For more than 50 years, Herbert Kaufman has been an astute observer of public bureaucracies. In this essay, Kaufman draws on his extensive experience in explaining the role of public bureaucracies in the American political system. Kaufman was motivated to write the essay because of his concern that public bureaucracies are not given adequate attention in American government textbooks. We hope that PAR readers will use the essay to educate students and others about the important role of public bureaucracies in American government. —LDT

Herbert Kaufman

Major Players: Bureaucracies In American Government

The Goal of this Essay

I mean by “bureaucracies” all the people who are on the payroll of some unit of government, federal, state, or local, but are not elected, not in the legislative or judicial branches, and are not removable at the pleasure of whoever appointed them. Much of the time, they are not high in our consciousness; we become aware of them only when we have to be in contact with them. So we don’t usually think of them as significant parts of the governmental process. Actually, however, they are important participants in the formation of public policy at all levels of American government. To be accurate, any description or analysis of the governmental system must take their role into account. They are major players.

Most introductory American government textbooks and courses do cover them. But it seems to me that many students making their first acquaintance with the subject come away with only a vague image of what it is that makes bureaucracies a consequential component of the system. They grasp the principle in the abstract; the actualities are often unclear to them. Their experience doesn’t make it easy for them to visualize the substance of the bureaucratic role.

This essay is directed to students in this predicament. I would like to leave them with a clearer sense of what it is that makes bureaucracies worthy of careful study by anyone interested in American government. The presentation is brief because I believe it isn’t necessary to burden my intended readers with a great deal of institutional detail to achieve this end; the old adage about forests and trees seems to me to apply here.

I have also omitted the notes on sources and the bibliography usually included in academic papers. Those satisfied with only an overview will not miss the documentation. Those who wish to go more fully into the field will find fuller treatments in textbooks on public administration and organization theory and in treatises on bureaucracy, which they will have to consult in any event. I assure readers I believe that all I have said in this essay is drawn from the relevant literature and amply supported by evidence. But I will be pleased if some of them are skeptical enough and interested enough to check me out. Compressing and simplifying a large topic can lead to error. I would rather be embarrassed than misleading.

The Importance of Bureaucrats

Do I seem to claim too much when I attribute great importance to bureaucrats? Then consider this: the words in statutes and judicial decisions and executive orders and electoral rhetoric and party platforms and journalistic reports and editorials don’t deliver mail or build dams or construct roads or put out fires or patrol streets and highways or collect taxes or provide financial assistance or protect the public against impure food and drugs and water and air or teach students or do any of the other thousands of things the highest organs of government proclaim officially to be public policy. Nor do elections get these things done. Nothing actually happens until people go to work on the “grubby details.” As the overworked metaphor proclaims, reality is at the point where the rubber meets the road.

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How Bureaucrats Shape Policy Directly

Official powers. The administrative agencies of government at all three governmental levels, federal, state, and local, have been invested with substantial grants of authority by the actions of legislatures, chief executives, and courts. Their official powers include the issuance of regulations of general application and effect (a form of legislating), the application of laws and regulations to specific individuals and organizations (a form of adjudicating), and the employment, direction, and management of staff to perform these duties (the essence of the executive function). Some of them even have summary powers in emergencies—to block distribution of contaminated food, for instance, or to destroy herds of cattle afflicted with grave infectious diseases, or to shut down hazardous mines, or to compel the evacuation of buildings in dangerous condition. Today, the volume of legislative, court-like, and executive actions of administrative agencies in the aggregate exceeds that of legislatures, courts, and executives created by the federal and state constitutions and the charters of local units of government. They fill shelves alongside the statute books, court reports, and executive orders issued by the higher organs, making them one of the main parts of "the law" that governs us.

This conferral of authority on administrative agencies is hardly surprising. You can’t expect legislators and judges and chief executives to personally staff classrooms or collect trash or monitor water supplies or deliver the mail or catch lawbreakers or put out fires or do the myriad other things that our governments are called upon to do. There aren’t enough of them, they seldom have the needed training, and besides, they have their hands full trying to deal with their more general responsibilities.

Nor is it possible to write into statutes every particular of the public’s behavior that statutes are meant to control. Legislatures wishing to promote safety can’t cover every type of hazard that might occur in every industry, product, and process, every type of service, every employment situation. These circumstances are too fluid and complex, and often demand much speedier responses than legislative procedures can achieve. Laws can indicate generally who should receive benefits or services, or pay certain taxes, but until the definitions of eligibility and liability are made more explicit, confusion and inconsistency will reign. Filling in these details is not something legislative bodies can do. And they can’t write the instructions, design the forms, receive all the applications and inquiries, and issue the bills and checks and certificates and other documents that bring the laws to life.

To accomplish these ends, the highest organs of government have no choice but to arrange for the employment of public servants provided with the authority and the wherewithal to do the actual work. Often, the highest officials yield to this necessity with reluctance; they are not always happy with giving such power to others. But if they want the programs they promulgate not to become empty exhortations or dead letters, yield they must. When you and I have anything to do with the government, it is almost invariably with administrative officers and employees that we must deal.

For a long time, the constitutionality of such delegations of authority was called into question in lawsuits by persons who objected to one or another of them. After all, constitutions typically vest legislative powers in legislatures, judicial powers in courts, and executive powers in chief executives. That being the case, the plaintiffs contended, those organs could not share their powers with others. In a long series of decisions by federal and state courts, however, the practice has come to be quite broadly sanctioned, on the grounds that what is conferred is not the legislative or judicial power described in constitutions, but "quasi-legislative" or "quasi-judicial" or "quasi-judicial" functions. This is now settled doctrine. Occasionally, a specific delegation of authority will be overturned on the grounds that the instructions to the administrators are too vague, providing inadequate guidelines for the exercise of discretion and thus allowing an agency more leeway than is constitutionally acceptable, or because public powers have been conferred on private entrepreneurs. And administrative decisions may be overruled because they are held to go beyond what was delegated. By and large, though, courts have grown tolerant of such grants of authority, and the drafters of statutes containing such provisions have grown more skillful in framing them in admissible terms. While always subject to judicial review and to legislative and executive oversight, delegations of this sort are an established feature of government.

For the sake of completeness, let me note that the way delegations are accomplished is not by a declaration that powers are relinquished to the administrative agencies. Rather, the form is to state that "there shall be" or "there is hereby created" a department (or a bureau or an authority or the like) having specified duties and powers, including authority to hire and define the duties of subordinates, and headed by an existing or newly designated official chosen in a specified fashion (sometimes to serve at the pleasure of the appointing official, sometimes removable only for cause, sometimes for a fixed term). It is not unusual to include also provisions governing procedures by which the work of the agency is to be conducted, although such requirements are commonly covered by more general laws and decisions on administrative procedure.

It is by this means—that is, by delegation and redelegation—that the public officer or employee across the desk from you or peering in the window of your car or inspecting the premises of your place of business or per-
forming any of the other innumerable activities of government comes to be in a position to make the initial decision applying a policy to your case. That is how he or she gets the power to make the first determination about your tax obligation, or your application for a license or a permit or a loan or a grant, or your suspension from school, or your alleged violation of a law, or your petition for an exemption from a zoning rule, and so on.

And that’s the underpinning of bureaucrats’ ability to influence the formation of public policy. You can always appeal from their initial determinations; agencies are required to establish procedures for you to protest to a higher administrative level, and ultimately to the courts. For many of us, the prospect of such proceedings is too daunting, expensive, and time-consuming for us to consider—especially if an initial appeal within an agency is unsuccessful. Thus, policy is frequently what bureaucrats say it is.

Derivative powers. Apart from the substance of their decisions, bureaucrats also influence the meaning of policies by the way they go about their duties. They may be courteous or rude, helpful or peremptory, friendly or hostile, cheerful or sullen. They may cleave rigidly to a literal interpretation of a law or try to fulfill its spirit. They may discriminate, more or less covertly, against some segments of the population and in favor of others. They may move a case along swiftly or delay it. They may alert clients to their rights or accord them only those rights the clients are sufficiently informed and aggressive to claim. They may elect to issue a warning instead of citing someone for a violation. If they oppose a policy, they may construe it in a way that discredits it. Corrupt bureaucrats may even employ their discretion to extort bribes. In other words, the character of a policy depends on the conduct of bureaucrats as well as on the contents of their decisions. Its meaning is qualified not only by what they do but how they do it.

Job security as a source of power. Moreover, the administrative personnel who perform the public business are well-positioned to defend their decisions and ways of doing things against “outsiders” (that is, nonbureaucrats inside or outside government, and even bureaucrats from other agencies) who would like to change them. Most of them enjoy a high degree of tenure in office—not total security, by any means, but significant legal and procedural protections against unrestricted removal and other sanctions. Compared to many of their counterparts in other walks of life, and to their political superiors, they are very secure indeed—and therefore more independent than they otherwise might be.

This was not the case for almost a century after the adoption of the Constitution of the United States. At all levels of government, there were few legal standards for appointments to the public service, and few barriers to the removal of people who entered it. Nevertheless, according to some scholars, for a short while, the earliest appointees were chosen for “fitness for office,” which probably meant mostly for character in the days when most positions were not very demanding and the duties were largely clerical. But very soon, as the parties developed and gained strength, appointments were given as rewards for work on behalf of parties and candidates, and each time administrations changed, there were wholesale dismissals. Never was there 100 percent turnover, but the extent of it was enough to set the tone of the administrative establishment, which was relatively small. And while the practice was never clandestine, it became more and more open as the years went. The doctrine that public-service jobs were the legitimate “spoils” (or plunder) of electoral victors was openly espoused (which is how the practice came to be known as the spoils system), and was endorsed by President Andrew Jackson on the grounds that anyone with a little education and common sense could fill them adequately, while “more is lost by the long continuance of men in office than is generally gained by their experience.” It became the norm for staffing.

The spoils system made it possible for people of modest means, who had to earn their living, to take part in politics; otherwise, only the wealthy could have afforded this luxury. The less fortunate took their incomes from the public payrolls but spent much of their time on party activities, and also returned part of their earnings to their party benefactors as payment for their appointments. Knowing that their period of public employment was likely to be fairly short, however, many were disposed to use their positions to get as much as they could as quickly as they could; they were more vulnerable to corruption. Moreover, the rapid economic development of the country necessitated better trained and more highly skilled personnel, especially with the industrialization that was launched by the Civil War. So the system came under increasing criticism from reformers, and even from some presidents, who, while appointing job candidates sponsored by members of Congress in exchange for congressional legislative support, began to complain that managing patronage made excessive demands on their time. The assassination of President Garfield in 1881 by a man often described (inaccurately) as a disappointed office seeker gave a boost to the reform movement, and helped achieve the enactment of the Civil Service Act of 1883. Following the federal lead, the states followed suit in time.

The new civil service system did not at the outset cover all employees; in fact, it applied to only 12 percent of the total federal work force. But the act permitted the president to extend it at his discretion, and coverage expanded until more than 90 percent are included in it (or in one of the smaller, comparable systems, such as the Foreign Ser-
Presidents were happy to extend it because they found that the spoils system was more trouble to them than it was worth; besides, when leaving office, some of them were glad to give civil-service protection to positions occupied by their own appointees, thereby winning plaudits for enlarging the coverage while benefitting their own partisans. Thus did the system, dubbed the merit system, advance. In state and local governments the advance was slower and more uneven, but there too it spread.

The original, bipartisan Civil Service Commission was placed under the president. He appointed its members (with the advice and consent of the Senate), he could remove them, and it operated under rules he made. But the act also required it to group positions into classes and conduct examinations (mostly competitive examinations, but noncompetitive under specified conditions) to fill openings in the classified jobs, directed that the jobs be filled from among applicants graded highest, but only after “a period of probation before any absolute appointment or employment.” It also prohibited dismissal of, or other penalties on, members of the classified service for declining to contribute to any political fund or render any political service, while enjoining senators and representatives not to recommend applicants for these positions and instructing examiners and appointing officers to disregard such sponsorship. Armed with this authority and, after 1958, with fixed terms of office, the Civil Service Commission empowered its staff gradually to take control of every aspect of personnel administration virtually all the agencies of the federal government. The regulations were voluminous and the oversight of the agencies was tight. Correspondingly, the influence of the parties was diminished. State and local civil service commissions rarely matched the elaborateness of their federal counterpart, but at these levels too the public personnel administrators became powerful and the patronage power of the parties declined. The ideal of the reformers had been to make public service a lifelong career, and if they did not succeed totally, they enjoyed enough success to produce what has come to be known, with only a touch of hyperbole, as “the permanent government.” Although significant pockets of patronage survive, they make up a smaller proportion of the total public work force than was true in the heyday of the spoils system.

Protection of this kind bestows power on the beneficiaries. In the second half of the twentieth century, there was a backlash against these arrangements from chief executives and their top administrative officials, who complained that they were confronted by entrenched bureaucracies they could not lead because they, the ostensible leaders, had only circumscribed roles in the selection, advancement, reward, punishment, and removal of their nominal subordinates. Not that the subordinates were overtly resistant or defiant; they were simply slower to alter their established patterns of behavior than their presumed bosses wished. We shall come later to the explanations for this slowness. What is relevant here is that, at the federal level, the chorus of complaints about the personnel system by political executives, now joined by experts in management, kept growing until, in 1978, the Civil Service Reform Act made some organizational and procedural changes in the arrangements. The Civil Service Commission was abolished, its responsibilities for the routines of running the merit system were vested in an independent Office of Personnel Management (OPM), its judicial function (mainly deciding on appeals by employees from personnel actions of the agencies for which they work, but also reviewing regulations of the OPM for compliance with the law) was assigned to a Merit Systems Protection Board, and its labor relations duties were allocated to a Federal Labor Relations Authority. One of the goals of the reorganization was presumably to create an environment in which the alleged obstacles to good management and effective leadership of the government’s bureaucracies would be reduced, and, indeed, greater control over personnel practices has been ceded to many agencies. Still, many of the old practices remain in effect, the objections of managers continue, and legislators and the public voice frustration over bureaucratic inflexibility.

In short, federal public employees have been made highly influential shapers of public policy by their relative job security and long periods of service. In varying degrees, so have their conferees at the state and local level. They are by no means completely autonomous, but they are certainly equal in strength and durability to all other major players in the public policy-making game.

How Bureaucrats Influence Other Policy-Making Organs

Not only do public employees shape policy directly by the way they do their jobs; they also exert influence on the policy-makers who give them their powers and tell them what to do. That is, they play a prominent part in formulating the directives they receive!

They are seasoned and knowledgeable “old hands.” They possess this influence in part because they have accumulated so much experience. Having worked extensively with the sectors of the population and of the economy for which they are responsible, and having forged relationships with relevant organizations and governments at home and abroad, the practitioners acquire the practical knowledge needed to assess the probable effectiveness of new policy proposals and of suggested changes in administrative arrangements. Consequently, legislative committees considering bills frequently invite their public testimony on the proposed legislation, and legislators and legislative staff who concentrate on par-
ticular agencies and policy areas develop cooperative informal relationships with their administrative counterparts. Indeed, administrative officers dissatisfied with provisions of the laws they administer often originate changes by inducing friends in the legislative chambers to introduce unobtrusive corrective amendments. And though agencies in many jurisdictions are prohibited from lobbying in the ordinary sense, it is not unusual for them to designate legislative-relations specialists to handle such connections. They are wise in the ways of politics.

Agencies not only advise and inform legislators and their staffs; they are in a position to do favors for them. Legislators are always interceding with administrative staff on behalf of constituents who have matters pending before agencies. If the matters are resolved to the constituents’ satisfaction, even if the decisions would have gone the constituents’ way in any event, the lawmakers score points with the constituents and therefore are presumably disposed to look more sympathetically on the agencies than they might otherwise have been. (Such intercessions, by the way, are not invariably, or even frequently, improper or corrupt. In particular instances, they can mitigate unintended harsh applications of general policies by administrators who exercise their official discretion in an unusually rigid fashion. They can assist people who lack the means or the knowledge to represent themselves adequately in administrative proceedings. They may tip a decision that could reasonably and appropriately go either way. They sometimes get a procedure moving after it has bogged down in administrative technicalities. And they serve notice that agencies are under observation. Some of the time, it is true, political intervention does smack of impropriety, of undue favoritism. But not always, by any means.) In other words, administrators and elected officials influence each other not just by flexing their muscles; they also assist each other.

The advantages are mutual.

In similar fashion, agencies build relationships with the political executives they serve. The executives, of course, are usually clothed with authority to issue directives and to remove some top officers. Most of their contacts with the agencies, however, are not of this nature. Rather, they solicit advice and seek information from them about possible policy changes in their fields, about bills making their way through legislative chambers, about past actions that have stirred controversy, and sometimes, like legislators, about pending administrative actions affecting the executives’ allies and supporters. Executives benefit from effective assistance and cooperation, which can be to the advantage of the agencies when they in turn seek executive goodwill.

Even in the judicial process, administrative agencies are influential. Judges give weight to their special competence in their fields of specialization—not to the extent of in-

variably accepting their interpretations of their authority when their authority is questioned, but often enough to signal challengers that they had better have firm legal and factual grounds for their challenges. They have the staff and other resources to mobilize materials in support of their positions, the experience to know what is effective in court, and the wherewithal to generate appeals from unfavorable decisions. When they commence proceedings, they choose the most promising cases. In this fashion, they try to shape the body of legal opinions governing their operations.

In the judicial arena, as in every other arena, the agencies often have to contend with other informed, experienced, financed, full-time policy advocates skilled in furthering their views and interests. But the agencies are up to the challenge. In the crucibles where policy is formed, they are among the most vigorous actors. They know how to play the policy game, and their imprint is usually to be found on everything emerging from the process.

They are comparatively impartial experts. Another of their resources is their technical and professional expertise in their respective fields, and their public perspective on policy issues in their areas as against the personal and corporate perspectives of spokesmen for private groups seeking to affect policy decisions.

As regards their technical and professional qualifications, the public service comprises members of virtually every area of expert knowledge and skill in American society in addition to the lawyers, accountants, middle managers, and clerical workers with whom we are all familiar. Found in abundance, for example, are scientists of every kind: all varieties of engineers; physicians, nurses, dentists, and other health providers; librarians and archivists; mathematicians, actuaries, statisticians, and demographers; economists, psychologists, sociologists, and other social scientists; and members of all skilled trades. Governments contain within their own ranks a wide diversity of talents.

The specialists and experts at each level of government are also closely associated with their counterparts at other levels, and they call upon these counterparts when they need assistance in defending or advancing their parts of intergovernmental programs. When they wish to bring pressure to bear on their political superiors, they have friends at other levels to support their positions. One commission on intergovernmental relations described the health and highways and education and welfare bureaucracies, among others, as vast functional hierarchies cutting across the layers of government.

This reservoir of technical knowledge and professional solidarity gives agencies leverage in the system. Their judgments carry weight when volunteered, and are often solicited by other policy makers.

Their position in the system gives bureaucrats added credibility. As servants of the public, they tend to see policy
issues from a different angle than private interests, and therefore they often raise questions and suggest approaches that might not otherwise be aired. Not invariably; they are sometimes so closely identified with the clienteles they serve or regulate that the differences between the two groups are small. But many of them are so conditioned by their commitment to the missions of their agencies, and by their training and solidarity, that they inevitably cast a fresh light on things. For this reason, in the federal government, bills passed by Congress are routinely circulated to pertinent agencies for recommendations on how the chief executive should respond, and legislative proposals originating within the administration are likewise sent around for agency comments before a sympathetic member of Congress is asked to introduce them on the administration’s behalf. The advice of any given agency does not always carry the day. But if they are not always heeded, they are seldom totally ignored. They put their stamp on much of what emerges from the incessant tussles over the forking of public policies at the highest levels.

They are citizens and voters. Furthermore, quite apart from their official roles, public officers and employees are citizens and voters, and they abound. The number of people on public payrolls at all levels of government, including the military on active duty, is about 21 million. If you exclude from this total all elected officials and employees in the legislative and judicial branches, you are still left with a figure of some 20 million. We shall look at the figure in more detail a little further on; the point here is that there are a lot of public bureaucrats.

Assuming they turn out for primaries and general elections in the same proportions as the population at large, they and their families and friends make up a substantial fraction of the electorate. It is therefore reasonable to infer that the elected officials who are their nominal superiors are not indifferent to their wishes: candidates for office cannot afford to offend large blocs, especially in districts where concentrations of public servants reside. Public servants rarely decide the outcomes of elections all by themselves, particularly since they are seldom a solid voting bloc on anything other than their conditions of employment, but only a rash candidate would give them offense in a close election.

They form organized interest groups. Public officers and employees have one more weapon in their armamentarium: many of them are members of unions and professional associations. No single organization includes or represents them all, even in small governmental units. Nonetheless, by mobilizing along occupational or functional lines, they augment their leverage in the formation of policy.

Unions are particularly salient in these endeavors. Some of them, such as the Association of State, County, and Municipal Employees, draw members from many different programmatic areas, agencies, ranks, and units of government. Some, such as the unions of teachers, transit workers, nurses, social workers, police, and firefighters, concentrate on one field. Some, like associations of school administrators, are still more narrowly based. Some, like the traffic controllers’ union, recruit almost exclusively from one agency. Some, such as the teamsters or food-service workers, are centered primarily in the private sector and set up special locals for public employees. The patterns are quite varied. Even so, many public employees are not members of any group of this kind. But large numbers of them are.

The unions focus their energies on bargaining over pay, hours, workload, job security, and other job-related issues. But not exclusively. Like other labor organizations, they often address larger matters in public forums and the mass media (usually in defense of the public sector) and they assist candidates for office whom they see as helpful to their causes. Compared to their counterparts in the private sector, associations and unions of public employees are somewhat hampered by provisions of law that prohibit strikes by public servants. Moreover, the agreements they reach with the public managers with whom they negotiate may not be honored by legislative bodies. Strikes do occur, however, and the unions’ efforts in elections do give legislators second thoughts about overriding settlements. So despite the handicaps under which they labor, organizations of public employees do have an impact. Indeed, some commentators believe local governments are distinctly overmatched when dealing with their unionized employees in some fields because unions play a part in the election of those on the other side of the bargaining table.

Organizations of professionals like the bar and medical associations are less likely to speak for publicly employed members of those professions because most of their members do not work for governments. Specialized segments of those professions, however, such as trial lawyers or the communications bar or public-health nurses, may form their own groups to speak for them. In the programs staffed by such specialists, they often have a marked impact.

All these organizations help magnify the voices of their members. They add to the influence of public servants in the forging of public policies.

Agencies have constituencies. Finally, administrative agencies generally develop ties with the interests they serve and regulate, and with other groups favoring the programs they administer. The largest agencies have public relations offices that assist—and cultivate—the mass media through press releases, press conferences, prompt responses to press inquiries, and strategic leaks of information. They often form close bonds with reporters and columnists who cover them for the communications me-
dia, and with influential academics. In these ways, they inform, and try to project a favorable image to, clients and allies. Then, when they feel threatened by opponents and critics, or when they need help in seeking things they want, they mobilize their constituencies. They spread the word, invite them to speak out on the agency’s behalf, and provide them with material to perform this service. Some have been known to rally prominent and respected retirees to return to the fray. Political leaders may therefore find themselves pressured by arrays of ardent agency backers. In short, agencies know the value of powerful friends in the political arena, and they know how to invoke such support when they need it.

**That’s Why Bureaucrats Matter**

Obviously, then, public bureaucracies are well-equipped, energetic participants in the governmental process. If you overlook them, or even if you just underestimate their role, your understanding of the way the American system of government works will be seriously deficient. They must be factored in.

At one point in the history of public administration, the ideal public service was portrayed as a neutral instrument, extremely useful but without any animating force of its own—a gun for hire, said one scholar deriding this notion. In this idealized world, policy making was envisioned as a universe apart from administration, a universe unavoidably pervaded by politics and politicians and the egotistic pursuit of self-centered goals, while in contrast, administration was depicted as a domain in which the canons of apolitical scientific management could be introduced and made to govern. The people who propounded this dichotomy in the nineteenth and early twentieth centuries were too sophisticated to have believed it was an accurate, realistic portrait; they probably thought of it as a heuristic device, rather like political philosophy’s legendary “social contract,” which was used to buttress certain political recommendations by showing how they followed logically from plausible basic premises. In similar fashion, the politics—administration distinction strengthened the arguments of civil-service reformers, helping them accelerate the professionalization of the public service as the tidal forces of industrialization and urbanization were making ability and knowledge more important than political loyalties in staffing public agencies.

It also left its mark on the teaching of American government. One reason the role of bureaucrats in the governmental process is commonly understated is that they are still often treated as passive instruments, and therefore worthy of only passing notice, while political bodies are frequently portrayed as improper intruders in administration. Since bureaucrats have in fact come to exercise significant power, and since politicians are inevitably involved in administration, a more balanced treatment is essential to a full understanding of government.

**Why Bureaucrats Are So Numerous and Influential Even Though Most of Us Revile and Disparage Them**

You hardly ever hear anyone say anything nice about bureaucracies. Only occasionally does someone speak out in their defense. Most people denounce and ridicule them. Under these circumstances, you have to wonder why there are so many of them and why they are granted so much power.

It’s not a mystery. The governments established by our fundamental documents—constitutions and charters—are charged with numerous and heavy responsibilities. To discharge these responsibilities, they institute a wide variety of public programs; there are always constituents pressing for services, and many political officials feel it is both a moral obligation and a political necessity to satisfy their constituencies. “There ought to be a law” is a venerable American attitude; we often get our wish.

The execution of these programs requires qualified staffs with appropriate authority and financing. Bureaucracies are the result, the seemingly inevitable, incidental byproducts of programmatic expansion. The primary intention of those who demand and those who enact the programs is not to increase the number of bureaucrats and add to their powers, but it is frequently the consequence of their actions.

Moreover, politicians uncertain about how to deal with some problems they think require public intervention have been known to set up agencies composed of professionals and technicians and pass the burden to them. In the 1930s, for instance, Congress concluded that something had to be done to bring order and assistance to the young airline industry if it were to flourish, but was not sure precisely how to go about it. So it established the Civil Aeronautics Board and the Civil Aviation Administration, giving them broad mandates to fashion appropriate policies. The Federal Communications Commission, the Food and Drug Administration, and others had similar origins. (In such cases, it would appear, the politicians often try to claim credit for success if the programs go well, while if things go badly they blame the bureaucrats.) Not all agencies come into existence in this fashion, but it is another reason why the population of agencies increases in the face of bureaucracy’s unpopularity.

Once agencies come into existence, they typically prove exceedingly hardy. That is, when new leaders take control of the highest organs, few programs are discontinued even if the new leaders express fervent antibureaucratic sentiments. Apparently, they find such termi-
nations difficult to accomplish; existing programs turn out to be defended by ardent champions—not only the bureaucrats engaged in them, but also the programs’ beneficiaries and their allies. Some would say that it’s easier to start a new agency than to get rid of an old one, even when its time has passed. Also, at times it appears that the authors of new programs are longer remembered and better rewarded at the polls than the dismantlers of old ones; the incentives to add to the list are stronger than the inducements to subtract from it.

So the political environment encourages the multiplication and durability of government agencies. And for that environment we are all in some measure responsible.

Moreover, the consensus on antibureaucratic sentiment is more apparent than real. We’re all against bureaucracy in general, but not against the same thing in particular. You are less apt to call an agency bureaucratic if you favor the program it administers than if you’re against what it’s doing. Much of the time, the term bureaucracy is a vessel into which each complainant pours different contents, an epithet rather than a precise category. It has been said that ambiguity is the solvent of disagreement; this is a perfect illustration of that epigram. People who seem of one mind in denouncing bureaucracy often have different referents in mind and would be surprised if they knew what others using the same word were thinking when they used it. Indeed, chances are most of us are uninformed about and indifferent to most agencies and programs; our complaints are aimed only at those we experience. And even when two critics are inveighing against a single agency, one may denounce its bureaucrats for being too severe while the other sees it as too lenient; one may think it too slow and cautious while the other regards it as too aggressive and reckless; one may regard it as too solicitous of some clients while those clients may perceive it as insensitive to their plight. The only thing such critics agree on is that the bureaucracy is in the wrong. So it only sounds as though everybody is of one mind about all public officers and employees; in fact, they may be miles apart.

That’s why public bureaucracies have grown despite the outcries against them. The words express feelings, but actuality is made by deeds.

A Threat to Democracy?

Reasons for Concern

All the same, even though the growth of bureaucracy is caused largely by demands for governmental services, it has engendered concern about its negative effect on the vitality of democracy. Of course, democracy is a concept on which volumes have been written; no single definition or set of criteria has achieved universal acceptance. But most of them, I should think, take it for granted that non-elected public officers and employees will, to the best of their ability, obey their government’s properly elected political leaders and the leaders’ political appointees. That is not all there is to democracy, but it is an assumption underlying most interpretations of its meaning. For if government workers in any polity do not obey, if they go their own ways regardless of what the members of the elected stratum decree, let alone if they manage to dominate the elected leadership by some means, I am confident that few observers would call that polity democratic.

Even this standard is not unequivocal. We don’t expect conscientious public servants to comply with directions to violate the law or common principles of humanity; the war-crimes trials following World War II, and others since then, make it clear that following orders is not an exculpatory legal defense against obvious inhumanity or other egregiously improper behavior. The line between the kinds of directives one is obliged to follow and those that should be resisted by disobedience or resignation can be fuzzy at times, particularly for those whose jobs entail the use of force. Fortunately, most American civil servants do not work in this nebulous zone. Except in the most unusual circumstances, they are expected to do what their political superiors legally tell them to. That’s one thing almost everybody agrees on.

Consequently, the influence and the degree of autonomy bestowed upon or acquired by public bureaucrats in all nations (and in international organizations) profoundly alarms some commentators. They contend that the principle of bureaucratic subordination to elected officialdom has been eroded, imperiling a vital pillar of democratic governance, and that bureaucrats are “out of control,” “unresponsive,” and perhaps even moving toward domination of every political system.

What we have just seen of the role of bureaucrats in the formation of public policy in the United States makes this anxiety understandable. So do their numbers; 20 million is an impressive figure. Although in comparative terms, it is smaller than the size of the public work forces in many other democracies, the dimensions of the administrative establishment disturb many. In their minds, a vast ungovernmentable juggernaut has been created.

This uneasiness is compounded by the records of such charismatic bureaucrats as J. Edgar Hoover, who was the director of the Federal Bureau of Investigation for many years, and Robert Moses, who was the chairman of the Triborough Bridge and Tunnel Authority in New York City for decades and held a number of other municipal and state posts as well. These individuals were so adept at expanding and exploiting the power of the agencies they headed that they could be described as almost autonomous; presidents of the United States displeased by Hoover declined to remove or even discipline him, and Moses flagrantly
ignored and sometimes defied governors and mayors in New York. To be sure, Hoover and Moses were in a class by themselves: nevertheless, they are reminders of how much power may be acquired by skillful bureaucrats, and they arouse qualms about the possibility that other less visible members of the bureaucracy may have quietly and unostentatiously built smaller but similar empires.

The experience of some foreign nations also buttresses fear of bureaucracy. In Italy, for example, unstable coalitions of political parties formed short-lived governments, giving way after brief intervals to equally tenuous replacements, while the administrative establishment served as the real, continuing governing authority. In Japan, too, the permanent staffs of some of the key ministries were the dominant molders of policy, overshadowing their parliamentary masters, and their influence was extended and intensified by their custom of taking over major positions in political parties and industry upon retirement from their administrative offices.

And if these examples were not unsettling enough, one group of academics has recently advanced the argument that civil servants in the United States should be recognized as legitimate constitutional coequals of all other participants in the governmental process, including legislative assemblies and elected executives. Modern society, they reason, with its complex economic and political and social institutions, requires a substantial degree of stability in its public policies. If public policies were to change significantly with every shift in the political winds and every transitory swing of public opinion, planning and investment and credit transactions would become almost impossible.

Yet the elected branches of government were deliberately made susceptible to such fluctuations in order to encourage their responsiveness to the wishes of the people. These arrangements have made leaders attentive to widespread popular discontents and anxieties, and to the special concerns of minorities of every kind, thereby furthering democratic values. At the same time, they have been a source of instability, particularly when electorates are more or less evenly divided and candidates woo even small groups having narrow interests and recherché views. Hence, according to this academic school of thought (with which many civil servants tend to agree), the civil service was granted a measure of insulation from political influences, described later in this essay. It was designed, they claim, to protect the system against excessively frequent and pronounced public policy oscillations, and it has a legal, moral, and constitutional duty not to yield too readily to them. Indeed, some members of this school declare that because administrative bodies are commanded by statutes to invite expressions of opinion on pending administrative actions by all interested parties, and to give fair hearings and consideration to those opinions, such bodies are more representative of the public will than are officials elected by narrow majorities of the small percentage of eligible voters who go to the polls. But even those in this camp who do not go that far challenge the assumption that civil servants should be utterly subservient to the elected branches of government.

All these developments would not surprise earlier critics of bureaucracy who warned of "the new despotism" and "our wonderland of bureaucracy." Very early on, they sounded the tocsin; nervousness about public bureaucracies is not new. As we have seen, their assertions are not without justification. They cannot be casually dismissed.

Reasons Not to Panic

But that is only one side of the picture. Looked at from another standpoint, the situation does not seem as menacing as the critics maintain. From this vantage point, democracy in America does not appear to be imperiled by its public administrative establishment. If it is in danger at all, its public servants are probably the least of the threats to it.

For one thing, some of the fear of bureaucracy is artificially whipped up by strategists and tacticians in the struggles over public policy. To the extent that this is so, the alleged bureaucratic threat to democracy is a manufactured specter. Furthermore, administrative agencies are hemmed in by a strong and extensive web of legal and political constraints. And public servants are a fractionated mélange of heterogeneous groups, not a disciplined, coherent, coordinated body of like-minded members. When you take these factors into account, the threat to democracy does not seem quite so ominous.

Fears are often deliberately fanned. Scare tactics are not unusual in public-policy wars. Conjuring up an image (a false image, as we shall soon see) of a monolithic bureaucratic monster undermining our democracy can be a very effective maneuver for those who, for a variety of both public-spirited and self-interested reasons, want to reduce the size and scope of governmental activities in general. It may also be invoked, however, to taint proposals for specific new programs or to discredit programs already in operation. That is not to say those who employ this bludgeon are purely cynical; to the contrary, they tend to believe ardently in the argument they put forth. Yet there is no denying that it is often invoked against popular policies enjoying so much support that frontal assaults on them would do more political harm to the attackers than to the defenders. In such situations, it is much safer to come at the policies obliquely, acknowledging the worthiness of the goals while lamenting the additions to the "army of bureaucrats" they generate. If you can make the treatment of a problem sound worse than the problem itself (which is often, but far from always, true), you can
tarnish that solution without offending those whom the problem afflicts.

A network of constraints. What makes some of the allegations that our public bureaucracies jeopardize democracy seem overstated is that administrative agencies are confined by a host of curbs in the hands of powerful overseers, including legislative, judicial, executive, and administrative institutions, clientele and interest groups, and the communications media. Those inside the administrative establishment don’t feel as though they can do as they please; to them, the governmental setting often seems like a straitjacket.

The powers of legislative institutions are to administrators doubtless the most imposing of the constraints. Although some departments in some states (but not in the federal government) are set up by provisions of the state constitutions, most agencies owe their very existence to legislative enactments. And those enactments not only create the agencies; they define the agencies’ goals, specify (and thus limit) their powers, and prescribe their modes of operation. They may reserve to the legislature, or some part of it, the authority to veto administrative actions, or at least to postpone the effective date of the actions so that the legislature can intervene if it wishes to. Statutes may also confer on individuals legal entitlements to designated services and protections, thereby further binding agency discretion. Legislatures may set up agencies to oversee certain actions of other agencies (such as civilian boards to watch over police departments; merit system protection boards to scrutinize agency personnel actions; equal employment opportunities commissions to prevent various types of discrimination in public employment; and inspectors general, auditors, and others). In addition, legislative bodies have the authority to repeal earlier enactments, possibly eliminating whole programs or agencies, to amend existing laws, to add new specifications and requirements, to combine agencies or separate out components, and to transfer functions from one agency to another. Admittedly, political obstacles deter casual use of these powers, but the formal prerogatives are always at the disposal of legislative bodies, and agencies are aware of their potential.

Legislative powers of the purse are probably even more effective. Agencies obviously must have money to do their work; for most agencies, legislative bodies determine how much, and may attach conditions to appropriations. (I say “most” depend on appropriations because legislatures may choose to entrust a given program to a public corporation, as described on pages 33–4. A public corporation can use the revenues it generates from tolls or sales of electricity or the like to finance its activities and to back the sale of bonds to raise funds for capital improvements. But the bulk of governmental functions are funded by periodic—usually annual or biennial—appropriations. And even some government corporations require infusions of appropriations over and above their earned revenues.). Since appropriations acts are of limited duration (in contrast with general legislative acts, which typically stay on the books indefinitely), agencies must come back to legislatures every year or two for the wherewithal to continue, and may be called upon each time to defend and justify their operations. To be sure, time limitations normally restrict legislative scrutiny to selected aspects of agency programs. But agencies often don’t know which aspects will be the focus of attention and they are therefore strongly motivated to make all of them acceptable to the legislators in order to win approval of their budgetary requests. Furthermore, not only does the overall size of their budgets hinge on legislators’ satisfaction or displeasure with their records; appropriation acts may include detailed specifications on the uses of the money made available. Additionally, notwithstanding legislative rules prohibiting the inclusion of substantive provisions in appropriations acts, such provisions do make their way into appropriations laws. Thus, the financial might of legislatures serves as a sharper, more precise tool for control of agencies than the power of general legislation. Together, the two powers make a formidable combination.

To back up its fiscal authority, Congress established the General Accounting Office (GAO), an agency under its jurisdiction and charged with the duty to ensure that the administrative establishment spends appropriations in complete accordance with appropriations acts. Over time, the GAO has broadened its approach, reviewing not only the fiscal aspects of administrative operations, but also the substantive activities of administrative agencies and their managerial performance. It reports its findings to Congress and makes them available to the press and the public. In addition to its recurrent and routine audits, it also conducts special studies at the request of members and committees of Congress. Agencies are thus under continuing and often intense examination by this congressional arm. At the state level, auditors, some of them elected and sometimes of a different party than the executive, perform similar functions, though few have the attainments the breadth of the GAO’s work. At the local level, auditing is largely a financial check, and is handled in different ways in different jurisdictions. By and large, it is not as comprehensive a legislative tool as it is in the higher governments.

Still, at every level, legislative bodies possess imposing means of controlling administrative agencies; the agencies therefore treat even their nonbinding suggestions and pronouncements with almost the same respect as their formal actions. Committee reports and the remarks of committee members are studied, as are the comments of legislators on the floors of their chambers when bills are debated. When key members of committees offer their views infor-
nally, or make inquiries or suggestions on behalf of specific constituents as I noted earlier, their communications get priority handling. They develop expertise in their subject matter, and they acquire a great deal of inside information about the agencies under their jurisdiction. Their opinions and wishes may not always be fully accommodated, but they are never treated lightly. And since, in the federal government, most agencies are overseen by their appropriations committees every year, and more intermittently by their legislative committees, and by government operations committees (now called the Committee on Government Affairs in the Senate) charged with keeping an eye on their administrative operations, the meshwork of constraints is extraordinarily thick. Controls in most states and localities are not quite as elaborate; nonetheless, they are many and strong there too. The fullness of legislative constraints alone is enough to call into question the image of bureaucrats running wild.

But legislative constraints, striking as they are, are just the beginning of the story. *Judicial institutions,* too, exert control over administrative agencies. Virtually everyone aggrieved by an agency’s regulations or adjudicatory judgments, with very rare exceptions, has the right, after seeking relief at higher levels within the agency and in its internal appeals tribunals, to pursue redress in a court. The federal government has also waived, under some circumstances, its sovereign immunity from suit for personal injury, death, or property damage caused by an error of a federal employee. Administrative law has become a specialty unto itself.

At one time, courts were more disposed than they are now to substitute their own judgment for that of the agencies simply because they disagreed with the substance of agency actions even when proper procedures were followed. Recently, however, they have tended to focus more heavily on the fairness of agencies’ procedures, raising such questions as whether aggrieved parties were given adequate notice of impending rules or decisions, whether they were given a fair opportunity to be heard, whether the actions of the agencies were supported by evidence, and whether the officials who made the decision were fully apprised by the appellants’ arguments. While courts do acknowledge the competence of the agencies, they do not hesitate to overturn their decisions when they believe that people’s rights have been violated or that other legal requirements have not been met, even going so far as to preside over the desegregation of schools, the management of prisons, and the equalization of local tax and spending practices. Some students hold that judicial rulings have “judicialized” the administrative process, making it more formal, more expensive, and slower than it was meant to be. Whether or not this is true, there can be no doubt that judicial controls on administration impose significant limits on administrative discretion.

So do the powers of chief executives and their entourages at all levels of government. That is not to say the individuals occupying those offices personally supervise all the administrative agencies. They couldn’t if they wanted to, and most of them don’t want to. They tend to concentrate on legislative initiatives—introducing new programs, expanding selected old programs, eliminating ones they oppose, reducing others. Keeping bureaucracies in line seldom heads their lists of priorities. But when this problem grows troublesome enough to draw their attention, the president and the governors possess the resources to intervene energetically, and the chief executives of local governments, though only some of them have powers comparable to those of their federal and state counterparts, are also able to exert decided influence on administrative behavior within their respective jurisdictions.

The influence of chief executives rests on several pillars: constitutional or charter provisions investing them with the executive powers of their governments (giving them a circumscribed right to issue orders to many agencies); their constitutional right to appoint and remove top administrative officers; their part in the legislative process (that is, in proposing, shaping, or vetoing bills); the powers conferred on them by statute to review and modify agency budgetary requests for appropriations; and, in some cases, their statutory authority to initiate reorganizations of the executive branch. These weapons could not be turned on an agency every day even if executives had the time to oversee any given agency that often; the weapons are too large and unwieldy to use indiscriminately. But agencies, knowing that they can be deployed, generally listen carefully when chief executives speak to them.

To carry out these duties along with all the others assigned to chief executives, the executives’ staffs in larger governments have grown substantially over the years and are themselves complex organizations with which the agencies serving and regulating the public (the “line” agencies in current parlance, adopted from military organizations) must deal. From the line agencies’ point of view, this continuing supervision is sometimes burdensome, and the “staff” agencies are often resented as outside meddlers. However, because of the doctrine (or myth) that staff agencies are closer than line agencies to the chief executives and therefore know better what the chiefs want, they are said to speak with the chiefs’ authority. Since the chiefs usually back up their staffs, line agencies have no choice but to come to terms with them. I don’t mean to suggest that the two sets of public officers and employees are engaged in constant warfare, but recurrent tensions between them indicate that both sides feel the constraining force of these arrangements.

So executive controls do without doubt limit the autonomy of the bureaucracy. Occasionally, an agency may
succeed in mobilizing enough allies and legislative support to resist executive supervision. But they do not undertake such battles lightly, for victories are dearly won and defeats can be disastrous. Usually, when executive power focuses on an agency, the agency finds ways to accommodate it.

They are kept in check, too, by their clienteles and by both friendly and hostile interest groups. At first blush, the suggestion that the friendly ones are curbs on a bureaucracy may seem to contradict my earlier assertion that agencies call upon them for support; how can they confine bureaucratic power if they throw their weight behind it? It is generally the case, however, that allies limit each other by exacting concessions for their backing. Agencies therefore have to placate their friends in order to ensure their continued friendship. The strength gained by the association is thus a restraint at the same time. Even cooperative relationships bear a cost.

But many agencies also have to deal with critics and opponents as well. Some adversaries oppose the policies they administer and strive to nullify them by attacking the agencies; some dispute their interpretations of the policies and seek changes in their readings of their missions without challenging the policies themselves; some berate them for their methods and procedures. For a long time, for example, public forestry bureaus were assailed by the lumber industry for limiting the sale of timber from public forests. (In recent years, ironically, the same bureaus have been criticized by environmental organizations for appeasing the lumber industry by sacrificing other environmental values to timber production.) Preservationists protest increases in hunters’ bag limits by wildlife management agencies intent on bringing deer herds down to levels they think the land can support, while farmers and suburbanites complain that the herds should be reduced even further to protect crops and gardens and roads from the animals. A highway department intent on improving traffic flows by constructing new roads may find itself in a battle with neighborhood groups seeking to preserve the character of an area, or by defenders of parks encroached on by the proposed construction. School administrators often find themselves under fire from parents’ associations, civil-rights organizations, authorities on educational philosophy and psychology, and even from private employers dissatisfied with the products of their institutions. Consumer groups ride herd on regulatory agencies they accuse of being too friendly to the businesses and industries they are supposed to supervise. No agency is free from this kind of external scrutiny and pressure.

Clientele and interest groups employ the same methods as the agencies themselves—and some political tactics (such as becoming party officers) denied to many bureaucrats by civil service laws. Many private groups are well-organized, well-financed, well-informed, and experienced in politics and the administrative process. They nurture contacts with elected officials by contributing money and occasionally workers for electoral campaigns, participating actively in party affairs, and by encouraging the impression that they can deliver the votes of their members to the parties and candidates they favor. They are often able to get publicity in the mass media; their public-relations skills are well-honed. Their representatives are full-time professionals as familiar with the substantive fields and the internal workings of the agencies they are concerned with as are bureaucrats themselves; indeed, many of them are former government officials or employees. They track the agencies continuously.

So whenever decisions relevant to their interests are under consideration anywhere in the government, including proposed actions by administrative agencies, clientele and interest-group spokespeople are sure to make their views known and their weight felt. In fact, many of the proposals originate with them. They testify and submit statements of their views at hearings on pending legislation and on the issuance of administrative rules and regulations. They participate in advisory committees created as forums for the opinions of interested parties. They encourage their members to inundate decision-makers with letters. And if they fail in these arenas, they may bring suit in the courts, or at least submit briefs for the courts to think about in reaching judgments.

The mass media of communications, and specialized press organs (such as trade, professional, regional, neighborhood, and similar periodicals), which all participants in policy making try to influence, are not only channels used by others; they are independent participants in their own right. Reporters, columnists, and editorial writers are not simply cat’s paws; they frequently pursue their own initiatives. Many of them assume they have a special responsibility for illuminating everything in government and politics, and that everything in these fields is therefore fair game. The largest journalistic enterprises even have specialists in selected fields—health, education, police, economic policy, foreign affairs, for example. What they publish can profoundly affect the fortunes of those they write about. Everybody is aware of their power, administrative agencies no less than the others.

Agencies therefore work hard to keep on good terms with the members of the fourth estate. This means keeping them supplied with information easily translated into new items or feature stories, promptly answering or finding full and accurate answers to their questions, and guiding them to experts within the agencies for technical knowledge beyond the competence of the press-relations staff. Making life easier for journalists in this fashion enables the agencies to get their points of view across, and may in-
crease the likelihood of favorable, or at least balanced, coverage.

At the same time, journalists get to know intimately the inner workings of the agencies, making it more difficult for the agencies to conceal things they would rather not have known, opening the door to more and more searching inquiries and probes, and elevating the chances of embarrassing revelations. Moreover, the relationship opens opportunities for disgruntled agency personnel to leak inside information to the press. Agencies soon learn that the professional incentives and ethical standards of journalists usually prove stronger than the ties formed in the course of mutually beneficial cooperation. After all, journalists form similar bonds with others engaged in the struggles over public policy, including agencies’ foes. So it is understood by both sides entering into these symbiotic relationships that journalists do not relinquish their duty to report a good story whenever the chance arises. Everyone knows that when they uncover something significant they will use it.

As a result, the media help set boundaries on what public officers and employees can do. Although the two camps work together in ordinary circumstances, the record is full of instances of agencies being called to account by journalists, a possibility always in the consciousness of administrators. It adds to the restraints on their behavior.

All of the foregoing restraints are external to the administrative establishment. In addition, many internal administrative constraints help keep bureaucrats in check: bureaucrats are pitted against each other to deter misbehavior. To some degree, this occurs automatically when work is divided; each set of specialists can be counted on to protest when the decisions and actions of others clash with their own requirements or values. Many potential conflicts, however, are intentionally built into the system. Agency budget officers and auditors at many levels, for instance, review and revise their colleagues’ uses of funds to assure compliance with budget and appropriations accounts. Personnel officers intervene when hiring, promotion, pay, and disciplinary actions violate statutory and administrative standards. Environmental protection staff oppose agency policies that result in environmental damage. Prosecuting attorneys refuse to institute criminal proceedings against people accused of crimes by the police when the evidence adduced by the accusers is inadequate or tainted by questionable procedures. Indeed, police departments are not the only agencies dependent on separate legal departments to present their cases in court; most agencies must persuade legal officers to press their cases in both courts of original jurisdiction and appellate courts—U.S. attorneys or the Solicitor General at the federal level. For example, Attorneys General or district attorneys or corporation counsel at the state and local levels. When an agency elects to respond in court to a client’s appeal from an agency action, or if the agency wishes clients to be prosecuted or seeks to appeal a judgment of a lower court, the final decision on whether to proceed frequently rests with other public officers. Bureaucrats are always negotiating with other bureaucrats.

(The same is true, by the way, in all large-scale organizations, public or private. Salesmen, for instance, eager to make as many sales as possible, are often at odds with finance officers who decline to extend credit to some of their prospective customers, and they clash with production managers who cannot honor optimistic delivery dates promised to customers in order to clinch deals. Production managers dislike financial decisions that compel them to cut the quality of their products. Potential conflicts arise whenever work specialization occurs.)

Further complicating the lattice of crosscutting jurisdictions is the development of relatively independent quasi-judicial officers within agencies to hear clients’ appeals from the decisions and actions of line officers before the cases go to court. These appellate officers are now called “administrative law judges.” and while the heads of agencies may, as a rule, overturn their findings or treat their opinions as recommendations, most of their judgments become in practice the final word of the agencies. In some agencies, they side with appellants and against their administrative colleagues so frequently that frustrated line officers complain bitterly. But the administrative law judges, strongly defended by supporters resolved to preserve these checks on bureaucrats, continue to exercise their powers.

Another such restraint is provided by the office of ombudsman. Ombudsman is the Swedish term for an official who receives and, if warranted, investigates complaints by aggrieved persons against the actions of other public officials—a kind of consumer protection office, you might say, but directed at the bureaucracy rather than at businesses. It excited a flurry of attention in this country for a while, including a spirited endorsement of the institution by a leading authority on administrative law. But interest in it died down and it is not in widespread use, although it or its equivalents (such as customer relations bureaus, for example) do exist here and there.

Since the 1970s Americans have turned instead, at least at the federal level, to a kind of intradepartmental general examiner: the inspector general. Authorized by statute, it is now to be found in more than 60 agencies. In the larger ones the inspectors general are nominated by the president and confirmed by the Senate; in smaller ones, they are appointed by the agency heads. Their status is somewhat ambiguous in that although they are in a sense responsible to their nominating and appointing officers, they also report directly to Congress. But their powers are substantial,
their independence is protected, and their mandate is broad. They monitor administrative behavior in their organizations, auditing, investigating, evaluating, and reporting evidences of mismanagement, inefficiency, and impropriety. The office is still evolving but it is certainly a major entry into the field of internal bureaucratic controls.

If that were not enough, the federal government in 1989 enacted the Whistleblower Protection Act, a piece of legislation intended to ensure that employee allegations of illegal, wasteful, or fraudulent acts, or of grave mismanagement or abuse of authority, are given serious consideration, and that the employees who bring these charges are not subject to punishment or retaliation by their agencies. An office of Special Counsel and the Merit Systems Protection Board are charged with responsibility for implementing these provisions. Thus, not only do crosscutting jurisdictions temper the internal environment of federal agencies; so, presumably, does the knowledge that every member of the public service is a potential accuser.

Pitting bureaucrats against each other is thus a time-honored and a constantly developing method of keeping bureaucracies in check. This part of the web of constraints is probably more elaborate and unremitting and expansive than any of the others. Combined with all the others, the result is a remarkably dense network.

**Bureaucratic fragmentation.** Yet all the foregoing legal, political, and social fetters might prove ineffective if public bureaucrats constituted a unified, coordinated corps. In that case, they would probably be able to overcome the external limitations on them. But they are not a homogeneous, tightly integrated body. On the contrary, they are an exceedingly heterogeneous collection of people with a wide range of interests, objectives, and outlooks.

For one thing, they are employed by literally thousands of public jurisdictions: the federal government, with nearly three million civilian employees (as well as almost one and a half million uniformed personnel in the active military); the 50 states, with nearly 5 million; and over 87,000 units of local government (3,043 counties, more than 19,000 municipalities, some 16,000 towns and townships, and approximately 13,000 school districts and 34,000 special districts, such as port authorities, transportation authorities, regional water-supply agencies, and the like), which taken together employ 12 million persons, or more than 60 percent of the total number on public payrolls. It’s not as though all bureaucrats work for one organization.

For another thing, they perform a wide variety of functions. As Table 1 shows, they are engaged in over 30 different classes of service, ranging from education (the largest single category) down to state liquor stores. Each class of services competes with the others for a share of public revenues, and while the activities of each impinges on others, each also has its distinctive perspectives and emphases and goals.

Moreover, virtually every professional and occupational specialty in the society is represented in the work forces of American government. Any vocation in the nongovernmental sphere that you can think of has its counterpart in the governmental arena—not necessarily in the same proportions, but at least to some degree. And while different specialties are dominant in different agencies, each individual agency comprises specialists of many kinds. The members of the public service as a whole, and even of its component parts, are not a uniform group. They are as multifarious as the rest of our society.

And sometimes as rivalrous, too. When their jurisdictions overlap they may contend fiercely with one other for control of a program. The agencies administering federally owned land (the Forest Service, the Park Service, the Bureau of Land Management, and others), for example, were once openly at odds with each other and strove to expand their domains at each other’s expense. In New York City, separate emergency medical services operated by the police department, the fire department, and the municipal Health and Hospitals Corporation almost came to blows when responding to calls for ambulances. In some states, the state universities and the state colleges were for a time at odds over whether the former would have a monopoly on certain graduate programs.

In other words, public servants are divided into subsets of all kinds, and are riven by antagonisms, suspicions, and turf wars. In many heated denunciations of bureaucracy, however, they are commonly treated as though they were a tight-knit, cohesive bloc with a single interest. This misleading lumping together of unlike elements has become common in ordinary discourse and rhetoric. The stereotype is grossly inaccurate. Bureaucracies are a grab bag of highly disparate, splintered components.

**Between phobia and complacency**

The long and impressive list of constraints on administrative agencies, the extreme fragmentation of public bureaucracies, and the cynical political purposes of much bureaucrat bashing should assuage the fear that democracy is on the verge of extinction by our administrative establishment. At the same time, it would be rash to conclude that we should dismiss completely all anxieties about the complex relationship between democracy and administrative agencies. While the fears are excessive in many respects, the tension between the basic tenets of democratic government and the considerable powers of the administrative establishment is not trivial. Students of government seeking to understand our system have to steer a course between inordinate alarm and smug complacency. And, because we live in an ever-changing world, leaders must
Table 1  Government Employees in the United States, 1997
By Function and Level of Government

<table>
<thead>
<tr>
<th>Function</th>
<th>Employees (1,000)</th>
<th>Federal (civilian)</th>
<th>State</th>
<th>Local</th>
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<tbody>
<tr>
<td>Total</td>
<td>19,540</td>
<td>2,807</td>
<td>16,733</td>
<td>4,733</td>
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<td>National defense</td>
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<td>777</td>
<td>(X)</td>
<td>(X)</td>
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<tr>
<td>Postal Service</td>
<td>854</td>
<td>854</td>
<td>(X)</td>
<td>(X)</td>
</tr>
<tr>
<td>Space research and technology</td>
<td>20</td>
<td>20</td>
<td>(X)</td>
<td>(X)</td>
</tr>
<tr>
<td>Elem. and secondary educ.</td>
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<td>(X)</td>
<td>6,408</td>
<td>50</td>
</tr>
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<td>Higher education</td>
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<td>(X)</td>
<td>2,451</td>
<td>1,965</td>
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<tr>
<td>Other education</td>
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<td>11</td>
<td>350</td>
<td>99</td>
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<td>Health</td>
<td>548</td>
<td>136</td>
<td>412</td>
<td>170</td>
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<td>Hospitals</td>
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<td>163</td>
<td>1,060</td>
<td>495</td>
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<td>Public welfare</td>
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<td>498</td>
<td>225</td>
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<td>Social insurance administration</td>
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<td>96</td>
<td>96</td>
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<td>Police protection</td>
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<td>856</td>
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<td>Fire protection</td>
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<td>679</td>
<td>458</td>
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<td>Streets and highways</td>
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<td>Solid waste management</td>
<td>115</td>
<td>(X)</td>
<td>115</td>
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<tr>
<td>Sewerage</td>
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<td>(X)</td>
<td>129</td>
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<td>Parks and recreation</td>
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<td>Gas supply</td>
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<tr>
<td>Libraries</td>
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<td>State liquor stores</td>
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- Represents or rounds to zero
X Not applicable

1Includes employees outside the United States
2Includes International relations
Source: Statistical Abstract of the United States, 1999

constantly make adjustments to preserve the benefits produced by public services while minimizing the detrimental tendencies inherent in large-scale organizations.

Even if we find this middle ground, however, complaints about bureaucracy will not cease. Under the best of circumstances, bureaucracies exhibit characteristics irritating—some would say infuriating—to the people who must deal with them. Private as well as public bureaucracies develop these traits, but where competition is vigorous, organizations beset by them presumably lose out to competitors who overcome them. Although bureaucratic rivalries are far from unknown in the public sector, competitive forces in this arena are not as strong as they are in the marketplace, allowing obnoxious attributes to endure. And they rankle indeed!

Bureaucratic Irritants

The irritants can be grouped into five categories. No single set by itself accounts for all the ire, and most of us are vexed by only one or two. All together, however, they get large numbers of people angry. Like the famous water-drop and thousand-cut tortures (in which each single drop of water falling on the forehead, and each tiny prick of the skin, is negligible, but as they are steadily and relentlessly repeated, build in effect until each additional one produces unbearable agony), the cumulative impact of bureaucratic annoyances—including those you hear about as well as those you suffer personally—can be heavy. And unpleasant experiences seem to linger in the mind, piling up the negative impressions even among the defenders of specific agencies.

Coercion, Costs, and Inconvenience

One of the provocations is a very human reaction to being denied what we want or feel entitled to, being compelled to do what we would rather not do (especially if the mandatory actions entail costs and inconvenience), or being caught doing what we should not be doing, legally or morally. Yet most of our encounters with public employees involve some such exercise of authority. The bureaucrats don't necessarily originate the requirements; many are contained in statutes. But bureaucrats are the visible and immediate embodiments and enforcers of governmental power, so the resentment centers on them. The onus falls on the executors.

The greatest indignation arises from disagreements with public officers and employees over their interpretations of the laws for which they are responsible. Taxpayers who are convinced the deductions they claim plainly meet all statutory conditions are incensed by examiners who disallow their claims, and their anger intensifies if their only recourse is to go through time-consuming and possibly expensive appeals procedures. Similarly, restaurateurs who strive to comply with sanitary laws and regulations may be angered by inspectors who find them in violation, forcing them to undertake expensive corrective measures or to
install expensive additional equipment. People in difficult
straits execrate the social investigators who tell them they
are ineligible for welfare, or who list the things they must
do to qualify for public assistance. Teachers who fail pu-
pils may be confronted by outraged parents. Home build-
ers denied occupancy permits because their structures are
found not quite in accord with building codes vent their
fury on those who make these findings. The bureaucrats
get blamed. In vain do they protest that they are only follow-
ing their legal mandates. The unhappy targets of these ac-
tions often believe the bureaucrats are at fault.

Indeed, even when there are no disputes with official
decisions, people often grow annoyed with required pro-
cedures. Waiting lines, forms to fill out and file, permits
and licenses to obtain, regulations to labor through, reports
to prepare and turn in, applications to execute, instructions
to obey. and all the other kinds of tiresome duties and bur-
dens associated with public programs irk those who must
bear them. They may endorse the programs, and they may
understand that the programs entail these inconveniences,
but the tasks are still not welcomed.

We can understand how and why these conditions come
about: handling thousands, or in some cases millions, of
cases requires standardized procedures, which may be more
elaborate than seems proportionate in some of the cases,
and may produce inequitable results in some instances.
Unfortunately, understanding the conditions doesn’t neces-
sarily make them less frustrating. We tend to take our frus-
tration out on the nearest target, the bureaucrats.

Inertia

Another common accusation is that bureaucrats persist
in established patterns of behavior in the face of strong
demands for, and even authoritative commands to, change.
Their inertia and unresponsiveness are condemned as proof
of their willful disregard of the popular will and their po-
itical superiors. Much of the time, ironically, they con-
tinue in their old ways because they are locked into those
patterns by the controls developed to prevent them from
doing whatever they please. They ascribe their behavior to
the narrowness of their discretion, not to the breadth of
their powers.

The people who call for departure from prevailing pat-
terns deride this explanation as an unconvincing defense
of intransigence. To many public officers and employees,
on the other hand, such derision stems from lack of knowl-
edge of administrative realities. The demands for new
modes of behavior generally, or for particular actions in
individual instances, are often made without full informa-
tion about all the diverse statutes, precedents, judicial rul-
ings, contracts, agreements with other units of government
and administrative bodies, and understandings with legis-
lators and legislative committees that bind agencies, not to
mention the history leading up to current practices, the
agencies’ fiscal and staffing limitations, and the ripple ef-
fects of the solicited changes on people and businesses and
resources. Public servants cannot help being aware of these
considerations because they are reminded of them every
day by the guardians of all the crosscutting jurisdictions
described above, and by all the interest groups with stakes
in the outcomes.

Were agencies to ignore this context every time some-
one wanted them to, they could very well be guilty of viol-
ating laws, jeopardizing their existence, sowing confu-
sion for everyone, and neglecting the responsibilities they
were created to discharge. They might upset arrangements
and breach requirements devised painfully over time, and
invalidate other actions and policies predicated on them.
That would be power run wild, they argue, and if the ad-
vocates of innovation and the seekers of exceptions to es-
tablished policies appreciated all these ramifications of
what they are proposing, they would be more understand-
ing of agency behavior.

In addition, many elected officials and many political
executives are not in office long enough to learn all the ins
and outs of the system they have entered; permanent staff
tend to think of them as “birds of passage” whom they
have to educate—and who leave just about the time they
are fully introduced to the facts of administrative life.
Agency staff, therefore, view themselves as duty-bound
not to yield to every passing change in the political winds,
but to provide stability in government and policy so that
everyone can make plans and investments with some as-
surance.

As a result of these properties of the administrative sys-
tem, the making of some decisions has become a labori-
ous process in which even routine actions may be slow in
coming. For the people who depend on the actions, the
deliberateness is upsetting. They are forced to wait; there
is not even anything from which they can appeal. More-
over, the decision-making environment is so complex that
pinning down responsibility for what goes on is extremely
difficult, further frustrating those trying to get it to do their
bidding.

That’s why you hear laments about the inertia and pon-
derousness and unresponsiveness of bureaucracies. What
is called unresponsiveness may be nothing more than their
responsiveness to someone other than the complainant.
What is described as inertia may actually be adherence
to the whole body of relevant law and to principle. From
the public’s point of view, however, and from the stand-
point of the political directors of the system, trying to get
the system to move is sometimes a little like pushing on a
spoon; it seems to yield, yet it springs back to where it
was as soon as the pressure is relaxed. It makes the indi-
vidual feel like Franz Kafka’s protagonist in his novel,
The Castle, a man whose fate seemed to be in the hands of a huge, amorphous, remote, imponderable, overwhelming, indefinable power that he can neither influence nor escape.

Inefficiency and Red Tape

Another cause of irritation is the system’s alleged inefficiency and needlessly convoluted procedures (red tape). These terms often turn out to mean different things to different people (which, as we have seen with other concepts, fosters superficial agreement masking hidden divergences). If there is an underlying thread of meaning, it seems to be that the work done by public agencies is perceived as more costly in proportion to its benefits than critics believe it should be, and more complicated and cumbersome than censors think necessary. Many fewer people could do just as much, runs the indictment; no business would survive if were so greatly overstuffed. Job security protects ineffective managers and workers and able ones indiscriminately, so incompetents are kept on even after others have been hired to improve the level of performance. All the controls put in place to prevent errors and improprieties lead to more and more layers of supervision, making the administrative structure top-heavy. Affording interested parties opportunities to be heard before regulations are promulgated, and before judgments are reached in individual cases engenders complexities and delays. The output of government organizations is not easily measured, so the market forces that discipline businesses do not operate. Governmental administration is therefore said to be inherently intricate and inefficient.

Of course, these costs have been incurred because efficiency as commonly defined is not the only quality people demand of their governmental institutions. Many of us are willing to bear these burdens as the price for preserving political control of agencies while at the same time avoiding rampant partisanship in administration. Promoting integrity and fairness in administrative procedures, and sensitivity to public needs and desires in administrative actions, often outweigh efficiency when choices have to be made. What is red tape to one person may be a treasured procedural protection to another. Nevertheless, although we may implicitly accept in principle the shortcomings engendered by the pursuit of multiple values, we tend to grow impatient and annoyed when we experience concrete instances of inefficiency, or even when we ourselves are not the victims but hear from others about such alleged incidents.

Poor Coordination

Similarly, we get upset when we find public agencies functioning without reference to each other. This insularity often imposes avoidable, repetitive chores on the public, sometimes results in conflicting directives, and may impede the efficacy of the agencies’ endeavors. Occasionally it arises from rivalry between agencies; they may disagree with each other over goals or methods, or simply want to take over competitors’ programs and appropriations. More frequently, in all probability, each is so busy with its own activities that it can’t or won’t take the time to find out what other agencies are up to. Whatever the reason, it is not unusual for them to follow their own paths without much regard to the others.

This is a source of much antipathy towards bureaucracies. If you have to deal with numbers of different agencies in the ordinary course of doing business—state and federal labor offices, environmental protection administrations, health departments, consumer protection units, equal opportunity commissions, building departments, product safety organizations, weights and measures departments, occupational health and safety agencies, tax bureaus, licensing administrations, and others—and they are in separate locations, and each prescribes its own forms, rules, procedures, and inspections, you tend to chafe. And when you see agencies so incapable of collaborating that special machinery has to be set up to enable or force them to work together, you may begin to have doubts about the administrative establishment.

Yet in the federal government, that is exactly what happened in the fight against organized crime, the war on poverty, the battle against drugs, the management of the economy during major wars, and the struggle against AIDS. The problem is so common that some analysts studying federal administration recommended creation of a special unit in the Executive Office of the President to coordinate programs. It has not, however, been set up in the federal government, nor have such units burgeoned in the executive branches of state or local governments.

The prevalence of disunity is perhaps to be expected in any set of organizations as large and diversified as American government. All the same, it irritates people when they encounter flagrant instances of it, for it discommodes the public, wastes resources, lowers administrative effectiveness. A symbol of all the failings associated in the public mind with governmental bureaucracies, it reinforces all the other resentments to which the bureaucrats are heir.

Misuse of Authority

All the foregoing characteristics of bureaucracies may be intrinsic to a complex administrative system imbedded in a democratic political environment. Some familiar bureaucratic traits, on the other hand, are definitely not systemic: rather, they seem to stem from the use of public position by individual employees to gratify their own egos or to feather their own nests without regard for the public they are supposed to serve. These practices are far from
universal or typical. But it doesn’t take many such transgressions to provoke public outrage and distrust.

Probably the most frequent misuse of authority is arrogance on the part of employees who deal directly with the public. We have all met individuals on the other side of the desk or counter who are imperious or condescending or overbearing or brusque or otherwise discourteous and nasty. Why they comport themselves in this fashion is conjectural. Perhaps their work is repetitive and boring, fraying their tempers. Perhaps among them are people who have never before been able to exercise authority of any kind and the opportunity goes to their heads. Perhaps their workloads are heavy and their nerves are frazzled. They may feel little obligation to control their emotions because their jobs are secure. There is probably a different explanation for each case. Whatever the reasons, such conduct does occur, adding a highly abrasive irritant to the list that inflames antibureaucratic sentiments.

Similarly, we are outraged when we read of overzealous actions by public officers and employees, such as abrupt seizure of people’s homes for patently minor, unintentional, or unknown tax delinquencies on the part of conscientious taxpayers; or lengthy incarcerations of petitioners for political asylum without hearings or benefit of counsel or even notice of the charges against them; or protracted delay in reviewing appeals from denials of benefits, sometimes in defiance of court rulings; or manifestly excessive use of force by law-enforcement authorities; or harassment of, or failure to protect, advocates of unpopular views. Of course, the boundary between overzealousness and conscientious execution of the law is often fuzzy. But when alleged misuses of authority by bureaucrats occur, ambiguous or not, the public reaction is likely to be outrage.

Corruption among public officers and employees stirs up even greater indignation. It is doubtless uncommon; as we have seen, the controls on them are now too sweeping for corruption to become endemic. But it does surface now and then and it gets much attention in the media when it is revealed. The theft of public money, acceptance or extortion of bribes for special consideration, currying favor with potential future employers by issuing improperly lenient decisions or by leaking confidential information, and similar improprieties are particularly upsetting to many people because they violate the public trust as well as the canons of common decency and the law. Extraordinary though they may be, offenses of this sort leave a sour taste in everyone’s mouth.

The reputation of public servants suffers still worse damage when some among them conspire to conceal misfeasance in the performance of their public duties. The most familiar example of this type of solidarity is the legendary “blue wall” in police forces. Their determination to keep out non-police investigators does not necessarily indicate that they condone the wrongdoing; many of them are simply convinced that only policemen appreciate the difficulties of their work and can fashion appropriate corrective actions. Sometimes, though, their unity serves to cover up continuing impropriety. When the truth gets out, the whole force is depreciated by the disclosure.

This practice is not confined to the police. George Bernard Shaw once said that every profession is a conspiracy against the laity. As our public services become more and more professional, the tendency to try to handle all problems internally is probably increasingly widespread. Many professionals, in government and outside it, are reluctant to testify against their confreres. They like to keep their dirty linen private. They aren’t always successful, however, and when they work for government the revelations bolster the general suspicion and abhorrence directed toward public employees.

**Pain Spurs Remedial Efforts**

As I said at the outset of this section, although none of these irritations with bureaucracy rises to the gravity of the charge that bureaucracy is a threat to democracy, all of the irritants taken together make it a distrusted and despised object even for those who discount its alleged menace. On the other hand, since it has appeared because of, and is sustained by, deeply rooted, varied, and widely distributed political demands, bureaucracy endures despite its unpopularity. This being the case, efforts are constantly urged and made to reduce the pains associated with it. If bureaucracy is both a bane and a blessing we must live with, say the reformers, let us alleviate its unpleasant symptoms.

**Remedial Strategies**

Determination to mitigate the irritating accompaniments of bureaucratic growth is not a recent development. It goes back at least as far as the beginning of the civil service reform movement in the mid-nineteenth century. That reform, after all, which turned into one of the most sweeping and durable modifications of the public service in our history, was instituted to correct earlier dissatisfactions with government work forces; there were always irritants. And new measures to relieve them have been, and still are, continually devised.

**“Depoliticizing” Administration**

The logic of civil service reform rested on the premise that the bureaucracy should be “depoliticized” (which in practice means diminishing the influence of politicians and political parties over appointments to public positions, over promotions and other rewards within the public service, and over the decisions of public officers and employees). The general approval won by the new sys-
item encouraged new applications of that premise. Other innovations intended to reduce political influence over the composition and behavior of the administrative establishment were devised and introduced at all levels of government, especially during the late nineteenth and early twentieth centuries.

For example, governmental functions were entrusted to boards and commissions presumed to be free of control by chief executives and legislative bodies than were departments placed explicitly under their jurisdiction. Some of them, like boards of education, were popularly elected and even given the power to levy taxes and to borrow money by issuing their own bonds. Others were appointed by chief executives, but in many cases were subject to confirmation by a legislative chamber and to the requirement that more than one party be represented, and were given overlapping terms of office exceeding those of the appointing officers, so that elected officials could not sweep out all incumbents at once and replace them with political henchmen. Thus, boards of health, library boards, planning and zoning commissions, civil service commissions, water supply commissions, boards of transportation, and others appeared in states and localities. In the federal government, bodies like the Interstate Commerce Commission (now defunct), the Federal Trade Commission, the Federal Reserve Board, the Federal Communications Commission, the Civil Aeronautics Board (now defunct), the International Trade Commission, the Securities and Exchange Commission, and the National Labor Relations Board were established. In part, these arrangements reflected the reluctance of legislatures to give too much power to chief executives. But minimizing the role of partisan politics in government was undoubtedly at least as great a consideration in the adoption of these forms of administration. Political influence of this kind was regarded as anathema.

Indeed, some people despair of the ability of public institutions to render any services, or regulate almost any activity, effectively. In their opinion, governments at every level should turn as much as possible back to the market, retaining only a few essential functions. They recommend privatizing most publicly performed services, and deregulating most regulated economic operations.

Privatizing doesn’t mean simply abandoning public services in the hope that private entrepreneurs will take up the slack, although some critics charge that more could be left to the market than is now the case. The more usual way is to buy products and services from commercial providers instead of producing them in government organizations. The range of goods and services contracted out varies from government to government, but the list for all governments as a whole includes research, schools, prisons, libraries, fire protection, health care, roads, and office space, as well as supplies and equipment from pencils and paper to supercomputers and military hardware. Advocates of privatizing contend that we should go much farther in this direction.

They would also like to reduce drastically the breadth and depth of governmental regulation of economic activity. The abolition of the federal Interstate Commerce Commission and the Civil Aeronautics Board are among the victories of this school of thought. The collapse of the Soviet Union and other planned economies, and the embrace of at least some free-market principles by China and other socialist systems, in the waning years of the twentieth century have given new force to this philosophy in the United States.

Shrinking governments and eliminating many of their programs are the ultimate weapons in the campaign to reduce political influence over administration. The less governments do, the less there is for politicians to influence.

**Strengthening Executive Leadership**

At the other end of the philosophical spectrum are those who believe that government programs serve and protect people with limited market power, and, in fact, make the market possible. They oppose the wholesale dismantling of government. For them, the goal is not to eliminate it but to make it work better.

They hold that feeble political control contributes to many of the problems associated with bureaucracy. Not only does it devitalize democracy in general; in so doing, it also limits the ability of elected leaders to relieve the irritations associated with bureaucracy when public protests against them cry out for remedial steps.

If elected leaders are powerless, ask the supporters of this line of thought, what’s the point of electing them? In particular, how can they protect the people from the ills of bureaucracy?

Those who took this line therefore urged strengthening the authority of executives and their political appointees over policy formation generally and the workings of the administrative system in particular. Their objective was to make those officials effective leaders. To this end, they recommended giving to executives powers initially denied them in the early days of the republic, when memories of the king and royal governors rendered executive power suspect, and later withheld from them in the enthusiasm for depoliticizing much of the governmental process. The executive controls on bureaucracies described earlier were not always in place; they came along only as the disadvantages of executive weakness became apparent.

The reformers focused particularly on the institution of the chief executive because the independently elected single executive, one of America’s distinctive contributions to the art of government, seemed singularly well-suited to bring unity and coherence, and thus greater efficiency, to the
administrative edifice without sacrificing the democratic values fostered by elections. To many students of government, it seemed a natural solution. It became the linchpin of their remedial plans.

The president was the strongest public executive in the nation when the Constitution was adopted. After their colonial experience, Americans distrusted executive power and the governors of the new states and local executives were therefore deliberately kept weak. The framers of the Constitution, however, the difficulties of governing the nation virtually without an executive under the Articles of Confederation fresh in their minds, opted for a comparatively powerful president. He was given a relatively long term of office, a veto that could be overridden only by a two-thirds vote, and the right to appoint and remove department heads. Yet even the president’s power over his executive branch was limited. Agencies went directly to Congress for appropriations; the president had no say in what they asked for. Congressional delegations of authority went not to the president or the department heads, but directly to bureaus within the departments. Congress kept complete control over the organization of the executive branch. The president had a tiny staff. So he had only a limited say in the management of the growing bureaucracies.

As the bureaucracy grew, bringing with it all its annoyances, the climate began to change. And after depoliticizing agencies intensified problems of coordination among them, the call for corrective action grew more insistent. Consequently, by the middle decades of the twentieth century, the administrative role of the president had been dramatically enlarged. The Executive Office of the President had been created, providing the chief executive with ample—some would say excessive—staff. Agency requests for appropriations had to pass through the Office of Management and Budget (originally called the Bureau of the Budget) to become part of the president’s budget, which is the only official request for the executive branch. Presidential staff acquired the right to suspend the issuance of regulations by many agencies. Delegations of authority were made to department heads (political appointees of the president) who could, if they chose (and they almost all did choose), redelegated them to the bureaus in their departments, subject, however, to recall by the department heads. The president was empowered to present to Congress plans for reorganizing elements in the executive branch, and the plans would take effect automatically if neither chamber voted them down. That is not to say the entire administrative establishment was brought within the purview of the president. Large segments of it remain outside the executive departments and are called “independent” to this day, a status both substantive and symbolic of Congressional jealousy of its prerogatives. Still, the chief executive and his political appointees have a larger part in administration than they did in earlier days.

Indeed, in 1996, a statute was enacted conferring the line-item veto on the president. (The line-item veto is the power, subject to congressional override, to strike individual items out of appropriation acts instead of having to accept or reject the acts in their entirety as provided in the Constitution.) While the main object of the legislation was to reduce spending on pork-barrel projects (those benefitting a particular congressional district or state or region, but regarded by critics as superfluous and wasteful), a type of spending Congress often deplores yet finds itself unable to resist, one side effect of the law was to increase the president’s bargaining chips whenever he engaged in negotiations with legislators and administrators. In 1996, this legislation was declared unconstitutional by the Supreme Court, but it illustrates the wish to strengthen the presidency as a way of improving governmental operations.

Similar developments took place at state and local levels. Years ago, the terms of executives were lengthened, their powers of appointment and removal were augmented, and broader powers of management were conferred on their appointees. Many municipalities adopted the city manager form of government, under which professional administrators selected by the city or town councils are granted broad authority to conduct much of the public business of those communities. Moreover, not only did executive budgeting come to the states and many localities; many governors were granted the line-item veto that the president still lacks. Governorships were transformed from honorary figureheads into positions of leadership and managerial direction.

So all through the governmental system, the determination to allay the irritations accompanying the growth of bureaucracy, particularly after the surge of measures insulating public officers and employees from political control, generated new powers for political leaders and managers. The purposes were the same as the purposes of those who fought to depoliticize administration; the means were diametrically opposed.

Administrative Decentralization

Concentrating authority at the highest levels of administrative organizations, however, sometimes retards decisions because so many matters are referred to the top for resolution that they swamp senior officials and clog communication channels. Moreover, this practice prompts complaints that decisions are made without knowledge of local conditions in the field, resulting in inappropriate rulings. Some of the most irksome pathologies of bureaucracy are attributed to centralization of power.

The standard recommended corrective for problems of this kind is administrative decentralization—that is, giv-
ing field officers greater authority to take action on their own, free of the need for prior approval by higher echelons. Devolving power in this fashion is said to reduce delays and promote sounder administrative actions. And while it seems to conflict with the policy of strengthening executive leadership, some say it actually enhances the role of top managers by shielding them from floods of distracting, time-consuming detail.

Reorganizing

Another strategy for diminishing the irritating qualities of bureaucracy is reorganizing its constituent structures. Redesigning their architecture and procedures purportedly increases efficiency by eliminating overlapping and duplication among organizations; facilitates coordination and the formation of comprehensive programs by putting similar and related functions under one administrative roof; and improves supervision by narrowing executives’ span of control—the number of subordinates reporting to each superior officer—thus increasing the time they can give to each of the subordinates and to working on larger questions.

But there are other consequences that are equally, if not more, important. Elevating an agency in the hierarchy of the executive branch or within the larger organization of which it is part raises its status and its influence (and often appeases an interest group); lowering its position increases its distance from, and its access to, its superiors. Grouping it with related elements may unite diverse allies behind the combination; putting it in an arena with dissimilar organizations can hinder such combined strength and disrupt ties built up over the years. Placing it in a larger organization unsympathetic to its outlook may dilute the vigor of its program; in another setting, its program may fare better. An executive or legislator may try to demote or isolate an agency whose mission he or she dislikes, and to elevate a favored one. Reorganization may even be designed to reward a political friend or punish a political foe, or to strengthen a preferred faction in an agency and deter others with whom one disagrees. In other words, engineering and efficiency values are not the only ones motivating reorganizers; policy and political considerations frequently enter into the plans.

For this reason, the machinery of administration is under nearly constant revision. In the federal government, one president after another has set up bodies to study and propose overhauls of the executive branch. Since World War II alone, a half-dozen cabinet-level departments (Defense, Education, Energy, Housing and Urban Development, Transportation, and Veterans Affairs), were created, not to mention a number of independent agencies. Within departments and agencies, comparable changes have occurred. And similar reorganizations have been undertaken from time to time in the states and some localities. Changing times, politics, and the determination to make bureaucracy tolerable combine to make governmental administration a work in continuous progress.

Changing the Internal Bureaucratic Environment

Although the foregoing sets of remedies for the vexations linked to public bureaucracies come at the problem from antipodal directions, they have one thing in common: they entail modifications of the relationships between bureaucrats inside administrative agencies and politicians outside them. A different set of remedies concentrates on the internal environment of the administrative organizations, striving to alter administrative behavior by transforming the climate of decision making. Some students of organizational behavior call this changing the culture of organizations.

Simulating the market. For example, some agencies—even tax-collection agencies!—have commenced training programs designed to get their members to think of clientele as customers. The difference is that clients of most government agencies are a captive constituency while customers can always seek out alternative organizations to do business with. Customers, presumably because they can go elsewhere, are said to enjoy better and more considerate service than those who have no choice. The hope of the trainers is that they can instill in public employees the attitudes and values of employees in the private sector even though the situations of the two groups are dissimilar.

A few students of government have therefore suggested another route to the same goal. In the field of education, they propose that several schools be placed in each school district, with money allotted to them on the basis of the number of pupils they attract. In this way, competition would be introduced into the public-school system. Charter schools and magnet schools—public schools granted more autonomy than the regular ones—also serve this goal. And school vouchers redeemable at public or private schools are another means to the same end: in theory, public schools would lose their student bodies and financing if they did not meet the private competition. Thus far, plans of this kind have been confined largely to educational systems; whether they could be extended to other programs is not clear.

Government corporations are another method intended to encourage business-like methods in the public sector. They are often established to perform functions that generate a stream of revenue from the users of their services, such as highway and bridge tolls, transportation fares and charges, the sale of postage stamps, water-use fees, and the sale of electric power. The United States Postal Service, the New Jersey Turnpike Authority, AMTRAK, the
Tennessee Valley Authority, the Bonneville Power Authority, the New York City Health and Hospitals Corporation, and the Port Authorities of New York and New Jersey are all examples of this kind of government organization. They keep their revenues instead of returning them to the treasuries of their respective parent governments, and ideally this income is supposed to cover all their operating expenses and capital expenses—that is, the cost of borrowing money for construction. (In some cases, however, such as the Postal Service and AMTRAK, public subsidies supplement their earnings.) They are exempted from many of the controls imposed on ordinary departments, freeing them to behave more like private enterprises.

Expendits of these kinds probably do have an impact on the ambience of the agencies that adopt them. Whether they transform the agencies into close approximations of private enterprise, however, is another matter. People turn to government when, for a variety of reasons, they can’t get what they need or want in the marketplace. Differences between the governmental and private spheres are therefore inevitable. The governmental setting of public administration gives it a character of its own. Nonetheless, in light of all the complaints about public bureaucracies, we are apt to continue to experiment with ways to inject some of the advantages of the marketplace into bureaucratic structures.

Reducing paperwork. Meanwhile, without waiting for the complete transformation of the public administrative ambience, measures to correct specific deficiencies have been adopted. Among these are programs whose purpose is to cut down the amount of paperwork imposed on the public by agencies. In the federal government, a Commission on Federal Paperwork worked on the problem from 1975 to 1977, and one result of its labors was the Paperwork Reduction Act of 1980. By requiring agencies to provide the public with explanations of the paperwork demanded and with estimates of the time it takes to fill out forms, by reaffirming the power of the Office of Management and Budget to approve demands by agencies for new information from the public, and by calling upon proponents of new programs to include calculations of the paperwork burdens entailed in their legislative proposals, Congress sought to deter the growth of the federal paperwork requirements. The aim was to diminish the paperwork load on the public by compelling administrators and the initiators of new legislation to keep in mind the paperwork effects of their programs and proposals, thus modifying the culture of the system. Presumably, making everybody in government paperwork conscious will relieve at least one bureaucratic irritant.

Reducing secrecy. Another approach to changing the general atmosphere of bureaucratic culture consists in widening opportunities for public scrutiny of the processes and the records of administrative decision making. These doors were initially opened part way by standards of fair procedure mandated by statutes and judicial rulings years ago. In recent years, in the federal government, they have been opened wider by the Freedom of Information Act and the Government in the Sunshine Act. Between these laws give individuals and the press access to documents and to proceedings (including some formerly closed meetings of legislative committees) once barred to them. The laws don’t expose everything in government operations and records to public review; concerns for privacy and national security and executive privilege are still grounds for keeping some things under wraps. But entry is broader than it once was.

These measures rest on the assumption that illuminating the premises and modes of decision making will lead to correction of erroneous and improper actions and to better methods of reaching decisions. Further, openness is supposed to discourage undesirable behavior by public officials and employees who now know the chances of discovery have been amplified. By creating a climate in which concealment is difficult, the authors of these reforms hope to elevate the quality of governmental action.

Raising managerial consciousness. The climate of government administration has been criticized also for underemphasizing the importance of management techniques in running public agencies. Those who subscribe to this view would like to infuse modern management values into government by making agency chiefs and their staffs more aware of what the administrative sciences can do for them, by adding trained management analysts to their rosters, and by making more use of management consultants. This movement has gone back a long way, but it has forged ahead particularly during World War II, when the administrative burdens of the government expanded explosively, and it continues to the present day. Just as commercial and industrial organizations now rely on the graduates of business schools and schools of engineering to improve their operations, government organizations have turned to the same institutions, as well as to schools of public administration, for new blood. Champions of these disciplines are now found throughout the public service.

Democratizing administration. In addition, efforts have been made here and there to modify the culture of public agencies by giving outsiders a greater voice in their administration. Perhaps the most dramatic, and the most controversial, of these measures was the introduction of civilian review boards into some urban police departments to oversee relations between the police and their communities. But advisory bodies made up of external experts have been employed in a number of fields, and consultation with local populations has been systematized in some land-use and economic development agencies. During the “war on poverty” in the 1960s, local antipoverty agencies financed
with federal funds were required to have elected boards. Affording the public a chance to be heard by appearing at hearings or submitting comments is still the more common way of opening the administrative process to their input. But incorporating public representatives into the administrative structure occasionally offers an additional channel. Injecting democracy into administration is expected by its advocates to cure some bureaucratic ills.

**Training in ethics.** Finally, in the training of public servants, both preservice (that is, in preparing prospective public servants to enter government service) and in-service (that is, on-the-job training for current and future positions), ethics has been given increasing attention in recent years, just as it has in law schools, medical schools, business schools, engineering schools, schools of journalism, and other professional training institutions. For a long time, the incultation of moral standards was left to other institutions—family, church, and grade schools, for the most part. Adults were assumed to have been sufficiently instructed in those institutions to know the difference between right and wrong conduct in every situation, and to be thoroughly committed to the proper courses of behavior. Embarrassing lapses in every field, however, indicate that more is needed. In many jurisdictions, boards of ethics have been set up to advise public officials and employees on dilemmas confronting them, and courses on ethics are now included in many curricula.

In some ways, this development is puzzling. It seems doubtful that ethical lapses are now worse than in previous generations. Maybe it’s just that public tolerance for them has declined; perhaps we as a society have higher expectations. Or maybe our methods of detecting improprieties have improved, and more of them now come to light even though they are no more common than they were previously. It is even possible that our society is now so complex that it is not as simple as it once was to determine what is right in a given circumstance: the perplexities of modern medical ethics and bioethics are dramatic illustrations of this quandary, and they may obtain in other fields as well. Perhaps all of these factors underlie the new stress on ethical training.

Changing ethical norms is not an easy task. Established practices are often so deeply ingrained that attempts to root them out meet with cynicism and resistance. But increasing determination to do so is one of the responses to the irritants associated with public bureaucracy. Some reformers would say that this is the foundation on which all the other efforts depend.

**Do the Remedies Work?**

If all these attempts to ameliorate the dissatisfaction with public bureaucracies were entirely successful, the complaints about bureaucracy would presumably dwindle and disappear. They certainly haven’t done that. By that standard, the remedies haven’t worked.

This isn’t surprising. The irritants are so disparate that no remedy could be expected to be effective against all of them at once. Besides, steps taken to relieve one often aggravate another. As we saw, depoliticizing administration may undermine executive leadership, while strengthening political executives may create openings for partisan considerations to displace professionalism. Pitting bureaucrats against each other complicates and slows the decision making process, and as do measures to democratize administration, but rationalizing jurisdictions through reorganization and procedural streamlining inhibits competition and cuts back internal checks and balances. Turning functions back to the marketplace overcomes some dysfunctions, but the factors that induced people to demand governmental intervention in the first place soon generate renewed calls for public programs; markets, after all, are very seldom perfect. Contracting out public services alleviates some failings, but administering contracts has historically been the Achilles heel of government, a source of corruption and mismanagement. Policy planning and coordination and efficiency are furthered by orderly budgeting systems, but budget analysts inexpert in specialized fields often end up second-guessing skilled and experienced professionals (the way nonmedical personnel in health insurance companies sometimes overrule doctors). Decentralizing authority to field officers generally results in prompter decisions; it may also result in grossly disparate treatment of clients in identical circumstances. On the other hand, centralizing authority may advance consistency in policies but delay action as the center gets inundated by detail. One irritation is alleviated, another is intensified.

Of course, remedial efforts are by no means futile. They do ease some strains in some places for at least a while. Since there is no panacea that cures everything everywhere for all time, however, reformers concentrate on only those irritants that are most exasperating at a particular juncture and then turn to others and to the side effects of their actions as the consequences emerge. This strategy works frequently because the benefits of many reforms are immediate while the costs are cumulative; we can get some relief before the side effects grow troublesome. And even when the costs are immediate and it is the benefits that accumulate over time, as in initiating new training programs or developing and installing new technology, people can be persuaded to tolerate deferred gratification; sometimes the bird in the bush is worth far more than the bird in the hand. Weighing current advantages against current disadvantages is hard enough, especially since the advocates of reform stress the benefits without mentioning the costs. Things get even more difficult when you have to balance the present against the future. Improving administration is not
a hopeless task, but it certainly is an endless one. Everything is constantly in flux.

The magnitude and importance of the challenge make it both exciting and rewarding. Bureaucracy with all its problems will be with us for a long time to come. We can at least try to make it less vexatious than it might otherwise be.

To help in this undertaking, students of administration often reach out for theories that they hope will lift us to a level of knowledge beyond pure trial and error. In other fields, particularly in the physical and natural sciences, we have seen how sound theories speed the advance of understanding and accomplishment. In grappling with the phenomenon of public bureaucracies, many gifted thinkers have therefore been trying to break new theoretical ground.

### Reaching for Theory

What sound theory can do is bring to light the links among the many factors determining bureaucratic structures and behavior. The trial-and-error method identifies the effect of individual parts, or at most small clusters of parts, of the system. The more we discover about them in this piecemeal fashion, the more complicated and bewildering the subject becomes. If we could formulate overarching, comprehensive concepts of the way the parts relate to each other, such that we could trace out in advance the consequences for the whole system when various components of it are manipulated, the job of making bureaucracy less irritating while retaining its services would go forward much more rapidly. Moreover, valid theories may reveal the significance of variables previously not recognized or imagined. So those who study the role of bureaucracy in the governmental process, and those who perform the administrative functions of government, hunger for theory to guide them. All theories, mind you, no matter how complex, are simplified approximations of reality—schematic diagrams rather than working blueprints. Nevertheless, they may help us understand the real world.

The search for theory leads the searchers into many disciplines besides political science. Sociology, social psychology, economics, biology, computer science, management studies, and other fields, offer valuable insights and perspectives. Students of organization theory and behavior have drawn on all of them.

Nevertheless, we are not even near an all-encompassing theory embracing every facet of organizational life. Nor are we likely to reach one in the foreseeable future, if ever. There are, however, less comprehensive conceptual models that help us explain parts of the field, and relating them to each other and to empirical research helps us enlarge the scope of our explanations. These are candles in the darkness, not powerful searchlights, but they do help light the way.

Most models draw to some extent on one of three perspectives on organizations. Some treat organizations as though they were organic entities devising rational strategies for maximizing a specified hierarchy of values. Others portray organizations as socioeconomic aggregations of individuals and groups whose motives for joining organizations, staying in them, and doing their bidding must be reconciled with each other and with the demands of the whole collectivity (as expressed through its leaders) to produce a cohesive entity and an organizational output. A third set approaches organizations as analogues of living things, usually caught up in an evolutionary dynamics (which some theorists of this persuasion, but not all, regard as subject to human control).

In rational-strategy theories, organizations are often pictured as artifacts of human ingenuity, contrived by people to pursue the objectives sought by those people. Since they are represented as products of people's ingenuity and instruments of human purposes, their structure, behavior, and relationships with the world beyond their boundaries are assumed to be highly plastic—that is, if people make them and run them, people can modify them at will. By the application of reason, optimum strategies can be devised and executed. (I don't mean to suggest that anyone believes this literally; everyone knows things are not so simple. These precepts are used as a baseline, an ideal, for organizational decision-makers to approximate.)

Theorists who conceive of organizations as socioeconomic collectivities tend to emphasize the intricacies of negotiations and bargaining and mutual accommodation in organizational decision-making, and to assume that people are not always totally logical. They are also inclined to assume that people do not necessarily strive to maximize achievement of their values, but are typically content to "satisfice," that is, to settle for the good and the adequate rather than always going for the best and the most. (Of course, this outlook, too, is a rational calculation, so this school of thought overlaps the first one.)

Organization theories that liken organizations to living things tend to stress their built-in propensities, properties programmed into them by genetic inheritance or acculturation or the requisites of organizational existence. These properties provide the stabilities characterizing organisms and organizations, but they also limit the capacity of the entities to adapt. Consequently, change is said to take place by replacement in a Darwinian fashion more frequently than by deliberate adjustment. Since living things and organizations may thus be governed by the same dynamics, some members of this school of thought see an inevitable progression from the first living things to global institutions. And if they are governed by the same dynamics, then
presumably it should be possible to formulate general principles applicable to all of them and to the evolutionary mechanisms to which they are subject. (Hardly any advocates of this viewpoint literally equate organisms and organizations, nor do they adhere to the tenets of classical Social Darwinism. Neither do they deny human rationality or the reciprocal interactions among people and organizations. They employ the parallels between the two sets of phenomena simply to highlight organizational attributes understated in the other types of theory, not to dismiss the other models.)

When we struggle with the problems of bureaucracy, we find that each of these perspectives calls to our attention considerations that we might otherwise overlook, or at least underestimate. Yet all three perspectives together don’t yield an all-inclusive formula. Even with their help we are often reduced to trial and error.

Can we say that organization theory has added much to our understanding of bureaucracy? Does it help us reconcile bureaucracy and democracy? Has it led to a meaningful reduction in the vexations associated with bureaucracy? Some commentators have been skeptical, holding that conditions unique to every organizational situation make sweeping generalizations impossible. But others argue that theoretical analyses have already advanced our understanding, and, as they have in other fields, will carry us still further if we keep at them. Anyway, they add, we can’t know what’s possible until we try. So the search goes on. Nobody knows where it may lead. That’s exactly what makes the quest challenging and exciting and, with each step forward, rewarding.