in Syracuse, New York, to occupy the prestigious Albert Schweitzer Chair in the Humanities. There he took the final step in his “release” from Political Science. When after many discussions and some “inconveniences,” the department was split between Political Science and Public Administration, he decidedly opted for the latter: “I chose to go, to join the new enterprise, to put myself formally and physically where my interests and sentiments now decisively were” (Brown and Stillman 1986: 102).

Waldo has repeatedly noted that, in the United States at least, the relationship between Political Science and Public Administration had become increasingly antagonistic and unfruitful (1965: 28–29; 1968b: 444–447, 478–479; 1987: 94–95). Before the Second World War students of Political Science typically cultivated a humanist liberal arts ethos, whereas students of Public Administration tried to formulate ‘scientific,’ that is, value-neutral and universal ‘principles of administration.’ After the war the tables turned. As Political Science went through its behaviorist revolution, Public Administration, under the guidance of heterodox authors such as Waldo, increasingly opened up to more humanistic and non-positivist approaches. This sequence of incongruences led to an increasing alienation between the two fields. Neither before nor after the war was Public Administration able or willing to meet the standards of serious scholarship set by Political Science. The result was that Political Science no longer offered a nurturing and stimulating environment for students of public administration (1968b: 444–445; 1987: 94; 1990: 74–75). Once separated, Waldo asserted, students of public administration should look for other sources of inspiration, for instance in business administration, history, psychology, and other disciplines (1965: 28–29;

1968b: 459–460, 478–479; cf. Fry 1989: 241). Indeed, he said that if “the mother discipline” did not pay more caring attention to its offspring, students of public administration should even become their own political scientists (1987: 95; 1990: 81–82; cf. Laohavichien 1983: 18).

This historical analysis, which has been confirmed by others (Guy 2003; Whickers, Strickland, and Olshfki 1993), has important implications for the nature of the divide between Political Science and Public Administration. It means that (at least in the United States) the two fields did not primarily divorce because they concentrated on different subject matters, but rather because they had diverging views on scholarship. In Rutgers’s terms, the main point was not that they had different epistemic objects (“the concepts, variables, relations etcetera being accepted in [a] science as its (description of) reality”), but rather that they had different epistemic ideals (“the outlook and approaches for research, the accepted methodologies and the purposes of research”) (1993: 33–36, 319). This also suggests, interestingly, that the politics–administration dichotomy was not conducive to the academic split-up. Although the dichotomy preceded the disciplinary divide between Political Science and Public Administration by about half a century, it did not draw the dotted line along which the two fields of study broke apart. In fact, the two fields separated only after support for the dichotomy had begun to wane. Contrary to what could be expected, the demise of the dichotomy after the war did not lead to a rapprochement of the two fields.*

Similar paradoxes can be found in Waldo’s own position. When he still considered himself a political theorist he rejected the politics–administration dichotomy, but after he had definitely chosen to be a student of public administration he gradually became more sympathetic to it. In due course, his attitude toward Political Science began to show more conciliatory traits as well. Not only had he retained much of the political theorist in his style of scholarship, he also wished to keep the door open to postbehavioralist Political Science: “In the long run it is hardly conceivable that Public Administration and Political Science should both exist as self-conscious enterprises without significant relationships, intellectual if not organizational” (1968: 479; cf. Laohavichien 1983: 11, 18). Near the end of his career, accompanying his pleas to take the dichotomy seriously again, Waldo even explicitly wondered whether he had not been unfairly harsh toward Political Science (1990: 81). Thus, both in the Public Administration literature in general and in Waldo’s case in particular, we see that an appreciation of the politics–administration dichotomy need not imply support for the separation of the two fields, nor a depreciation of the dichotomy support for their integration. The relationship, if there is any, rather seems the reverse.

* As Whicker et al. claim: “[T]he troublesome cleft between political science and public administration has not succumbed to the overwhelming evidence that politics and administration are intertwined” (1993: 539).

Independent from his evolving attitudes toward Political Science, a consistent trait of Waldo's thought was his conviction that administrative theory can be regarded as a form of political theory in its own right. This was of course the main message of *The Administrative State* already, which argues that Public Administration provides its own (not very attractive) answers to traditional political philosophical questions about the nature of man, the good life and the good society, the criteria for proper action, the selection of rulers, the relationship between different branches and levels of government, and so on (cf. Stillman 2008: 586–589). This political-theoretical approach to the study of public administration was unprecedented when *The Administrative State* appeared and can still be regarded as Waldo's most important contribution to the field (Carroll and Frederickson 2001: 3, 6–7; Marini 1993: 415). But in adopting the lens of political theory to look at public administration and its study, he was not unique. Before him, Leonard White had already argued that Public Administration “needs to be related to the broad generalizations of political theory concerned with such matters as justice, liberty, obedience, and the role of the state in human affairs” (quoted in Storing 1965: 49, 51). And a decade after *The Administrative State*, Sayre wrote that “[p]ublic administration is ultimately a problem in political theory” (1958: 105). Still later, Schmidt even more pointedly stated that we should teach “administrative theory as political theory” (1983). Understandably, these convictions are particularly popular among those who adopt a constitutional approach to public administration. Rosenbloom speaks for them all when he writes: “As heretical as it may sound to some, public administration theory must make greater use of political theory” (1983: 225; cf. Lawler 1988).^{*} Despite these calls, the political-theoretical approach has unfortunately not been strongly developed in the practically oriented field of Public Administration. As Stillman observes: “The two subfields, political theory and public administration, are seated, intellectually, at separate tables” (2008: 584). Whereas Political Science has ‘political theory’ and ‘the history of political thought’ as two relatively well-established subfields, their equivalents in Public Administration are marginal by comparison.

This situation has been particularly detrimental to the debate about the politics–administration dichotomy. Paradoxically, our understanding of the separation between politics and administration in the state is being hindered by the separation between Political Science and Public Administration in academia. As I have noted before, the dichotomy has been studied almost exclusively from the viewpoint of administration and Public Administration, and hardly from

^{*} Cf. also Lowery: “[I]nterpretation of the problem of bureaucracy cannot be separated from the larger political theories governing a society” (1993: 205).

the viewpoint of politics and Political Science.* Only recently has the relationship between politics and administration become an object of study in mainstream Political Science, and to a smaller extent in Sociology and Economics as well (Meier and O'Toole 2006a: 3–6). Notwithstanding the “relative paucity of political scientists interested in bureaucracy” there is a growing literature on the “political control of the bureaucracy,” dating back to the 1980s (Meier and O'Toole 2006a: 23; cf. 2006b), but this literature has hardly any connections with the Public Administration literature about the dichotomy.† One reason for this is that the Political Science literature consists largely of empirical studies of political-administrative relations on the basis of formal (mostly principal-agent) theory (see Chapter 5, Section 5.2). Like the mainstream Public Administration research of political-administrative relations (Section 5.3), this literature contains little theoretical reflection on the preliminary question of why modern governments have a distinction and separation between politics and administration in the first place. The dichotomy between politicians and administrators is taken for granted and not even mentioned as a discredited idea. In fact, the phrase ‘politics–administration dichotomy’ is very uncommon in the Political Science literature. The virtual monopoly of Public Administration in the literature about the dichotomy has created a regrettable one-sidedness in the treatment of the dichotomy from which this study has also suffered. In future research, we should not only unlock some windows, as I have done here, but throw open doors or even remove walls toward a more self-conscious political-theoretical treatment of the dichotomy.

In particular, deeper reflection on the meaning of ‘politics’ is needed. Stene has noted that many critics of the dichotomy “are concerned with the definition of ‘administration,’ but they seem to ignore the several, and sometimes conflicting, meanings implied in the use of the word ‘politics’” (1975: 83). This is a serious omission, he argues, because “either the defense or the denial of a distinction between politics and administration depends upon the definition of *politics*”—as much, obviously, as on the definition of administration (1975: 89). Among the critics, Van Riper has pointedly made the same observation: “Part of the difficulty in coming to grips

* The continuing occupation with the dichotomy in Public Administration may in part be explained by the self-imposed and self-declared identity crisis of the field. Many have seen the dichotomy as a major cause of the meager success and relatively low status of Public Administration as an academic field (cf. Ostrom 1973). Svava, for example, has argued that the idea that Public Administration was initially based on the dichotomy has “reinforced the association of public administration with oversimplification, naïveté, excessive reliance on structure, and emphasis on the prescriptive rather than the empirical and contributed to the general decline in the status of public administration as a field” (1999: 685). He believes that removing the dichotomy from Public Administration theory and the collective memory of its scholars would give the field more respectability and self-esteem. In this study, I have argued, however, that the identity crisis was not caused by the dichotomy, but rather by its abandonment.

† Terry Moe observes that “long after the politics–administration dichotomy was declared dead, it lived on in the bifurcated structure of the field—with bureaucratic politics in one way, bureaucratic organization in another, and no clear connection between the two” (1994: 18).

with the dichotomy is that almost no one has attempted to define politics carefully” (1987: 406). Now, in order to “come to grips” with the dichotomy and to see its relevance, it is perhaps not necessary to agree on one single definition of politics (or administration, for that matter). Two extremes should be avoided, however. On the one hand, politics should not be defined too narrowly. Rohr has pointed to this danger when he argued that the American Progressives such as Wilson and Goodnow “arbitrarily confined the word politics to elections” (2003: xix). Apart from the issue whether they really did this, it is clear that this conceptualization of politics would indeed be too narrow. Politics cannot be restricted to campaigning and partisan politics only (1989: 36). At the same time these aspects should not be excluded from our concept of politics either, as Rohr effectively does when he chooses to equate politics with policy making (1989: 55 n. 44; cf. Overeem 2005: 321). In either case the meaning of politics is confined too much. On the other side lurks the danger of adopting too wide an understanding of politics. This danger is particularly acute in the literature on the dichotomy. In *Ethics for Bureaucrats* (1989: 35–36), Rohr offers an argument that can be reconstructed as the following syllogism:

1. Politics can be defined as “the process by which a civil society achieves its common good through the agency of the state” (Rohr) [or alternatively as “the authoritative allocation of values” (Easton), as the determination of “who gets what, when, and how” (Laswell), or as the peaceful resolution of value conflicts (Spicer)];
2. Public administration is involved in these activities;
3. Therefore, public administration is involved in politics and can rightly be called political itself.

Although nothing seems wrong with the logical structure of this argument, it is misleading. Apart from the question whether the *minor* (2) applies in equal measure to all parts of public administration, the *major* (1) in particular stretches the meaning of politics too far. Upon these definitions, not only civil servants, but also judges or teachers, or indeed almost everybody working in the public sector (and perhaps even outside it) would be involved in politics. This makes the concept clearly unworkable. What is needed is an understanding of politics that is sufficiently substantial and at the same time sufficiently precise to draw a meaningful contrast with administration and other activities.

This takes us back to the paradox that if we want to see why politics and administration should be separated in government we should specifically not separate political and administrative thought in academia. The solution to this paradox seems to lie in the constitutional approach presented in Chapter 6 and 7. To understand the politics–administration dichotomy as a constitutional principle compatible with the separation-of-powers doctrine and contributing to the promotion of constitutional values, it is not enough to draw on administrative thought only. Viewed exclusively from the standpoint of administrative theory, the dichotomy seems little

more than a useful division of labor at best, but when it is also approached from the viewpoint of political and especially constitutional theory, it can be recognized as an institution of great theoretical and practical relevance. Thus, adopting the constitutional approach allows us to accept Wilson's claim that "administrative questions are not political questions," and at the same time to agree with Gaus and Waldo that "a theory of administration (...) is a theory of politics also." In other words, there should be a dichotomy between politics and administration in government, but not a dichotomy between political and administrative thought in academia.

The realization that one's position with regard to the dichotomy is closely related to one's stance with regard to the academic independence of Public Administration is not new. Waldo already expressed it in his well-known closing line of *The Administrative State*:

In any event, if abandonment of the politics-administration formula is taken seriously, if the demands of present world civilization upon public administration are met, administrative thought must establish a working relationship with every major province in the realm of human learning. (1948: 212)

Besides the fact that this sentence has been much quoted—sometimes even as a closing line—by students of Public Administration attempting to open up their field or elevate its status (e.g., McCurdy and Rosenbloom 2006: 215; Spicer 2005: 686; Stillman 2008: 589), it has also had an interesting career in Waldo's own writings. He used it again as a closing line in *The Study of Administration*, but that time the crucial phrase "if abandonment of the politics-administration formula is taken seriously" was left out (1968d: 70). It is tempting to interpret this deletion as an indication of Waldo's emerging doubts about the abandonment of the dichotomy, but he has never explicitly stated his motives for the deletion and it may well have been unintentional.* At the same time, his later writings testify that he grew increasingly sympathetic to the dichotomy and also more conciliatory toward Political Science. In congruence with and as a continuation of his developing line of thinking, therefore, I may perhaps take the liberty to rephrase his famous closing line and use it as my own:

In any event, if abandonment of the politics-administration formula is *reconsidered and reversed*, if the demands of present world civilization on public administration are met, administrative thought must establish a working relationship *with political thought more than with any other* province in the realm of human learning.

* In the Introduction to the second edition of *The Administrative State*, Waldo relates how to his embarrassment the editor of *The Study of Administration* had single-handedly deleted an introductory sentence and the quotation marks that were meant to indicate that the closing line was here used for the second time (1984: lviii). Perhaps he also deleted the crucial phrase.

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