

IS WEBER STILL RELEVANT ?

The Future of Bureaucracy

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It's such a pleasure to be here to celebrate someone who has had such an immense effect on most of us here and on hundreds of others all around the world who aren't present in this room. That Juan has been a great intellectual influence on many of us who have worked with him directly or who worked under his supervision is obvious, and it's the main reason that we've all made this trip to Montpellier. Still, I think that to ignore the human qualities of Juan, which most of us have been the beneficiaries of, would be to do him a great disservice. To this day, I receive many phone calls from Juan on behalf of a worthy student who is on the job market and whose qualities aren't being recognized by the profession. In my own case, Juan always played a pivotal role in my career. The door of his office, like the door of his home, was always open. Scholars and students who visited him when he was a young man at Columbia and later in New Haven, came away stunned that this great scholar would devote an entire day, sometimes more, to discussing their work. He was ready to see anyone and give his valuable time to them. I have never in my life come across or heard about a more generous scholar and human being.

I recall that when we celebrated Juan's 65th birthday in New York, which was splendidly organized by Al Stepan, Marty Lipset said something that captured an important aspect of Juan's personality. He said that he had never come across a scholar who was so uniquely motivated by the intellectual aspect of his work as Juan and who gave not a thought to career considerations. Marty said that he had never come across a scholar who was so uniquely motivated by the intellectual aspect of his work as Juan and who gave not a thought to career considerations. Who else would write works of 120 pages, too short for a book and too long for an article ? And Juan did this his entire professional life. He worked on topics not because they were hot or would get him attention but because he felt the subject was of intense intellectual interest. He published not in obvious professional journals but often in obscure ones either because a colleague wanted to publish the article or because the issue of length was secondary for a particular journal. His most widely-cited article on "Totalitarianism and Authoritarianism" was always, until it started getting reprinted everywhere, pretty hard to get hold of. Juan made immense contributions to the disciplines of political science and sociology, and his stature was attained without the self-advertising and networking that often takes place in academia. Lipset was certainly right when he said that Juan's achievements resulted entirely from his work. That is why for those who have long known and admired Juan, and this includes thousands of scholars around the world, Juan was and remains not just an intellectual giant but also a wonderful human being.

You'll excuse, I'm sure, these preliminary remarks that center on the man whose works and wide influence we're celebrating. But I myself have always been equally struck by his astonishing learning, his enthusiasm to communicate and discuss central issues of politics and society, and his human qualities which I've seen displayed and which I've never in the almost 40 years that I've known him been able to separate the two where he was concerned.

It seemed to me entirely appropriate that Weber should figure in some explicit way in this conference. It was Juan who introduced me to Weber and who always encouraged me to read him, not because he always had the answers, though often that was the case, but because he raised so many issues that I've focused on for many years. One of these has been the relationship between bureaucracy, two themes that were very dear to Weber.

I've never been particularly interested in the management aspect of bureaucracy, something that the earlier managerial writers were interested in because, for them, organization and productivity were intertwined. Rather, I've been more concerned with how bureaucracy serves the democratic polity. This is the subject I dealt with in my last book, *DISMANTLING DEMOCRATIC STATES*. If the book followed naturally from my previous work, I can assure you it also followed from many years of discussions with Juan who had been appalled by the growing tendency to politicize the public bureaucracies of democratic societies.

Actually, Juan was not yet aware that bureaucratic politicization was not just a haphazard practice but that it was in fact sustained by a whole new philosophy that had developed and that saw bureaucracy as inimical to democracy. This was not just a moving away from one of the central precepts of Weber but rather an anti-Weberian revolution.

To be sure, Weber's theory of bureaucracy was never beyond reproach and he certainly had his critics. They were those who argued that Weber had merely engaged in drawing up a "Laundry list" of requirements for bureaucratic institutions. Others, like Carl Friedrich, maintained the kind of organization that Weber had in mind could be found only in military organizations, the Catholic church, and small enterprises without union representation.

Those who today question Weber's entire model are, paradoxically, on stronger ground than the earlier generation of critics who merely sought to "disprove" the Weberian framework, or to "prove" that it was possible to have a running bureaucracy without the presence of all of Weber's requirements¹. But the modern management critics of Weber are seeking to replace the foundations of the Weberian edifice rather than to modify it or adapt it to a new age.

The new school of critics wants to "banish" bureaucracy. For a starter, the defenders of the New Public Management school do not believe in the efficacy of monopolies, whether public or private. Nor do they believe in centralization, rigid hierarchies, well-defined rules, impersonal treatment, and recruitment on the basis of objective criteria such as examinations. In short, Weber's critiques do not fault the laundry list. In fact they believe that it worked well in its time. They believe, rather, that a system "designed by a genius to be run by idiots"² is no longer relevant to the "modern age"³. Imposing strict controls in an organization, regarding employees as "cogs" in a machine, and expecting workers to follow instructions blindly – these are what the NPM devotees are fighting against. As Osborne and Plastrik note: "This model served us well in its day. As long as the tasks were relatively simple and straight forward and the environment stable, it worked. But for the last 20 years it has been coming

¹ See Wolfgang J. Mommsen, *the Age of Bureaucracy : Perspectives in the Political Sociology of Max Weber* (Oxford : Blackwell, 1974) ; Peter Hamilton, ed., *Max Weber : Critical Assessments* (London : Routledge, 1991), and Anthony Giddens, *Politics and Sociology in the Thought of Max Weber* (London : Macmillan, 1972)

² David Osborne and Peter Plastrik, *Banishing Bureaucracy : The Five Strategies for Reinventing Government* (New York : Addison-Wesley, 1992), 17

³ This is a phrase used to justify almost anything, so what it is used for needs to be looked at closely. Much of this and following sections rely on my *Dismantling Democratic States* (Princeton : Princeton University Press, 2003)

apart. In a world of rapid change, technological revolution, global economic competition demassified markets, and educated work force, demanding customers, and severe fiscal constraints, centralized, top-down monopolies are simply too slow, too unresponsive, and too incapable of change or innovation⁴”.

This is a more coherent, or convincing, attack of the Weberian bureaucracy, though it presents two problems. First, it ignores the issue of collective interest and of the role of public power in contemporary society : the important normative issues of the public sphere, of a state’s responsibilities to society, and of the relationship between state organizations and democracy is justified by reference to its own laundry list of factors that may not necessarily prove that bureaucracy has had its day. They may point to the possibility that modern bureaucracies are in need of both modification and strengthening. Indeed, items on this list, impressive as they may sound, might actually be used to prove the contrary. Assertion of randomly selected societal changes is not proof enough for an institution’s transformation.

In addition to the inapplicability of all of the Weberian requirements and to the irrelevance of the bureaucratic model for contemporary capitalism, a third school has arisen that views bureaucracy as inherently in conflict with democracy. In fact, the public choice school maintains that bureaucracy and society have diametrically opposed interests. The “bureaucrat” and the “bureaus” are seen as making “choices”, which they seek to “maximize” in exactly the same way that any actor seeks to do. As Niskanen observes, we do not know how to think clearly about bureaucracy because we do not have a “theory of bureaus that is consistent with an instrumental concept of the state, that is, a concept of a state which is only an instrument of the preferences of its constituents⁵”. He maintains that the impediment to deriving a theory of bureaus comes from the fact that “the literature on bureaucracy, from Confucius to Weber, proceeds from an organic concept of the state, that is, a concept of a state for which the preferences of individuals are subordinate to certain organic goals of the state⁶”.

The economic theory of bureaucracy takes the Weberian model to task for neglecting “the economic behavior of bureaus as it affects their performance in supplying public services⁷”. Weber’s concern is with the behavior within and the relationships among bureaus. For Niskanen, “any theory of behavior of bureaus that does not incorporate the personal preferences of bureaucrats... will be relevant only in the most rigidly authoritarian environments. In a fundamental sense, our contemporary confusion derives from a failure to bring bureaucracy to terms with representative government and free labor markets⁸”.

The merit of the economic approach on which much of the reinvention of government literature and objectives are based is that it poses the issue rather starkly. Does the state have autonomous, organic objectives, or is it to be viewed as a supplier of services for which it is necessary to discover equilibrium prices ? How is this question to be answered in the absence of a view of the importance of public authority ?

It needs to be noted that an economic theory of bureaucracy – or of anything, for that matter – does not take account of, nor is it concerned with, the normative issues that societies are called upon to decide on a daily basis through the political process. Economics and politics as

⁴ Osborne and Plastrick, *Banishing Bureaucracy*, 17

⁵ William A. Niskanen, Jr., *Bureaucracy and Representative Government* (Chicago : Aldine Atherton, 1971), 4.

⁶ *Ibid.*

⁷ *Ibid.*, 6.

⁸ *Ibid.*, 21

disciplines confront the same fundamental issue : the allocation of scarce resources. But they part company on the resolution of the issue. Economics is guided by a neat model of resource allocation that looks to the absence of visible human conflict and to the market to determine the most efficient manner to allocate society's most scarce resources. The political approach has a harder time neglecting organizations, groups, representations, pressures, elections – the messy process of democratic politics, all of which determine how resources are allocated.

The Niskanen view of bureaucracy is based on a simple economic model : the bureaucrat and the bureaus seek to maximize their interests. In other words, they seek ever larger budgets and a continual increase in personnel. Society as a whole, which pays for these bureaus, clearly has an interest that is diametrically opposed to that of the bureaus. Hence, bureaucracy cannot be seen simply as an instrument of the state. That bureaucrats have accepted considerable budget cuts in a number of countries and that these bureaucrats may well have been “maximizing” their interests by going along with the politicians wielding the hatchet suggests how complex interests can be and how simplified is the public-choice view of bureaucracy. Dunleavy refers to this agile bureaucrat as a “bureau-shaping bureaucrat”⁹.

For those who adhere to the economic model, the bureaucracy can only be seen as a “chooser”, as a “maximizer”, and as an institution with preferences or objectives of its own, preferences or objectives that admit little complexity and that are unvarying¹⁰.

It is of some interest to note how the relative importance of institutions in the democratic polity evolves over time. It was not so long ago that scholars took pains to insist that the state was capable of acting as an independent and autonomous entity in order to justify a notion of the democratic polity that differed from both Marxists and pluralists. If the state could be shown to act independently of societal interests, if it could be shown to possess interests of its own, it would then be shown that it was not a tool of the most powerful societal forces.

Indeed, it has been fashionable – at least until this approach was abandoned recently – to classify states as “strong” and “weak” depending on their capacity to resist society's pressures. States like France and Japan were uniformly viewed as strong states because they were unitary, centralized, and possessed a well-trained bureaucratic machine ready to implement governmental decisions. The U.S., together with some underdeveloped societies, was always viewed as being a decentralized, fragmented state. The implication of this dichotomy was that a strong state could determine the allocation of resources and make its decisions without being subject to the pressures brought about by the most powerful groups. A weak state could not act independently of the groups endowed with the greatest resources.

What determined, among other things, whether a state was strong or weak depended on the kind of instrument at its service. What kind of bureaucratic machine a state possesses is of quintessential importance for the way in which a democratic polity conducts itself. It was the analysis of the bureaucratic apparatus that was missing from those who credited states with strength or weakness. In reality, a state relies on its bureaucratic apparatus for the development and implementation of its policies. But even the most centralized bureaucracies are riven by internal conflicts, overlapping jurisdictions, personnel and budgetary

⁹ See Patrick Dunleavy, *Democracy, Bureaucracy and Public Choice* (Brighton : Harvester Wheatsheaf, 1991), 75-210

¹⁰ For a trenchant critique of Niskanen's model and of his empirical assertions, see Colin Campbell and Donald Naulls, « The Consequences of a Minimalist Paradigm for Governance : a Comparative Analysis », in *Agenda for Excellence : Public Service in America*, ed. Patricia

competition. A state cannot be judged to be uniformly strong or weak by reference to an organizational chart. In fact, those that appear strongest because of administrative centralization may be the most permeable to outside pressures. And those that appear weakest because of the fragmentation of the state structure may be more resistant to powerful interests.

The bureaucracy's relationship to a capitalist economy is a close one. Either a bureaucracy is seen as necessary in providing support for a capitalistic order, or it is seen as part of the capitalistic order and behaving in accordance with motivations that are easily recognize in a capitalistic society. To be sure, the conclusion regarding its utility to society diverges depending on the viewpoint adopted. The first renders it a necessity for capitalism. The second views it as, at best, superfluous and at worst, nefarious.

The importance of the public-choice school has not been so much its insight, insofar as the study of bureaucracy is concerned, but its considerable contribution to shifting the emphasis that had hitherto been placed on the study of bureaucracy. The application of a simple economic model to this institution helped pave the way for proposals for reforms that were ideologically inspired.

Niskanen claimed that the really important question concerning bureaucracy – and the one his book was seeking to answer was : “What budget and output behavior should be expected of bureaus under different conditions ?¹¹” He noted that previous writers on bureaucracy – Weber, von Mises, Tullock, Downs – had come within striking distance of the critical questions concerning bureaucracy without really asking them. Bureaucrats, bureaus, and bureaucracies, claims Niskanen, among others, seek to maximize their own choices, and therefore their “budget and output behavior” should be subjected to measurement.

BUREAUCRACY AND DEMOCRACY

The bureaucracy was long considered an indispensable complement, in fact a prerequisite, for constitutional democracy¹². Even in modernizing societies, institutional weakness (the absence of a bureaucratic instrument, to take a key example) was considered the chief impediment to the transition to democracy¹³. The extent to which the absence of a professional bureaucratic apparatus affected the democratic transition in postcommunist East-central Europe may help shed light on the longstanding debate regarding the contribution of bureaucratic institutions to democratic development¹⁴.

Bureaucracy is not an unambiguous complement to democracy. Dwight Waldo observed that the two could be seen as natural antagonists. “Why would an instrument [bureaucracy] designed to be impersonal and calculating be expected to be effective in delivering sympathy

¹¹ Niskanen, *Bureaucracy and Representative Government*, 20. See also, on the problem of bureaucratic autonomy, Daniel P. Carpenter, *The Forging of bureaucratic Autonomy : Reputations, Networks, and Policy Networks in Executive Agencies, 1862-1928* (Princeton : Princeton University Press, 2001).

¹² See Carl J. Friedrich, *Constitutional Government and Democracy* (Boston : Ginn, 1950)

¹³ Samuel P. Huntington, *Political Order in Changing Societies* (New Haven : Yale University Press, 1968).

¹⁴ Some scholars have argued that a strong bureaucracy that arises before other political institutions might actually impede the transition to democracy. See Fred W. Riggs, “Bureaucrats and Political Development : A Paradoxical View”, in *Bureaucracy and Political Development*, ed. J. Lapalombara (Princtown : Princetown University Press, 1967)

and compassion?” he asked¹⁵. Weber himself put considerable stress on the potential for conflict between bureaucracy and democracy. “Under certain conditions”, he wrote, “democracy creates obvious ruptures and blockages to bureaucratic organization”¹⁶.

Weber anticipated some of the contemporary critiques of bureaucracy, in particular that this apparatus, once established, inevitably comes to defend its own interests, some of which run counter to the requirements of democracy. He wrote :

The concept of the “official secret” is the specific invention of the bureaucracy, and nothing is so fanatically defended by the bureaucracy as this attitude, which cannot be substantially justified beyond these specifically qualified areas... In facing a parliament, the bureaucracy, out of a sure power instinct, fights every attempt of the parliament to gain knowledge by means of its own experts or from interest groups. The so-called right of parliamentary investigation is one of the means by which parliament seeks such knowledge. Bureaucracy naturally welcomes a poorly informed and hence powerless parliament – at least insofar as ignorance somehow agrees with the bureaucracy’s interests¹⁷.

Yet, Weber nonetheless saw a strong link between the bureaucracy and democracy. Both were necessary for preserving capitalist order. For Schumpeter, the functioning of the democratic order could not have been achieved without the state’s possession of a professional bureaucratic instrument. This is the view that he returned to on more than one occasion.

Though it may be fashionable to dismiss Weber today for having ascribed organic functions to the state, it remains the case that, for Weber, no democracy could be truly anchored or consolidated unless the state had a reliable, competent bureaucratic organization at its disposal. Contemporary antistatist ideology holds the opposite view : bureaucracy is antithetical to democracy, which is why Weber is their *bête noire*.

All modern states possess a trained, more or less professional civil service, operating along hierarchical lines and, in Weber’s terms, according to “calculable rules and without regard for persons¹⁸”. As Weber put it : “The more perfectly the bureaucracy is ‘dehumanized’, the more completely it succeeds in eliminating from official business love, hatred, and all purely personal, irrational, and emotional elements which escape calculation. This is the specific nature of bureaucracy and it is appraised as its special virtue¹⁹”. The uniformity that the bureaucracy dispensed, which for Weber referred above all to the rule of law, is what those who wish to “banish” bureaucracy from our landscape most detest about this institution. The new reformers want the bureaucracy to respond to *the* client’s needs and not to the average need of all of its clients. The reforms adopted in different national context (particularly in the U.S., Australia, and New Zealand, but in other countries as well)²⁰ have sought to encourage

¹⁵ Cited in Louis C. Gawthrop, *Public Service and Democracy : Ethical Imperatives for the Twenty-first Century* (New York : Chatham House, 1998), 27

¹⁶ Gerth and Mills, *From Max Weber : Essays in Sociology*, 231

¹⁷ *Ibid.*, 233-34

¹⁸ Max Weber, « Bureaucracy », in Gerth and Mills, *From Max Weber : Essays in Sociology*, 215

¹⁹ *Ibid.*, 216.

²⁰ See Tony Verheijen and David Coombes, eds., *Innovations in Public Management : Perspectives from East and West Europe* (Cheltenham, UK; Edward Elgar, 1998) ; HAGM Bekke, J. L. Perry and TAJ Toonen, *Civil Service Systems in Comparative Perspective* (Bloomington : Indiana University Press, 1986) ; G. Scott, P. Bushnell, and N. Sallee, “Reform of the Core Public Sector : New Zealand Experience”, *Governance* 3 (1990) : 138-67 ; W. I. Jenkins, “Reshaping the Management of Government : The Next Steps Initiative in the United Kingdom”, in *Rethinking Government : Reform or Revolution ?* ed. L. Seidle (Quebec : Institutions for Research in Public Policy, 1993) and Ingraham and Kettl, *Agenda for Excellence*.

employee “to think about citizens as “customers” to be served instead of “clients” to be managed²¹”.

The antistatist fervor ascribes little virtue to bureaucracy. This institution is seen as being opposed to democracy, or as irrelevant or nefarious for a free society and an efficient economy. It is, in Ronald Reagan’s famous words, not “part of the solution, but the problem”. Although democratic and democratizing societies have sympathized with or embraced this ideological position, the empirical evidence that supports the view that amputation of the instrument of the state advances the cause of democracy or spurs economic development remains yet to be produced. Such a view has far too many practical implications for the development of societies to be left in the realm of ideology or theoretical assertions.

Weber maintained that bureaucracies are inevitable instruments in modern and modernizing societies, and that no state can function without an efficient bureaucratic instrument. Schumpeter went even further and identified bureaucracy as indispensable to democracy. He lists the existence of a professional bureaucracy as one of the five conditions necessary for a democratic order. Bureaucracy, he wrote, “is not an obstacle to democracy but an inevitable complement to it. Similarly, it is an inevitable complement to modern economic development²²”.

Schumpeter cautions, however, that “recognition of the inevitability of comprehensive bureaucratization does not solve the problems that arise out of it²³”. Nonetheless, there is no escaping the fact that no democratic society can preserve itself without a professional bureaucracy : “Democratic government in modern industrial society must be able to command... the services of a well-trained bureaucracy of good standing and tradition, endowed with a strong sense of duty and no less a strong *esprit de corps*”.²⁴

The charge that government is often unable to respond to society’s needs and that it is run inefficiently has become as familiar one. Schumpeter argued that a well-trained bureaucracy “is the main answer to the argument about government by amateurs. Potentially, it is the only answer to the question so often heard in this country : democratic politics has proved itself unable to produce decent city government, how can we expect the nation to fare if everything... is to be handed over to it ?”²⁵.

Ours is not the first epoch in which bureaucracies have been attacked for incompetence and for stifling freedom. It is possible – even desirable – to accept Schumpeter’s and Weber’s argument concerning the importance of an efficient bureaucracy for a democratic order without accepting Schumpeter’s view that the bureaucracy “must be a power in its own right”. Indeed, it is the fear that the bureaucracy will become a “power in its own right²⁶”, that its unelected officials will usurp the power of the legitimately elected representatives that has attracted many of this institution’s harshest critics²⁷. This was not a view that Schumpeter’s elitist view of democracy was much concerned with. Yet, even while considering the

²¹ Donald F. Kettl, « The Global Revolution in Public Management », in Ingraham and Kettl, *Agenda for Excellence*, 452

²² Joseph Schumpeter, *Capitalism, Socialism, and Democracy*, 3rd ed. (New York : Harper, 1949), 206

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid., 293

²⁶ Ibid. This, to be sure, accords with the restricted view of democracy that Schumpeter held.

²⁷ The critics of the European Union have used this argument incessantly. The “gnomes of Zurich” have been replaced by the “unelected bureaucrats of Brussels”.

bureaucracy as both indispensable and as the most efficient form of organization, Weber was keenly aware of the potential dangers this institution posed if it became – and it would seek to become- a “power in its own right”. In fact, Weber made clear that bureaucracy would strive to “level those powers that stand in its way and in those areas that in the individual case, it seeks, to occupy”²⁸. And he had no doubt that “democracy as such is opposed to the rule of bureaucracy, in spite and perhaps because of its unavoidable yet unintended promotion of bureaucratization”²⁹.

Weber, too, was keenly aware of how averse to transparency the bureaucracy would generally be. It would cultivate a cult of secrecy and it would deny information to those who were entitled to have it. The bureaucracy instinctively understands that knowledge is power and political institutions are generally reluctant to share their power. Thus, “the pure interest of the bureaucracy in power... is efficacious far beyond those areas where purely functional interests make for secrecy”³⁰.

Nonetheless, such fears do not obviate an intimate connection between a professional bureaucratic apparatus on the one hand and democratization and economic modernization on the other. Most of the literature on transitions leaves aside the organization of the state. Some of this literature takes the availability of adequate state structures as a given. Transitions, to be sure, can go on for long periods, even if there is always the hope of reflecting the “Spanish miracle”.

At the very least a consolidated democracy requires a state capable of carrying out its main functions (protection of citizens, collection of taxes, delivery of services) in an orderly, predictable, and legal manner. To do this, the state must have a capable instrument at its disposal. Juan Linz and Alfred Stepan are among the first scholars of transitions to democracy to point to the importance of a professional bureaucracy as being as critical to democratic consolidation as an independent civil society an autonomous political society, and the rule of law. They observe that no matter how one views the state’s role, a modern, professionalized bureaucracy is indispensable to democratic consolidation. Or, as Stepan puts it elsewhere, “No state, no democracy”³¹.

To protect the rights of its citizens, and to deliver some other basic services that citizens demand, the democratic government needs to be able to exercise effectively its claim to the monopoly of the legitimate use of force in the territory. Even if the state had no other function than this, it would have to tax compulsorily in order to pay for police, judges, and basic services. Modern democracy, therefore, needs the effective capacity to command, regulate, and extract. For this it needs a functioning state and a state bureaucracy considered usable by the new democratic governments³².

Linz and Stepan have essentially updated Schumpeter or, rather, made Schumpeter relevant to the process of democratic transition and consolidation. As this process has gotten under way and been in the making for several years in a number of societies in east-central Europe, the absence of a professional bureaucracy as become rapidly evident.

²⁸ Weber, « Bureaucracy », 231

²⁹ Ibid.

³⁰ Ibid., 233-34

³¹ Alfred Stepan, *Arguing Comparative Politics* (New York : Oxford University Press, 2001), 18

³² Juan Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation : Southern Europe, South America, and Eastern Europe* (Baltimore : Johns Hopkins University Press, 1996), 11

The extent to which bureaucratic instruments of democratizing states need to resemble a strict Weberian model may be open to question. But that such instruments form part and parcel of a state's authority, which is indispensable to the preservation of liberties, is indisputable, even if not fully recognized³³. Carl Friedrich, not an admirer of Weber's theory of bureaucracy, nonetheless believed that no government, and no democracy, could function without an effective bureaucracy. In his *Constitutional Government and Democracy*, he observed : "a realistic study of government has to start with an understanding of bureaucracy... because no government can function without it. The popular antithesis between bureaucracy and democracy is an oratorical slogan which endangers the future of democracy. For a constitutional system which cannot function effectively, which cannot act with dispatch and strength, cannot live"³⁴.

A critical element in democratic consolidation is a bureaucracy that begins to operate in an impersonal manner, according to known rules and regulations, and in which the officials are able (or obliged) to separate their own political and personal interests from the office they occupy. As Jacek Kochanowicz observes : "a bureaucracy plays not only a technical, but also a symbolic role. Like the flag, the national anthem, an army uniform, or a presidential mansion, it is a symbol through which the state – and the nation – is perceived. Citizens who have to deal with inefficient or corrupt officials will not respect the state, and the links tying the national community together will loosen". Kochanowicz goes on to observe that creating a new, more efficient, more autonomous bureaucracy "could be a way to strengthen the legitimacy of the state"³⁵, an issue of considerable urgency in the countries of east-central Europe in the early 1990s.

State authority requires state capacities that assure state legitimacy. All this is merely a means to the protection of individual rights. As Stephen Holmes notes in a perceptive essay on the weakness of the Russian state : "Today's Russia makes excruciatingly plain that liberal values are threatened just as thoroughly by state incapacity as by despotic power. Destatization is not the true solution, it is the problem. For without a well-functioning public power of a certain kind there will be no prevention of mutual harm, no personal security... The rights inscribed in the 1977 Brezhnev Constitution went unprotected because of a repressive state apparatus. The rights ascribed in the 1993 Yeltsin Constitution go unenforced because the government lacks resources and purpose"³⁶.

The Russian example Holmes analyzes stresses the importance of endowing a democratizing state with capacities because "authority enhances freedom". As he puts it, "if the state is to have a monopoly of violence, the monopoly must be vested only in officials whom the public can hold accountable for its use. Liberalism demands that people without guns be able to tell people with guns what to do"³⁷. Holmes has elaborated, together with Cass Sunstein, the linkage between citizens's rights and what they refer to as "costs" that society needs to

³³ See Tony Verheijen, « NPM Reforms and Other Western Reform Strategies : The Wrong Medicine for Central and Eastern Europe ? » in Verheijen and Coombes, *Innovations in Public Administration*, 407-17

³⁴ - Friedrich, *Constitutional Government*, 57

³⁵ Jacek Kochanowicz, « Reforming Weak States and Deficient Bureaucracies », in *Intricate Links : Democratization and Market Reforms in Latin America and Eastern Europe*, ed. Joan Nelson (New Brunswick, NJ : Transaction Publishers, 1994), 203

³⁶ Stephen Holmes, « What Russia Teaches Us Now : How Weak States Threaten Freedom », *American Prospect* (July-August 1997) : 32

³⁷ *Ibid.*, 33

assume in order to enjoy these rights. And these “rights and freedoms depend fundamentally on vigorous state action”³⁸.

REPLACING WEBER

Shortly after becoming president, Bill Clinton created with much fanfare the National Partnership for Reinventing Government. This was to be the vehicle for the revolution in the way the federal government operated. The mission of this partnership was to create a government that “works better, costs less, and gets results Americans care about”³⁹. To pave the way for the accomplishment of this fairly innocuous-sounding objective, President Clinton established, in March 1993, the National Performance Review. A few hundred career civil servants were enlisted and were assigned to two teams. One of these was to review individual federal agencies, while the other was asked to review the federal government’s procurement, budget, and personnel policies. The agencies were also asked to create “reinvention laboratories,” whose job was to put forward recommendations.

There is little question that reforming the public sector has been an international phenomenon that had its origins in the United States. But whether this has meant a clearly identifiable package of reforms implemented in a uniform manner to address common problems is a different matter that I turn to in part II. But the spearhead for reforming state structures, whatever ultimate shape they came to take in different national contexts, was the United States. As Caiden notes, the administrative reform of the 1990s was an American invention : “Most of the theories employed have originated in the United States. Most of the substantive measures advocated are drawn from American texts. Many of the experts employed by international bodies to expound the platform are Americans. Most models and sample laws are based on American sources”⁴⁰.

The United States has clearly looked on its new way to refashion or reinvent how government should work, and how it should serve society, as an ideology that is ripe for export, much as in the 1980s the market economy extolled in the U.S. came to be adopted across the globe. “The reaction across locations”, noted Steven Kelman, a former administrator at the Office of Procurement Policy at the U.S. Office of Budget and Management, “has been relatively similar from a management and public administration perspective. In essentially all of the western world, the form management reinvention has taken as been de-bureaucratization, fewer rules, and empowerment”⁴¹; hence, the tendency to refer to the “global revolution”⁴² instigated by the United States.

If the United States has been leading a revolution in administrative reform, no evidence has hitherto been provided, with the exception of citing some reforms in Britain, New Zealand, and occasionally Australia. Even these reforms were quite different in nature. Moreover, instituting reforms, even when this requires some political courage, is not the same as

³⁸ Stephen Holmes and Cass Sunstein, *The Cost of Rights : Why Liberty Depends on Taxes* (New York : W. W. Norton, 1999), 14

³⁹ National Partnership for Reinventing Government (formerly the National Performance Review), *A Brief History* (Washington, D.C., January 1999), 1.

⁴⁰ Gerald E. Caiden, « Administrative Reform – American Style », *Public Administration Review* 54, n°2 (March-April 1994) : 124.

⁴¹ Donald P. Kettl, Elaine Kamarck, Steven Kelman, and John C. Donahue, *Assessing Reinvention as a Major Reform*, Occasional Paper 3-98, John F. Kennedy School of Government, Harvard University, 8

⁴² Osborne and Gaebler, *Reinventing Government*, 328

evaluating a reform and pronouncing it a success. Indeed, as we will see, many of the reforms put into practice, even in the countries that were considered as models such as Great Britain and New Zealand, have since had their wisdom questioned.

It is not even clear that the United States itself has been so adept at administrative reform. Some scholars have argued that in the area of administrative reform the United States has almost always been a laggard : “When it comes to administrative reform, the United States has rarely moved except for some highly publicized reform, the United States has rarely moved except for some highly publicized reform programs that were gutted or compromised out of recognition from their original intentions”⁴³.

As Caiden suggests that the United States, like its scholars of public administration, as been, particularly parochial, refusing to recognize administrative reforms put into practice elsewhere. Many of the ideas concerning downsizing, deregulating, and cost-efficiency “have been part of the administrative lore for at least 20 years and other countries have tried them... In their parochialism, Americans too often reinvent and rediscover administrative theories, practices, and reforms long tried elsewhere”⁴⁴.

Most of the reforms or innovations that have been pointed to as altering the way government works in the United States have occurred at the local level. And even here it may be that the introduction of reforms has been praised without regard to the ultimate results. Indeed, the unpreparedness of the United States federal, state, and local governments in the wake of September 11, 2001 may well have been the result of the attempts to “reinvent” governments. At the very least, the connection between the two merits a thorough study.

The reinvention-of-government movement has been gaining momentum for a number of years. While Marxists might have given up any notion that the state will wither away, this concept has now been embraced by the Right. In fact, certain position papers – put out by the Heritage Foundation – call for the complete dismantling of all federal departments of the US bureaucracy with the possible exceptions of State, Defense, and one or two others.

What are the key concepts behind the new movement to transform the way governments organize themselves and why do they differ from earlier moves to reform the state’s bureaucratic agencies ?

1. Entrepreneurism

Management theorists and gurus have long sought to transform the way the public sector functions to resemble that of the private sector. Osborne and Gaebler state their intentions in unambiguous terms : “*To melt the fat*”, they write, “*we must change the basic incentives that drive our governments*”. We must turn bureaucratic institutions into entrepreneurial institutions, ready to kill off obsolete initiatives, willing to do more with less, eager to absorb new ideas”⁴⁵.

An important aspect of cultural change inherent in the reinvention of government is *entrepreneurism*. Reinvention offers an emphasis on innovation and ingenuity as things to be

⁴³ Caiden, « American Reform – American Style », 124

⁴⁴ Ibid., 124-25

⁴⁵ Osborne and Gaebler, *Reinventing Government*, 23, italics in original

rewarded and encouraged, rather than to be stifled and punished. Al Gore, for example, cites a civil servant in the Department of the Interior who cut the length of the approval process for fish ladders over dams by two years⁴⁶. James Q. Wilson talks of managers employing “get out jail free” cards that exempted government workers in one government agency from punitive measures if the worker took an initiative contrary to procedural requirements but thought to be in the best interest of clients⁴⁷. At the center of the entrepreneurial spirit is the idea of *flexibility* : a disdain for red tape coupled with emphasis on “getting the job done”. There is also a seeming emphasis on common sense as the solution to red tape⁴⁸. Accordingly, procedural due process, which is seen as the core legitimating concern that prompts the existence of red tape in the first place, is deemphasized in the literature on government reinvention.

2. Customer Orientation

The idea here is that the overriding concern of any agency is the satisfaction of particular client groups. This notion, it is argued, contrasts with earlier foci of public administration ; strict adherence to established rules and procedures ; concern over budgets and other organizational inputs; agency slack, etc. A customer orientation relates inextricably to structural and performance changes in the bureaucracy proposed by manager-advocates of the new paradigm : an emphasis on measurable output as opposed to inputs, and the devolution of authority to lower-level service providers. The idea of customer service is best summed up by Michael Barzelay : “Thinking in terms of customers and service helps public managers and overseers articulate their concern about the performance of the government operations for which they are accountable. When supplemented by analysis of how these concepts have been put into practice in other settings, reasoning about customers and service helps managers generate alternative solutions to the particular problems they have defined as meriting attention”.⁴⁹

Two additional shifts complement the notion of reorienting bureaucracies to customer orientation and entrepreneurship. If managers are to encourage entrepreneurship among their subordinates to serve customers, they must attempt to minimize purely self-motivated entrepreneurship. This, according to reinventors, is accomplished through an emphasis on *public-spiritedness*.

Most important in this view is the idea that the dangers of bureaucratic discretion that are said to be concomitant with entrepreneurship are not really dangers at all if bureaucrats are motivated to serve in the public interest.

⁴⁶ Donald F. Kettl, « Building Lasting Reform : Enduring Questions, Missing Answers », in *Inside the Reinvention Machine : Appraising Governmental Reforms*, ed. Donald F. Kettl and John J. Dilulio (Washington, DC : Brookings Institution, 1995), 10-11.

⁴⁷ James Q. Wilson, « Reinventing Public Administration », *Political Science and Politics* 27, n°4 (December 1994)

⁴⁸ Philip K. Howard, *The Death of Common Sense : How Law Is Suffocating America* (New York : Random House, 1994).

⁴⁹ Michael Barzelay, *Breaking through the Bureaucracy : A New Vision for Managing in Government* (Berkeley : University of California Press, 1992), 6.

3. Flattening Hierarchies

The third broad category of changes emphasized in the reinvention literature is structural. One major structural change advocated is the flattening of hierarchies. Innovators criticize as inefficient and counterproductive the hyper-rational division of labor inherent in bureaucratic organization. Instead, they advocate merging high-level staff workers such as budgeting, procurement, and personnel management with actual policy implementation workers. This requires an emphasis on team production. Advocacy of teams seems very much in line with private-sector criticism of Fordist methods of assembly-line production, criticism that was popular in the 1970s and 1980s. Another aspect of flattening is the decreasing attention to formal rules and hierarchies that I just mentioned. Bucking the chain of command to get the job done is a central myth of American popular culture. Reinvention does not specifically advocate breaking rules; it does, however, advocate getting around them through their deemphasis. So, for example, two of the National Performance Review's accomplishments have been, paperwork-reform. A type of flattening is the disaggregation of large bureaucratic institutions into quasi-autonomous agencies ; the extent to which such break-ups have occurred is not shown.

4. Alternative Forms of Implementation

Another major type of structural change advocated in the reinvention of government is a *reliance on alternative frameworks for implementation*. Four types of alternatives for service-provision are : downsizing the public service in absolute terms, privatization and contracting out where possible, competition between agencies performing the same function in an effort to increase efficiency (related to Niskanen's advocacy of organizational redundancy)⁵⁰; and the devolution of authority to the street level (related to flattening hierarchies) more generally.

Advocated changes in performance are captured most fully in the concept of redefining agency mission from an emphasis on *input* to one of *output*. This emphasis, of course, relates to customer orientation; it is seen in catchphrases like "results instead of rules". Advocates of planning and budgeting argue that agencies that configure their missions toward an emphasis on outputs (such as the number of clients satisfied, checks delivered, etc.) will be more easily evaluated than those that emphasize inputs (such as personnel recruitment, budgetary acquisition, and procurement).

The importance ascribed to performance evaluation is that agencies that advocate results instead of rules will be more easily evaluated, and therefore more efficiently improved. Generally, the theory of evaluation concomitant with reinvention is embodied in the idea of "Best Practices Research."⁵¹ This type of research is inductive rather than deductive; it is positive and prescriptive. Unlike previous efforts of evaluation, which compare bureaucratic operations to variants of the Weberian ideal type, Best Practices Research is based primarily on a philosophy of pragmatism and rationality. There is considerably less normative commitment to any particular conception of what bureaucracy should do or what it should look like.

⁵⁰ Niskanen, *Bureaucracy and Representative Government*

⁵¹ E. Sam Overman and Kathy J. Boyd, "Best Practice Research and Postbureaucratic Reform," *Journal of Public Administration Research and Theory* 4, (January 1994): 67-83.

It seems clear that some of these proposed reforms are narrowly managerial in nature, but that taken as a whole the reforms aim at altogether altering the role of the bureaucracy in society. Few people can raise objections to cutting red tape, whether through a Weberian hierarchical structure or through teamwork and the absence of hierarchy. Few object to energizing officials and making them desirous of serving the public. Few would object to evaluations of performance. But at the heart of the reinvention-of-government movement lies a scepticism about the existence of a public-service institution. This may be below the surface of the proposals made by the reinvention-of-government advocates, but it remains nonetheless highly visible.⁵²

BUREAUCRATIC REFORM AND THE PUBLIC INTEREST

There are many reasons generally given for the pressures on administrative reform: the fiscal crisis, declining tax revenues, higher taxes, perceived governmental waste. But there is an additional factor that is often left out of the list because it does not constitute a specific event like the oil shocks or the fiscal crisis of the 1970s. This is the changing concept of democracy. Throughout the democratic world, over the past thirty years citizens have felt less constrained by, and no doubt less respectful of, authority.

Participation, whether through voting, interest groups, a direct action, has affected the political system. No longer are people content to vote and hope for the best. They demand more of their representatives and they respect them less. Many reasons have been given for this phenomenon: growing influence of private groups, cultural shifts, and corruption and poor performance of the political leaders.

The demanding public, and their criticisms of the inability of governments to resolve problems, gave rise to the attacks on the bureaucracy. Many of the criticisms were highly justified both in the United States and in the European countries. These in turn led to the new conceptions of government. By the early 1990s it was no longer possible to get along merely by appointing yet another commission on how to reduce government waste; hence the ambition developed by Gore and Clinton to “reinvent government.”

The reinvention-of-government movement that emanated from NPM has been gathering speed and gaining momentum. Even if it is no longer at the center of public debate in the United States, the values and objectives that underlies its goals have gained wide support. It is rare for politicians to propose the creation of new agencies or an increase in the number of public employees to administer new initiatives.

The view that there is little that is distinctive about the work accomplished by the federal government is no longer confined to the extreme right of American politics. Donald Kettl and John DiIulio note that the most important lesson of privatisation “is that there is no function left that only the public sector can deliver...Because the private sector *can* do anything, there is less certainty about what government *ought* to do.”⁵³

⁵² H. George Frederickson, « Comparing the Reinventing of Government with the New Public Administration, » *Public Administration Review* 56, no. 3, (May-June 1996): 267.

⁵³ Kettl and DiIulio, *Inside the Reinvention Machine*, 51.

No one disputes that governments should do whatever they take on as efficiently as possible. Nor is there much disagreement about cutting waste. It is legitimate that legislatures should seek to make bureaucracies accountable for the way they spend the citizens' taxes, though only the U.S. Congress seems able to accomplish this task.

The question of whether government should be doing much of anything, or what government *ought* to be doing, is altogether different. Indeed, because it is such a central issue, there is no consensus in most societies on the answer. The attempt to substitute the norms of the market for those of a collective interest is as much a philosophical and normative issue as it is one of institutional efficiency.

Two questions are raised by the continual reduction of the public sphere and the transfer of public functions to the private sector. First, is the concept of the "public interest" wholly obsolete? Second, how does the transformation of the citizen into a customer guarantee efficiency and assure against atomisation?

In continental Europe, the concept of the "public interest" still retains considerable force, in part because it is in many instances the *raison d'être* of government and in part because the application of universal norms is tied to the stability of society and to the legitimacy of government. In the United States, this concept long ago lost any force it might have had, "in part because it became so hard to define and in part because some critics wondered if the new entrepreneurial spirit might not be superior to the old notions that drove it."⁵⁴ Kettl and DiIulio, like many champions of government reinvention, place the importance of entrepreneurship, performance, and customer satisfaction above all else. They note that "[r]essurrecting the concept [of the "general interest"] along with the old definitions clearly will not help the debate over the NPR. The classical approach does not fit an administrative world of high technology and instantaneous communication, interdependent organizations... and institutionalized political tension between the executive and the legislature".⁵⁵

In the United States, the concept of the public interest to the extent that it has existed at all has had to be modified further in order to fit in with the New Public Management. In other countries, it has needed, or would require, a major transformation. Indeed, the traditional yardstick – the serving of the collective interest – by which the work of public administration was judged has now been reversed. We now decide what kind of public administration we want our state to have, and then we reformulate the concept of public interest to fit into this new requirement. Kettl and DiIulio put it starkly : "The success of the NPR depends on establishing and promoting a new definition of the public interest".⁵⁶

This has been the most difficult aspect of the attempts to reform the public bureaucracies in continental Europe. Historically, the republics of the continent established a strong state whose task was to guarantee the unity of the nation and the unity and indivisibility of the republic. The republican model is therefore opposed to the democratic model in that it accords primary importance to the collectivity as opposed to the liberty of individual groups to structure their own degree of integration. Grafted onto the democratic model has been the decentralized federal system of the United States—the extreme example of the democratic model—which further exemplifies the liberty of all parts of the republic.

⁵⁴ Ibid., 52.

⁵⁵ Ibid.

⁵⁶ Ibid, 56

Where, then, the concept of a collective interest is flexible, if at all existent, it becomes possible to argue for a diminished role for the public bureaucracy. Where, on the other hand, the republican tradition, reinforced often by a social democratic vision of how society should be organized, prevails, then the concept of a social collectivity takes on a particular importance in preventing the undoing of a strong bureaucratic structure in France. For France conceives of itself as the quintessential republic dedicated to the equality of groups before the law. Indeed, a republic does not recognize groups as such. It recognizes only citizens, and in so doing believes that this type of citizen-state relationship—the antithesis of a multicultural society—constitutes the glue that holds the nation together.

It comes as no surprise that the opposition of democracy and republicanism finds the counterpart in the customer-citizen dichotomy. The absence of a “general interest” allows the reformers of the public bureaucracy in the United States to substitute the customer for the citizen. Since there are no limits to what the private sector can do and “less certainty about what government *ought* to do,” it becomes possible—even logical—to argue that government should be as entrepreneurial as the private sector if it wants to survive. Both sectors should operate according to market criteria. This is the thrust of the reinvention of government.

CONCLUSION

Having followed over the years very closely the arguments for reforms of the bureaucracy, as well as the types of reforms that have been proposed, it seems to me quite clear that reforms have certainly been in order.

I won't go into all the arguments about “bureaucratic interests”, trade union power, public expenditures, state deficits. The fact is that reforms have become indispensable. But has the New Public Management been the answer ?

In the United States, it has been the conservatives forces who have long been arguing for the dismantling of the state who have increased the importance of the state, certainly since September 11. Whether it was terrorism or hurricanes, it was to the state that people turned.

It is difficult to argue that NPM did not result in reform or in greater efficiency. But if the reforms only led to less waste and more rigor, the question may legitimately be raised whether all the fanfare and talk about a “revolution” was justified. It probably wasn't. Many countries, including the Scandinavian countries, Italy and Great Britain have undertaken reforms that were of considerable importance but that did not justify being termed as “revolution”.

In the end, it seems evident after almost two decades of discussions about reforming or eliminating the bureaucracy, Weber's principle injunctions about bureaucratic competence, bureaucratic neutrality, and an efficacious state are indispensable requirements for a democratic state. Weber, it now turns out, was buried prematurely.