This opening section explores essential facts and concepts in public administration in order to set the stage for further detailed discussion of the subject. The central themes are: (1) the roles and functions of public bureaucracies within the larger governmental and social systems, (2) the impact of politics within that larger system on changing the administrative actions and decisions, (3) the political implications of organizational and structural arrangements, and (4) the critical, and increasing, importance of technology, intergovernmental communication, and information exchanges among all levels of government. In Chapter 1, we first describe the most common structures of executive-branch agencies, stressing the growth of government generally and public administration in particular. We discuss the governmental system in which public administration and policy making operates, consider traditional conceptions of how public agencies ought to function and then compare them with the broad realities of American bureaucracy. We explore similarities and differences between public and private administration, taking note of some ways in which they overlap in practice. We then examine public administration as a field of study, especially its evolution from a relatively uncomplicated field in the late nineteenth century to the challenging and

rapidly changing discipline impacting all societies in the twenty-first century. In addition, we analyze the impacts of domestic and international crises, the mass media, social change, and technology on our values.

In Chapter 2, we examine in more detail the underlying and sometimes conflicting values in American administrative practice. Of central importance are the tensions between political values—such as individual freedom to choose, accountability, fair representation, and popular control—and administrative values—such as efficiency, economy, responsiveness, and the ideal of “political” (usually meaning partisan) neutrality. We explore the need for political accountability, the extent of citizen participation, new ways to access information about public issues, and how definitions of representativeness have changed. We then focus on the nature and exercise of bureaucratic power and discuss various issues involved in the rise of the “bureaucratic state.” The discussion centers on the dispersal of power throughout government and what that means for public administrators, the foundations of bureaucratic power, bureaucrats as political actors as well as public managers, and dilemmas of political and administrative accountability. Bureaucrats are seen as active participants in a broad range of political interactions that allow for considerable variety and complexity in the manner of their involvement.

Chapter 3 deals with the dynamic nature of federalism and intergovernmental (national-state-local) relations. A description of the formal federal setting is followed by an examination of intergovernmental relations within federalism. Particular attention is given to fiscal and administrative relations among the different levels and units of government, the divisive issue of unfunded mandates (federal and state directives without funds to support them), and devolution of federal program authority to states and local governments. The evolution of American federalism has profoundly affected the management of government programs at all levels, and it is essential that we understand how the two are interrelated. Federalism is an important structural element of public administration that, in turn, creates a challenging organizational dynamic among local, state, and federal officials and other stakeholders.
Chapter 1

Approaching the Study of Public Administration

The time has come where there has to be a change of direction in this country, and it's going to begin with reducing government spending. . . . You can cut layers and layers without hitting muscle fiber. Keep trying. That's what we were sent here for.

Ronald Reagan, then president-elect, early in 1981

The governor of a large state publicly disagrees with the legislature on the condition of state government finances, taking issue especially over the question of which state employees and services are necessary to cut. A police officer is injured and requires emergency medical treatment following a traffic accident while pursuing a dangerous driver who has stolen a car. In one day following Hurricane Katrina, the U.S. Coast Guard rescues 130 people trapped on rooftops in New Orleans. A teachers' union rejects an attempt by the school board to charge teachers higher fees for health insurance coverage. The Lieutenant Governor of California and the Governor of Kansas publicly asserted that National Guard troops stationed in Iraq are needed at home to provide assistance after the wildfires and tornados that ravaged their states. To meet severe budget deficits, several states are increasing university fees and tuition for college students, cutting health care programs for the poor and elderly, closing state parks and recreation areas, and releasing prisoners before the end of their sentences. Record high oil prices have contributed to an energy crisis that threatens major segments of the U.S. economy, defying government's ability to help overcome these challenges. A metropolitan transit authority allocates funds for an extensive study designed to assist local governments
in the region with long-range transportation (and economic development) planning. A candidate for mayor runs successfully on her pledge to abolish the long-range traffic plan after being elected! Local government bargaining teams negotiate around-the-clock with a transportation workers’ union in an effort to avert a threatened strike only days away. During the presidential campaign, a candidate promises to cut the size of the federal bureaucracy in half. The president and Congress fail to agree on federal budget priorities and, as a result, national parks must close, economic reports are delayed, and Social Security recipients fail to receive benefits. Sound familiar?

What do these examples—all of them drawn from real-life situations—have in common? They represent past, present, and future critical aspects of public administration, one of the most important dimensions of the American governmental process and one with increasing influence both inside and outside of government.

Public administration in America today is a large and highly complex enterprise made up of thousands of smaller units that encompass the everyday activities of literally millions of citizens and government employees. The actions and decisions of public administrators touch the daily lives of virtually every American. The growth and reduction of government activity and public bureaucracy are among the most significant social phenomena of recent decades. The composition, mission, and size of bureaucracy have become the subject of considerable discussion among citizens, scholars, and practitioners. At the same time, politicians of every stripe have criticized bureaucracy at all levels of government.

Many politicians have run successfully “against” the bureaucracy: in 1976, Jimmy Carter promised to “clean up the bureaucratic mess in Washington”; in 1980, Ronald Reagan promised to “get the federal government off your backs”; George H. W. Bush dared us to “Read [his] lips” in 1988; in 1996, Bill Clinton declared prematurely that “the era of Big Government is over”; during the controversial 2000 presidential campaign, Republican candidate George W. Bush accused his opponent, former Vice President Al Gore, of representing “the government” while he (Bush) represented “the people.” How quickly positions change: As president, George W. Bush led one of the largest expansions of the federal bureaucracy in history to maintain domestic security, respond to natural disasters, and implement U.S. policy in Afghanistan and Iraq. As a result, President Bush was labeled by his political opponents as a “big government conservative.” Typically, conservative chief executives such as Bush, Reagan, and the elder Bush gain public support and win elections by criticizing bureaucracy and by pledging to reduce government; once elected, however, they must inspire and lead the same government officials to achieve their own policy goals and respond to crises. For George W. Bush, the task was even more challenging because he centralized government functions and expanded both presidential power and the role of the federal bureaucracy as no recent president has, primarily because of his administration’s decisions to conduct protracted wars in Iraq and Afghanistan. Chief executives at all
levels of government are elected by making similar promises and increasing bureaucracy to achieve them; ultimately, they are judged by the voters on their ability to fulfill those promises.

Our awareness of bureaucracy varies according to domestic and international conditions and situations in which we find ourselves. This awareness is usually higher when we cast votes for elected officials or fill out our income tax returns (especially when we have to pay additional tax on April 15), apply for government loans to finance a college education, seek federal assistance after a natural disaster, or deal directly with the most visible street-level bureaucrats—“first responders” such as police officers, emergency service workers, and firefighters. We are less conscious of the role of bureaucracy under other more routine circumstances. (Key terms and concepts are highlighted in bold print, defined in the margins, and listed at the end of each chapter.) Much bureaucratic decision making is obscure or just not directly meaningful to us. Consider, for example, decisions by the U.S. State Department to change eligibility formulas for determining international student visas. Proposals such as these may be important to subsets of citizens (and noncitizens as well) and may even lend legitimacy to the final actions taken by public agencies, but they typically generate little media publicity or public attention by themselves. Some of the most important work of government agencies takes place away from public view. Yet everyone has a general opinion—usually negative—about bureaucracy and politics. (See Box 1–1, “The Meaning of ‘Bureaucracy.’”)

**BOX 1–1 BACKGROUND BRIEFING**

**The Meaning of “Bureaucracy”**

A *bureaucracy* or a *bureaucratic organization* is characterized by an internal division of labor, specialization of work performed, a vertical hierarchy or chain of command, well-defined routines for carrying out operating tasks, reliance on precedents (previous actions) in resolving problems, and a clear set of rules regarding managerial control over organizational activities. It is assumed that most of those working in a bureaucracy are professionals in their specialties and that their occupational loyalties rest with their organization rather than with a political party or other external affiliation. Because much of public management in American governments occurs within bureaucratic structures, there is a tendency to use *bureaucracy* as just another term for public administration or public management, but it has a more specific meaning than either of those, particularly with regard to the form or structure of administrative agencies (see Chapter 4).

All Americans are far more aware of the role of bureaucracy in their daily lives since the tragic events of September 11, 2001, and the inept governmental response to Hurricane Katrina in 2005. Airport security has become much tighter, more intrusive, and time-consuming; international students enrolled in American universities are subject to more thorough background checks; university graduations, public gatherings, and sports and entertainment events have increased security precautions and added extra expenses as a result. The era of inexpensive and relatively safe air travel that spurred the development of the global economy is over. Airlines and travel-related rental car, cruise line, hotel, and restaurant businesses worldwide are struggling to regain customers who lost confidence in the ability of government to protect them. Increasing amounts of scarce public resources are being diverted from much needed domestic economic development and social programs to bolster security for Americans who are now more aware of the protective and service responsibilities of public agencies.

Regardless of our level of awareness (or frustration) concerning particular bureaucratic activities or decisions, the institution of bureaucracy evokes strong feelings among millions of Americans. It has even been suggested that the language of bureaucracy (its jargon) has harmed the English language as a whole. In one way or another, most of us are familiar—if not always comfortable—with government bureaucracy. Mention of “the bureaucracy” usually elicits a strong response; bureaucrats are unpopular with many of those they serve. On the one hand, bureaucracy has been blamed for many of society’s current ills, for several reasons. Government agencies are clearly influential, and in all but a handful of cases, bureaucrats are not elected by the public; thus they are convenient and increasingly visible targets. We hear a great deal about the growing power of bureaucracy and bureaucrats, the arbitrary nature of many decisions, the lack of accountability, questionable ethics, poor service quality, impersonal treatment, and cases of simple incompetence. On the other hand, when natural and man-made disasters strike, citizens turn to government and its bureaucratic institutions for emergency relief and protection. Shifts in public opinion also reflect confidence and trust in government and are generally associated with government’s ability to deliver services, maintain economic growth, protect citizens, and resolve basic social issues. Expressions of trust or mistrust in government largely reflect feelings about the incumbent national administration. Thus, as efforts to curb inflation bore fruit in the early 1980s, public confidence in government moved upward noticeably, but to a level still below that of the 1960s. Public trust in government reflects the national mood and declined from the mid-1980s until the early 1990s. Trust moved up sharply in the mid-1990s as a result of strong economic growth and policies of the Clinton–Gore administration (1993–2001) (see Figure 1–1).

Bureaucracy often becomes a focal point of discontent not only because of its obvious discretionary authority but also because of the perception of its waste and mismanagement of scarce resources, its relatively obscure and secretive decision-making processes, and the degree to which it is insulated
from or vulnerable to direct (elective) political controls. Protests against the actions of local school boards, taxing authorities, and police departments, impatience with inefficiency and red tape, and negative public responses to regulatory actions all testify to the intensity of feeling and, more generally, to growing frustration and a widening sense of distance between the people and their governing institutions. Our attitudes toward both public and private bureaucracies (that is, toward all large organizations) have been affected by the larger complex of feelings and reactions toward corporations, governments, and other major institutions in American society, such as business, labor, the mass media, the military, and education. The confidence of Americans in their institutions has declined significantly since the 1960s, a decade of divisive social conflict—the war in Vietnam, student protest, racial violence—followed by Watergate and a decade of economic decline—the earlier energy crisis, recession, and the rampant inflation of the 1970s. The “taxpayers’ revolt” that surfaced swiftly and intensely in the late 1970s was followed by decentralization, deregulation, and devolution of decision-making authority from the federal to state and local governments, in part as a reaction against perceived bureaucratic excesses. The 1980s brought a new Republican administration to Washington and optimism based on tax cuts, higher corporate profits, and
less regulation of the economy. As economic conditions improved during the 1990s, public attitudes toward government also began to change for the better, notably in the form of rising support for government deregulation, tax relief, and reductions in government spending. Corporate scandals and the “downsizing” of many jobs resulting from globalization of the economy have significantly influenced people’s feelings about their futures, leaders, and institutions in the early 2000s. To the extent that governmental activity was directed toward trying to deal with these problems but was perceived by the public to be ineffective, public confidence was adversely affected. So, too, were the electoral fortunes of incumbent presidents seeking second terms: Gerald Ford, a Republican, in 1976; Jimmy Carter, a Democrat, in 1980; and George H. W. Bush, a Republican, in 1992. Public trust in government is always a significant concern and, although the level of trust declined measurably during the late twentieth century, it increased in the mid-1990s and surged after October 2001. Since then, trust and confidence in both the Congress and the president have receded, related in part to a drop in public support for the war in Iraq. As of 2008, public support for both Congress and President Bush had reached historic lows (38% and 28%, respectively). (See Figure 1–2.)

**Figure 1–2**

**Bush Approval Ratings**

*Source: (Combined Sources).*
By contrast, support for selected federal agencies, such as the U.S. Coast Guard, the Federal Reserve Board of Directors, the U.S. Department of Labor, the National Park Service, and the Social Security Administration, has improved dramatically. Fluctuations in public confidence, respect, and trust appear to be associated more closely with the strength or weakness of the national economy than the political party in power. For example, a worsening economy in the early 1990s was a major factor in Bill Clinton’s victory over George H. W. Bush in the presidential election of 1992. The Clinton–Gore victory in 1996, the first time in thirty-two years that Democrats had been reelected for a second presidential term, reflected a positive national mood about the future of the economy, lower federal budget deficits, more jobs, and continued low rates of inflation. The election also reinforced a public preference for “divided government,” with Republicans maintaining majorities in the U.S. House of Representatives and Senate as well as many statehouses. George W. Bush was first elected president in 2000 without strong support or a majority of popular votes in one of the closest elections in American history, which some have suggested was determined by the Supreme Court rather than by the voters. President Bush was reelected in 2004 by wider electoral and popular vote margins. During his second term (2005–2009), federal budget deficits and public debt increased, more money was allocated for unpopular wars in Iraq and Afghanistan, and federal bureaucracy expanded more than at any other time since the New Deal (1932–1939).

Whether public attitudes toward government bureaucracy in general and bureaucrats in particular have followed broader opinion patterns exactly is unclear. What is certain, however, is that the public’s regard for public administrators has fallen far below what it was seventy years ago, when the civil service was considered an esteemed profession. During the Great Depression of the 1930s, then during and after World War II, public administrators and their organizations enjoyed greater public confidence than they do today. The general public, through its elected officials, looked to the administrative apparatus of government to take on increasing responsibility. Congress, state legislatures, and city councils, as well as presidents, governors, and mayors, all delegate certain amounts of discretionary authority to administrative officials, in effect directing them to make the day-to-day choices involved in applying laws and enforcing regulations. No national referendum was held on the question, Should bureaucrats be given more responsibility? But public acceptance of greater governmental involvement in a wider range of societal activities outweighed any opposition to growth of government in general and government bureaucracy in particular. Indeed, once bureaucratic involvement in policy making began to increase, heightened public demand for government services ensured continuation of greater administrative activity; this pattern continues unabated, for at least the foreseeable future.

Variations in bureaucracy’s public standing have coincided with greater demands for a wider range of public services, the increasing complexity
of the nation’s problems, and (ironically) much higher levels of competence and professionalism among government workers. Even as they tried to reduce the size and change the role of bureaucracies, presidents such as Jimmy Carter, George W. Bush, and Bill Clinton acknowledged the honesty, integrity, and demonstrated talents of the vast majority of administrative officials. Unlike his son, the forty-third president, George H. W. Bush, the forty-first president, was even more openly supportive of public administrators. President Bill Clinton placed considerable emphasis on “empowering” federal employees so that they might do their best work. Clinton went further than any other recent president in suggesting that it was “time to shift from top-down bureaucracy to entrepreneurial government that generates change from the bottom up. We must reward the people and ideas that work, and get rid of those that don’t.”

Public administration scholar Charles Goodsell and others have suggested that government bureaucracies and administrators do not, in fact, deserve such harsh criticism. The essence of his argument is that, despite shortcomings inevitably found in all complex organizations, America’s government bureaucracies perform quite well. This is the case whether bureaucratic performance is measured by objective standards, in comparison with that in most of the other nations of the world, or (as noted earlier) in terms of citizens’ satisfaction with their dealings with government administrators. Goodsell realistically summarizes his position this way:

Our government agencies are riddled with examples of incompetence, negligence, inflexibility, and many other flaws. So, too, our government bureaucrats include men and women who should not be in their positions for reasons of sloth, bad manners, poor judgment, and other faults. My point, however, is that the flaws and the faults are far fewer on a proportional basis than is generally thought. And they are more than outweighed in frequency and importance by instances of dedicated service on behalf of public missions important to all citizens. Most governments of the world would be pleased to possess a public bureaucracy of the quality of our own.

Goodsell thus focuses attention on the sometimes unthinking criticisms of bureaucracy that have characterized much of our national dialogue in the recent past. Scapegoating (that is, blaming) bureaucracy as a whole and individual bureaucrats for societal ills only makes it more difficult for the rest of us to acquire a clearer understanding of what it really is and how it really operates in our governmental system and our society at large.

At the same time, although people vent their frustrations on bureaucracy in general, there is surprisingly strong evidence of favorable citizen reaction to direct dealings with individual bureaucrats and bureaucracies. It has even been suggested by a reputable observer that public administrators "could not be engaged in more important or more honorable work... however they may be judged by the public they serve." Why, then, has public respect for these officials varied so much?
Chapter 1: Approaching the Study of Public Administration

Part of the answer is that they may appear to constitute something of a government “elite” in an era when angry and cynical voices are heard more forcefully. Or, perhaps, the very complexity of the problems currently confronting government decreases the likelihood of complete solutions, despite the serious efforts of more competent people. The more complex the problems, the greater the discretionary authority vested in bureaucracies to attempt to deal with them. Finally, perhaps, the public has come to expect too much from government (sometimes encouraged by the mass media and public officials themselves) and has made bureaucrats into scapegoats for not meeting public expectations. Whether bureaucrats are deserving of these harsh sentiments is another matter.

What Is Public Administration?

Public administration may be defined as all processes, organizations, and individuals (the latter acting in official positions and roles) associated with carrying out laws and other rules adopted or issued by legislatures, executives, and courts. This definition should be understood to include considerable administrative involvement in formulation as well as implementation of legislation and executive orders; we will discuss this more fully later. Public administration is simultaneously a field of academic study and of professional training, from which substantial numbers of government employees currently are drawn.

Note that this definition does not limit the participants in public administration to administrative personnel, or even to people in government. It can and does refer to a wide and varied assortment of stakeholders, that is, individuals and groups with a common interest in the consequences of administrative action. Among stakeholders, the foremost perhaps are the administrators themselves. Also included are members of the legislature, legislative committees, and their staffs; higher executives in the administrative apparatus of government; judges; political–party officials whose partisan interests overlap extensively with issues of public policy; lobbyists (that is, leaders and members of interest groups) seeking from the government various policies, regulations, and actions; private contractors who perform services or produce goods for public agencies; mass-media personnel (particularly in their “watchdog” role over the actions and decisions of public officials); and members of society at large who, even when they are not well organized, can have some impact on the directions of various public policies. Furthermore, public administration involves all those just mentioned in shifting patterns of reciprocal (mutual) relationships—in state, local, and federal governments as well as in national–state–local (that is, intergovernmental) relations. The politics of administration involve agency interactions with those outside the formal structure as well as interactions among those within administrative agencies; we are concerned with both.
The Managerial Role

Let us consider another dimension of public administration: the managerial, or management, side. Although the emphasis in this book is on the “politics of bureaucracy,” as some have called it, managing government performance has always occupied a place of major importance in the discipline of public administration and is becoming increasingly important in making government more productive. Managerial aspects of public administration have as their primary focus the internal workings of government agencies, that is, all the structures, dynamics, and processes connected with operating government programs. The terms public administration (as used in this text) and public management are both concerned with implementing policies and programs enacted through authoritative institutions of government. But, even though they may appear to be interchangeable terms, the latter emphasizes methods of organizing for internal control and direction for maximum effectiveness, whereas the former addresses a broader range of civic, electoral, and social concerns.

Despite these differences, there is general agreement that managerial skills and relevant experience are essential prerequisites to operate public agencies. Networking and organizing skills that can be performed with more or less competence are the indispensable foundation on which actual operations are built and sustained. An important point for the public manager is that action is expected, even if it is not necessarily advisable or convenient. Managers must often take actions to move the organization in the face of strict deadlines within a range of choices that is far less than ideal. (One of the reasons the Bush administration suffered a “competence gap” following its delayed response to Hurricane Katrina was the absence of experienced leadership in key positions within agencies such as the Federal Emergency Management Agency [FEMA].) These elements make up a large part of the public manager’s existence in, and contribution to, the totality of public administration.

Another concern is the growing emphasis on individual character and leadership (stable personalities providing vision and direction for an organization) as opposed to simply managing established, routine operations (see Chapter 6). There is also a renewal of interest in improving the quality and reliability of services provided in both public and private organizations and, with it, the possibility of a new conception of the relationship among managers, their frontline service providers, and the “customers” (that is, the recipients of services). Unlike the traditional top-down bureaucratic chain of command, this conception envisions a reverse pyramid with line workers responsive to the customers of public-service organizations, and managers at the base of the triangle, supporting the frontline employee (at the point or tip of the triangle). Another concern is the prospect of transforming organizational structures—given the many changes in information technology and its enhanced uses for service provision—and regarding the changing roles of managers and leaders. Still other concerns for managers include the

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**Public Management**

A field of practice and study central to public administration that emphasizes internal operations of public agencies and focuses on managerial concerns related to control and direction, such as planning, organizational maintenance, information systems, budgeting, personnel management, performance evaluation, and productivity improvement.

**Reverse Pyramid**

A conception of organizational structure, especially in service organizations, whereby managerial duties focus on providing necessary support to frontline employees (particularly those whose work centers around information and information technology) who deal directly with individuals seeking the organization’s services.
Chapter 1: Approaching the Study of Public Administration

challenge of providing career development and job enrichment for employees, encouraging participatory management, and applying emergent total quality customer service management techniques to the tasks of running large, complex bureaucratic organizations. Public managerial responsibilities have become more complicated and, at the same time, more challenging and potentially beneficial to employees, citizens, managers, and their organizations.

Principal Structures of the National Executive Branch

Constitution of the United States

The U.S. Constitution is silent on the subjects of public administration and management, except to refer to the president’s responsibility to “faithfully execute the laws.” The structures that exist today are products of congressional action, as are many of the procedures followed within public administration. The national executive branch is organized primarily into five major types of agencies, four formal bases, or foundations, of organization, and four broad categories of administrative employees. These deserve consideration because they affect both the way administrative entities function and the content of policies they help to enact. (For additional details of all agencies, see http://www.USA.gov.)

Cabinet-Level Executive Departments

Sometimes referred to simply as “departments,” they are the most visible, though not necessarily the largest, national executive organizations; this is also true in most states and localities. As of mid-2008, there were fifteen departments in the national executive branch—for example, the departments of State, Defense, Commerce, the Treasury, Justice, Labor, and the Interior (see Figure 1–3). Each department is headed by a secretary and a series of top-level subordinates, all of whom are appointed by the president with the approval of the Senate (such approval is rarely withheld). Their main function is to supply policy leadership to their respective departments on behalf of the president but, in practice, they also speak to the president for their departments (see Chapter 7). One of the newest cabinet-level divisions is the Department of Homeland Security (DHS), the product of controversial reorganization of all or parts of twenty-two existing federal agencies with nearly a $50 billion budget (which more than tripled its available resources following Hurricane Katrina) and 180,000 employees, that centralizes functions as diverse as customs, immigration, transportation security, the Secret Service, and emergency management (see Figure 1–4).
Figure 1-3: The Government of the United States, 2008

Several federal agencies which now function under the reorganized DHS were transferred from other departments (in parentheses): they include the U.S. Customs Service (Treasury), Immigration and Naturalization Service (Justice), FEMA (General Services Administration), the Transportation Security Administration (Department of Transportation-DOT), and the U.S. Coast Guard (DOT). One of the major functions of the Transportation Security Administration (TSA) is the hiring and training of all of the new federal airport security screeners. In addition, the TSA has many other responsibilities under the Aviation and Transportation Security Act of 2001. Security at U.S. ports as well as safety on other forms of commercial travel is also a responsibility of the TSA. The TSA and DHS Undersecretary for Border and Transportation Security are charged with ensuring the safety of traveling Americans and coordinating efforts with law enforcement so that intelligence gathered concerning possible threats to transportation safety can be shared and appropriate steps taken to ensure security.

Departments are composed of many smaller administrative units with a variety of titles, such as bureau, office, administration, and service. Within the Department of Transportation (DOT), for example, one finds such diverse units as the Urban Mass Transportation Administration (UMTA), the Federal Aviation Administration (FAA), and the National Transportation Safety Board (NTSB). The Bureau of Land Management (BLM) is subsumed within the Interior Department; and the Health Care Financing Administration (HCFA), the Public Health Service (PHS), and (most significant) the Food and Drug Administration (FDA) are all part of the Department of Health and Human Services (DHHS). The fact that bureaus or offices are located within the same departmental structure does not necessarily mean that they work cooperatively on any one venture; in fact, conflict among agencies within the same department is not uncommon (though efforts such as the creation of a Department of Homeland Security have been made to reduce such conflict). Finally, departments and their subunits generally are responsible for carrying out specific operating programs enacted by Congress; they have, and attempt to maintain, fairly specific program jurisdiction (area of programmatic responsibility) and often concrete program objectives. For examples of the various divisions of the DHS, and the approximate percentage of total 2008 budget devoted to each agency or function, see Table 1–1. The U.S. Customs and Border Patrol (CBP), for instance, received the largest share (22%) of the total DHS budget; the U.S. Coast Guard (USCG) received 19%; the Transportation Security Administration (TSA) was allocated 14%; and FEMA, 13%.

**INDEPENDENT REGULATORY BOARDS AND COMMISSIONS**

Among such organizations are the Federal Trade Commission (FTC), Federal Reserve Board (FRB), National Labor Relations Board (NLRB), Securities and Exchange Commission (SEC), and U.S. International Trade Commission.
These organizations are a second major type of administrative entity and differ from cabinet-level departments in a number of important ways. First, they have a different function—namely, to oversee and regulate activities of various parts of the private economic sector. Second, their leadership is plural rather than singular; that is, they are headed by a board or commission of several individuals (usually five to nine) instead of a secretary. Third, they are designed to be somewhat independent of other institutions and political forces. Members of these entities are appointed by the president with Senate approval (as are senior department officials) but have more legal protection than do Cabinet members against dismissal by the president; in addition, they normally serve a term of office longer than that of the appointing president. In relation to Congress, these entities are supposedly somewhat freer to do their jobs than are departments and

### Table 1-1: Percent of Total DHS Budget Authority by Organization, FY 2008

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<th>Organization</th>
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<tbody>
<tr>
<td>CBP</td>
<td>22%</td>
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<tr>
<td>ICE</td>
<td>11%</td>
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<tr>
<td>TSA</td>
<td>14%</td>
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<tr>
<td>USCIS</td>
<td>6%</td>
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<tr>
<td>FEMA: Grants</td>
<td>5%</td>
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<tr>
<td>FEMA</td>
<td>13%</td>
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<tr>
<td>USCG</td>
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<td>USSS</td>
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<td>NPPD</td>
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<td>DNDO</td>
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<td>FLETC</td>
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<td>FEMA: Grants</td>
<td>5%</td>
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**Notes:**

1. The following offices are less than one percent of the total budget authority and are not labeled in the chart above: Office of the Inspector General, Office of Health Affairs.
2. Departmental Operations is comprised of the Office of the Secretary & Executive Management, the Office of the Federal Coordinator for Gulf Coast Rebuilding, the Office of the Undersecretary for Management, the Office of the Chief Financial Officer, and the Office of the Chief Information Officer.

their subunits; in practice, this is questionable, but the design does have some impact. Finally, these entities are designed to regulate private-sector enterprises in a detached and objective manner and are expected to prevent abuses, corruption, and the like. Some controversy has existed, however, over just how detached and objective these organizations have been in relation to those they regulate.

Independent regulatory boards and commissions are not, however, the only government entities having regulative responsibilities. A phenomenon of considerable importance is the growth of government regulation since 1960 through a wide variety of other administrative instruments. Examples include the FAA, state departments of transportation, the NTSB, and the FDA. These agencies play important roles in their respective policy areas with regard to setting rules and standards for those in the private sector. The increasing incidence of government regulation has spawned rising political discontent over the scope and content of regulatory activity. Former President Clinton and Vice President Gore ordered a cost–benefit analysis (detailed in Chapters 10 and 11) of what were called “important” regulations and called for the dissolution of those that were deemed “insignificant.” They found that it is very difficult in a large bureaucracy to get rid of the bad rules and make the good ones easier to understand. Sorting out the necessary from the unnecessary is a task—involving significant discretionary authority—heavily influenced by private interests, congressional intent, and procedures governing regulatory agencies, boards, and commissions. In Chapter 11, we will explore the politics of regulatory reform more fully.

**Government Corporations**

These are national, state, or local government organizations that are identical to private corporations in most of their structures and operations except one: they are government-owned. Also, while some (such as the National Railroad Passenger Corporation or Amtrak and local public utilities) seek to make a profit, others (such as the Federal Deposit Insurance Corporation and the Lower Colorado River Authority of the state of Texas) do not. These are conceived as corporate entities for a number of reasons. First, their legislative charters allow them somewhat greater latitude in day-to-day operations than other agencies enjoy. Government corporations also have the power to acquire, develop, and dispose of real estate and other kinds of property while acting in their own names (rather than in the name of the parent government). Finally, they can bring suit in a court of law and are legally liable to be sued, also in their own name. They are each headed by a board of directors, much as private corporations are, and are engaged in a wide variety of governmental activities. Three of the newest and largest of such entities are Amtrak, the Corporation for Public Broadcasting, and the U.S. Postal Service (with nearly 800,000 employees, almost one-third of all civilian federal workers); two of the oldest, both founded in the 1930s, are the Federal Deposit Insurance Corporation (FDIC) and the Tennessee Valley Authority (TVA).
EXECUTIVE OFFICE OF THE PRESIDENT (EOP)

The EOP is a collection of administrative bodies that are physically and organizationally housed close to the Oval Office and designed precisely to work for the president. Several of these entities are especially prominent and important: (1) The White House Office, located at 1600 Pennsylvania Avenue, consists of the president’s key staff aides and staff directors. (2) The Office of Management and Budget (OMB) assists the president in assembling budget requests for the entire executive branch and forwards them to Capitol Hill as the president’s annual budget message, coordinates operating and regulatory programs, develops high-quality executive talent, and improves management processes throughout the executive branch. (3) The Council of Economic Advisers (CEA) is the president’s principal research arm for economic policy; it frequently influences the president’s economic thinking (not surprisingly, since presidents usually appoint to the CEA economists who reflect their own economic philosophy). (4) Entities such as the National Security Council (NSC), designed originally as forums for generating a broad overview of policy directions, consist of the president, vice president, key cabinet secretaries, and other officials. The formal purpose of these entities is to monitor and assess administration policies. Most of these entities become directly involved in policy making to a greater or lesser degree, according to each president’s preferences. As staffs have grown larger, however, actions can be (and increasingly have been) taken without direct presidential supervision, as the Iran–Contra affair during the second Reagan administration (1985–1989) involving the NSC clearly illustrates (for elaboration, see Chapter 6, page 269).13

OTHER INDEPENDENT EXECUTIVE AGENCIES

Finally, there are miscellaneous independent agencies that have no bureaucratic departmental “home” but fit no other category we have discussed. Among these are the Office of Personnel Management (OPM) and the Merit Systems Protection Board (MSPB), formerly combined as the U.S. Civil Service Commission, which together oversee the national government’s personnel system; the U.S. Mint; the General Services Administration (GSA), the government’s office of procurement, property and supply; the Office of Government Ethics (OGE) discussed in Chapter 5; and the Environmental Protection Agency (EPA).

FOUNDATIONS OF ORGANIZATION

The foundations of organization, mentioned earlier, are function, geographic area, clientele, and work process. The most common organizational foundation is according to function, indicating that an agency is concerned with a fairly distinct policy area but not limited to a particular geographic area.
Organization according to geography indicates that an agency’s work is in a specific region; examples include the TVA, the Pacific Command of the Navy, and the Southern Command of the U.S. Army.

Clientele-based agencies are agencies that appear to address problems of a specific segment of the population, such as the (old) Veterans Administration (VA) or the Bureau of Indian Affairs (BIA) and the “new” Social Security Administration (SSA), which was separated from the Department of Health and Human Services and became an independent agency on March 31, 1995. The label clientele-based agency may be misleading for two reasons. First, every agency has a clientele of some kind—a group or groups in the general population on whose behalf many of the agency’s programs are conducted. For example, farmers are clients of the Department of Agriculture, skilled and semiskilled laborers are associated with the Labor Department, and coal interests are linked to the Bureau of Mines. Similarly, the decision to reestablish a separate SSA in 1995 (as an independent agency as it was before merging with the Department of Health, Education and Welfare in 1953) recognized the increasing political influence of its clientele as well as the importance of domestic spending of about $1.2 trillion for Social Security, Medicare, and Medicaid in fiscal year (FY) 2008—nearly 45% of all funds appropriated by the federal government. (According to FY 2008 federal budget documents, total spending for these three programs is estimated to increase to more than $1.5 trillion by FY 2012.)

The label also may be misleading because these clienteles may not always be satisfied clienteles. The VA and the BIA are, in fact, excellent illustrations of agencies whose clienteles often have complained about some aspect of agency performance. In 1975, various veterans’ groups and individual veterans protested vigorously about the VA’s alleged shortcomings in awarding and processing veterans’ benefits, to the point that a virtual sit-in took place in the VA director’s office. Likewise, the BIA was, for a time, a principal target of the American Indian Movement and others who expressed dissatisfaction with government management of Native American problems on and off the reservation. With both the VA and the BIA, a clientele was the most dissatisfied group—a not uncommon situation in bureaucratic politics. Likewise, the decision to re-create an independent SSA anticipated the intergenerational conflict and continuing controversy over the future of federal Social Security retirement benefits and Medicare, the federally funded health care program for the elderly.14

Work process agencies engage predominantly (if not exclusively) in data gathering and analysis for some higher-ranking official or office and rarely if ever participate formally in policy making (although their work can have policy implications). Agencies such as the Economic Research Staff of the Department of Agriculture, the Economic Studies Division of the Federal Energy Regulatory Commission, the U.S. Census Bureau, and the Soils Research Staff of the U.S. Geological Survey fall into this category.

Individual administrators occupying the multitude of positions in the various agencies can be categorized several different ways. For example, most
national government administrators are merit employees, which means that they are presumably hired, retained, and promoted because they have the skills and training necessary to perform their jobs. Of the approximately 2.9 million full-time civilian employees in the federal government, about 92% work under a merit system of some kind. The remaining 8% include unionized employees not subject to merit hiring procedures (such as blue-collar workers in shipyards and weapons factories) as well as political appointees, some of whom can be removed by the president. In the latter group, numbering some 3,000 individuals, are the highest-ranking officials of the executive branch, including cabinet secretaries and undersecretaries, regulatory commissioners, and EOP personnel (see Chapter 7). Another way of viewing administrative employees is as either specialists or generalists. The term specialist refers to employees at lower and middle levels of the formal hierarchy whose responsibilities center on fairly specific programmatic areas. The term generalist is used to describe those in the higher ranks of an agency whose responsibilities cover a wider cross section of activities within the agency, involving some degree of supervision of various specialists in the ranks below.

The national executive branch, then, is organized primarily into five major types of agencies, with four formal bases of organization (function being the most common) and four broad categories of employees. State and local governments are different, though, and are worth considering briefly for the same reasons that we have examined the national executive branch: the administrative structure has some impact on the way the machinery of government functions and on the content of policies it helps to implement.

**State and Local Government Structures**

In general, states and larger local governments resemble the national government in composition and organization of their executive-branch agencies. Most states now have numerous cabinet-level departments; states also have a wide variety of regulatory bodies, some government corporations, and miscellaneous agencies. Similarly, most governors have fairly strong executive-office staffs responsive to the governor’s leadership (see Chapter 6).

There are nearly 88,000 governments in the United States and, except for the federal and state governments, all are local governments such as cities, counties, townships, and school or special districts. Individual state and local governments are smaller and more numerous than their federal government counterparts. Despite the relatively large number of governments, over 90% of all public agencies (offices, police departments, schools, and so on) are comprised of fewer than 50 employees. There are also more elected local officials than state and federal ones: 96% of all 513,200 elected officials serve on elected boards or commissions in local governments (Table 1–2). These elected governments are small governmental units averaging only about six
TABLE 1-2 The Number of Governments and Elected Officials in the United States

<table>
<thead>
<tr>
<th>Level of Government</th>
<th>Elected Officials</th>
<th>(Percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>1 National</td>
<td>537 (3.8)</td>
</tr>
<tr>
<td>State</td>
<td>50 State</td>
<td>18,828</td>
</tr>
<tr>
<td>Local</td>
<td>87,849 Local</td>
<td>493,830 (96.2)</td>
</tr>
<tr>
<td>Special districts</td>
<td>35,356 Special districts</td>
<td>84,089 (17.0)</td>
</tr>
<tr>
<td>Municipalities</td>
<td>19,431 Municipalities</td>
<td>135,531 (27.0)</td>
</tr>
<tr>
<td>Townships</td>
<td>16,629 Townships</td>
<td>126,958 (26.0)</td>
</tr>
<tr>
<td>School districts</td>
<td>13,522 School districts</td>
<td>88,434 (18.0)</td>
</tr>
<tr>
<td>Counties</td>
<td>3,034 Counties</td>
<td>58,818 (12.0)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>87,900</td>
<td>513,200 (100)</td>
</tr>
</tbody>
</table>


elected representatives per jurisdiction. States and communities also vary in terms of climate, economies, geography, population size, topography, type of government, and urbanization, as well as the individual characteristics of residents. For example, the state of Hawaii has only 21 governments (and only 1 municipal or city government) as compared to the state of Illinois with 6,723 governments. Citizens of Hawaii have just 1.7 governments per 10,000 residents, whereas citizens of North Dakota have almost 243 for the same number of residents. These extreme variations among states and local governments reflect a history of independence from the federal government and a tradition of self-governance and local control.

Some state agency structures reflect past or present influences of particular interest groups more than those in Washington do. One example was Pennsylvania’s powerful Department of Mines and Mineral Industries, indicative of the role played in that state’s economy by coal mine owners over the years. Another is the Illinois Department of Aging, created in the mid-1970s in response to the emergence of a growing constituency with common problems of senior citizenship. These so-called special interests have “their” agencies in the national government, of course, but a pattern found in many states is the creation of somewhat higher-level agencies in response to constituency pressures. Another distinctive feature of some state executive structures is greater legislative control over some individual agencies’ budgets and personnel, in comparison to Congress’s hold over national government agencies. This varies, however, from state to state.

Larger cities like New York, Chicago, Houston, Philadelphia, Atlanta, Boston, and Los Angeles have bureaucratic arrangements not unlike those in state and national governments. (Two examples, Los Angeles’s and New York’s government organization, are illustrated in Figures 1–5 and 1–6.) There is a
FIGURE 1-5 Organizational Chart, City of Los Angeles, 2003

SOURCE: Adapted from an Organizational Chart of the Mayor’s Office, City of Los Angeles, 2007.

THE VOTERS OF THE CITY OF NEW YORK
BOROUGHS OF THE BRONX, BROOKLYN, MANHATTAN, QUEENS AND STATEN ISLAND

BOROUGH PRESIDENTS
THE BRONX
BROOKLYN
MANHATTAN
QUEENS
STATEN ISLAND

COMPTROLLER

MAYOR
PUBLIC ADVISOR

OFFICE OF POSTAL ADMINISTRATION
FRANKLIN D. ROOSEVELT EMPLOYMENT FULL-FAWAY AGENCY
PROSECUTORS' POLICY BOARD

BOROUGH OFFICES
COMMUNITY BOARD

CITY CLERK

ALL DISTRICT ATTORNEYS
OFFICE OF SPECIAL MANDATES

INDEPENDENT BUDGET OFFICE

DEPUTY MAYOR FOR FINANCIAL AFFAIRS
DEPUTY MAYOR FOR PROCUREMENT
DEPUTY MAYOR FOR PAYROLL

JOIN BOARD OF EDUCATION
JOIN BOARD OF HEALTH
JOIN BOARD OF NEIGHBORHOODS
JOIN BOARD OF ZONING

OFFICE OF THE CITY CLERK

I OFFICE OF THE CITY TREASURER

OTHER AUTHORITIES, BOARDS, COMMISSIONS

great deal of administrative specialization, a directly elected chief executive (mayor) with a highly developed executive-office staff, and similar bases of organization.

There are, however, some differences between local governments and state and national governments. Local party politics frequently play a more prominent role in shaping municipal policy making (notably in Chicago, Boston, Philadelphia, and New York), and local public-employee unions have a great deal of influence in many cities (see Chapter 7). Local government activity is more heavily oriented to providing such essential services as water, sewage disposal and sanitation, and police and fire protection than to broader policy concerns, such as education, health care, welfare reform, and mass-transit development.

In smaller communities, as well as in many counties and townships, bureaucratic structures are not very numerous or sophisticated. This can sometimes (although not always) mean that professional expertise is not as firmly established in local government as it is in most state governments and the national government. This lack of expertise is often reflected in the limited quantity and quality of programs enacted by many local governments, a pattern particularly visible in some rural county governments, many smaller towns and villages, and most special districts (although with declining frequency). As noted earlier, many local governments concentrate on providing basic urban services, with less emphasis on the sort of operating programs and regulatory activities that characterize state and national administration. The larger the unit of local government, the more likely its bureaucracy is to resemble state and national administrative agencies.

**Politics, Policies, and Organizational Structure**

In this section, we will review several traditional conceptions relating to bureaucratic activity and discuss how our political system has affected American bureaucracies in light of these conceptions. This is an introductory treatment only, for our complex political processes cannot be described adequately in a few words; the same is true of the impacts of that political complexity on our public administrative institutions. Even this brief discussion, however, will help to set the stage for a fuller exploration of the political values that underlie our governmental processes, the administrative values that have helped to shape the conduct of public administration, and the many facets of intergovernmental relationships (Chapter 2).

At first glance, questions of organizational structure may not appear to carry many political overtones. But formal organizational arrangements do not simply appear, and they are anything but neutral in their consequences. The choice of organizational structure may both reflect and promote some interests over others because a particular structure is the product of decisions reached through the political process by a particular majority coalition,
whether directly (as through congressional action) or indirectly (as when the president proposes executive reorganization). Those who organize or reorganize an agency in a certain way obviously have reasons for doing so, one of which is usually promotion of their own policy interests. For example, President George H.W. Bush highlighted his concern for our nation’s military veterans and expanded the access of veterans’ groups to top policy makers in Washington by creating the Department of Veterans Affairs in March 1989. Similarly, the Clinton administration’s decision to separate the SSA from the U.S. Department of Health and Human Services highlighted the importance of recognizing the rights of disabled, elderly, and retired persons, and all others who might be eligible for supplemental social-insurance income. In effect, the SSA was protected from future presidents who might seek to change, dismantle, or privatize the agency’s basic functions. Despite George W. Bush’s concerted lobbying efforts to fulfill his 2004 campaign promise to make fundamental changes the Social Security system, opposition from bureaucratic interests, among others, contributed to the defeat of several legislative proposals in 2005 to privatize a portion of individual Social Security contributions for younger workers.

THE POLITICS OF ORGANIZATIONAL STRUCTURE

Another important dimension of administrative organization is the political setting in which agencies operate; at the same time, structural arrangements can have significant political implications for administrative agencies. Here we will take a closer look at the political importance of structural arrangements, at both the national and local government levels, using as illustrations the establishment of the Department of Veterans Affairs (DVA) by the first Bush administration, the Department of Homeland Security (DHS) in 2003, and the Director of National Intelligence (DNI) in 2005, both by the second Bush administration. The generalizations cited below apply with equal force to the executive branches of state and local governments.

Organizational form can signify a number of things. First, a particular organizational structure demonstrates commitment to one set of policy objectives instead of another. It can also foreshadow adoption of a distinct policy direction, either in an individual policy area or in broader policy terms. The first President Bush’s action to promote the Veterans Administration (VA) to cabinet status as the Department of Veterans Affairs (DVA) was taken in opposition to career administrators and even some influential leaders of the president’s own party. It contradicted the general strategy of other Republican policies (such as the New Federalism of the 1980s) that were designed to reduce bureaucracy, save expenses, and weaken federal management of government programs. Despite these concerns and intraparty inconsistencies, however, the DVA was organized, largely in response to pressures from veterans’ groups.
Second, a particular structure helps to order priorities by promoting some programs over others. President George H. W. Bush was a decorated World War II veteran himself, and elevation of existing veterans’ services agencies into the cabinet changed both the symbolism and reality of administrative politics. The relatively higher priority of issues affecting veterans was also highlighted by the creation of a cabinet department to deal with it; such status carries with it increased prestige, not to mention visibility, both of which can be very useful to an agency. Furthermore, that sort of commitment from the chief executive, combined with more prominent organizational status, often leads to increased access to committees and influence in the legislature.

Finally, whereas a particular structure may provide greater access to influence for some interests, it could mean less for others. Structure and jurisdiction are at least indirectly related and, although changes in jurisdiction may not necessarily be accompanied by a change in structure, any change in structure will inevitably result in some reallocation of program jurisdiction.

Access and jurisdiction are also related. Stakeholders have meaningful access, at best, only to those administrators responsible for the programs with which these groups are concerned. Changes in jurisdiction, however, will often force affected groups to reestablish lines of access. Such changes could cause difficulties for these groups, especially in persuading new working partners to their points of view. Furthermore, stakeholders normally prefer to have all related programs clustered under one administrative umbrella because that allows them to influence the full range of programs. It is also likely that such an arrangement will be managed by administrators sympathetic to programs for which they are responsible. Scattering the same programs among different agencies and administrators may result in more hostile treatment of both programs and interest groups. Executive reorganizations involving the merger of existing agencies and congressional relationships may also create problems for stakeholders.

The politics surrounding structural rearrangements are often highly controversial, as the second Bush administration discovered while implementing its cabinet-level Department of Homeland Security. The tragic events of 9/11 exposed conflicts and lack of coordination and communication among federal, state, and local law enforcement officials, and fragmentation of information-sharing procedures and capabilities. Creation of the Department of Homeland Security, the largest reorganization of the federal government since the Department of Defense was established in the late 1940s, illustrates the dynamics that fostered the very problems the new department is expected to solve (Table 1–1). Combining agencies such as the Federal Emergency Management Agency, the Immigration and Naturalization Service, the U.S. Coast Guard, and the U.S. Customs Services into a single “superagency” did not erase historical lines of communication among constituents, officials, and members of Congress that have existed for decades. Although Congress agreed with the reorganization of homeland security functions, no changes were made in the committee structures responsible for authorization and...
appropriation of funds for the various components of the new agency. There are at least 9 committees and 26 subcommittees in the House of Representatives that claim some jurisdiction over various aspects of homeland security, and this list does not include the oversight responsibilities of the House Armed Services Committee, the International Relations Committee, or the House Appropriations Committee. In the Senate, there are at least 10 committees and 22 subcommittees that arguably have some role in homeland security, without including the Senate Foreign Relations Committee and the Senate Appropriations Committee. This increases congressional involvement to at least 19 committees and 48 subcommittees.\(^\text{15}\)

After several years of congressional debate, extensive public hearings, and the publication of a critical investigating commission report, the Office of the Director of National Intelligence (DNI) was created by Congress in early 2005.\(^\text{16}\) Amid similar post-9/11 controversies, the DNI was forged by the merger of fifteen agencies—including various defense intelligence agencies and the Central Intelligence Agency (CIA)—to encourage greater cooperation and coordination among intelligence functions (Figure 1–7). Although the new office now reports directly to the president and controls about 70% of the total national nondefense budget for intelligence gathering and analysis, it has yet to define its jurisdictional boundaries. In this case, centralization could negatively impact agency influence and access to congressional authorization and appropriation committees. In addition, some observers note that separating the DNI from the analytical offices of each of the operational agencies may complicate rather than simplify the overall intelligence analysis effort.\(^\text{17}\) Despite the additional bureaucracy and centralization of management authority in Washington, the redrawn jurisdictional boundaries are likely to reflect the same conflicts and interests expressed in past arrangements.

When state and local governments reorganize, downsize, or privatize programs and policies, they are also subject to shifting coalitions and political struggles over power and administrative jurisdiction. This is clearly illustrated by the periodic effort in cities and towns across the country to redefine the form of local government structure to be adopted. This controversy has its roots in the late nineteenth and early twentieth centuries, when growing concentrations of European immigrants appeared in America’s larger cities, as well as some smaller ones. Their arrival was accompanied by more—and more powerful—political party organizations and their “bosses.”

The effort to reform American municipal government, according to the rhetoric of the time, was designed to bring about “economy and efficiency” in government, “to take the politics out of local government,” and to promote “good government in the interests of the whole community.” Municipal reform, then as now, usually involved one or more of the following structural arrangements: (1) the method of selecting the chief executive, that is, whether to have a popularly elected mayor or a professional city manager chosen by, and responsible to, the city council; (2) the extent of the chief
executive’s powers—this usually meant whether the office of the mayor was formally strong or weak; (3) whether municipal elections were to have candidates selected by political parties or on a nonpartisan basis; and (4) whether members of the city council were to be elected from specific geographic areas of the city, that is, by districts or wards, or selected at large.

Political rhetoric aside, decisions about these fundamental arrangements carry with them major implications for the distribution of political power. For example, citywide minorities have little chance of winning representation in at-large council elections but a better chance in district or ward elections (provided ward boundaries were drawn up to reflect, rather than fragment, their population concentrations). Similarly, there are numerous instances in which a chief executive elected under the strong-mayor form was almost certain to be more politically sympathetic to ethnic or minority concerns than one chosen under a weak-mayor or city-manager form. It seems clear that group preferences for or against structural reform were not arrived at by chance but arose out of perceived group self-interest. This perception occurs because ethnic voters constitute the political majority in many cities that employ the strong-mayor form. Attempts by mayors in cities or counties without the strong-mayor form of government to reconstitute their governmental systems are likely to be opposed by elected local boards and commissions who have a vested interest in maintaining the status quo.

In sum, there are clear winners and losers in this facet of politics as in all others. Organizational structures, jurisdiction, and access in different settings reflect changing alliances and the relative power of competing political forces, race and ethnic conflicts, and values.

The Dynamics of Policy Making in the United States

Governmental power and authority in America are, by design, highly fragmented and scattered, for the Framers of the Constitution feared nothing as much as excessive concentrations of power. Therefore, they did all they could to divide power among the different branches of the national government, and they gave each branch various means of checking the power of the other two. This horizontal division of power is called checks and balances. Such a division of power within national, state, and (to a lesser extent) local governments places bureaucracy in this country in a very different position from the one it occupies in parliamentary systems.

The making of public policy in the United States and the bureaucracy’s participation in that process are characterized by a number of major features. For one thing, the process lacks a centralized mechanism that comprehensively directs traffic. Rather, many centers of power are scattered throughout the executive and legislative branches. This lack of centralization produces a
great deal of slack in the decision-making system. That is, in the absence of
tight legislative or executive control, there are many opportunities for lower-
ranking executives to affect implementation of a law. This phenomenon of
administrative discretion is widespread, arising not only from structural separa-
tion of powers but also from conflicts that characterize executive-legislative
relations and from statutory language that is often broad or even vague.

It follows that there are many power vacuums throughout the decision-
making process. This is the basis for some, but not all, of the conflict between
the president and Congress and between many governors and their legis-
lateurs. The existence of a power vacuum also allows those involved in the
decision-making process to compete for relatively small amounts of power,
thereby increasing their influence (if they can) a little at a time. Among the
most active contenders for these small quantities of power are interest groups
and bureaucratic agencies, both of which seek to dominate policy making in
the areas of greatest concern to them.

It is not only formal governmental power that is fragmented and scat-
tered in American politics. So, too, is the ability to influence policy making
in specific subject areas. In other words, there is no one overarching policy
process in which the same top government officials make all decisions and
take responsibility for them. Rather, the policy-making process is broken into
many parts, and responsibility for each component is determined by a combi-
nation of factors. In such a setting, it is not uncommon for public administra-
tors to become significant players in the political game, to assume an advocacy
stance, and to take initiatives that influence the long-term development of
policies, especially in specific programs under their jurisdictions.

Thus, bureaucracy in American government differs from traditional
notions of bureaucracy in important ways. First, it functions in a system in
which power is far from centralized. Second, bureaucracy has had at its dis-
posal, for many years, a great deal of discretionary power in making day-to-day
decisions and in dealing with broader policy questions. Third, accountability is
enforced through multiple channels as a result of the fragmentation of higher
political authority (although the degree of fragmentation can vary over time).

How does all this affect the behavior of public administrators and the
growth of bureaucratic institutions? It is impossible to answer that question
entirely in a few words, but two general observations suggest the nature of the
political environment. First, bureaucracies often have independent momentum with which political leaders must contend if they are to influence bureau-
cratic activity—hardly the conditions suggested by traditional conceptions of bureaucracy. Top executives are not always able to command the civilian bureaucracy to act. Quite the contrary, senior appointed officials are viewed as part-timers, whose influence on the “permanent” bureaucracy is limited. One advantage of this situation, however, is that public bureaucracies can more easily develop continuity in their operations because career employees are directed more by strong “institutional memory” than by the influence of

any one appointed senior official (see Chapters 6 and 7). Second, bureaucratic activity focuses predominantly on the respective areas of agency jurisdiction; a bureaucracy will usually contest any significant change in the policy area for which it is responsible. Both of these phenomena indicate the non-neutral stance of American public bureaucracy. This is one of the most important differences between bureaucratic practice and any ideal model of bureaucracy against which its acceptance by the American public might be measured.

TRADITIONAL CONCEPTIONS OF BUREAUCRACY IN GOVERNMENT

Bureaucracy has traditionally been conceived of in terms of implementing directives of other government institutions as a servant of political forces external to it but not as a political force in its own right. This notion of bureaucratic neutrality is central to an understanding of the way executive-branch bureaucracies have been designed to function in Western governments for over a century. A number of companion assumptions have also been evident in administrative practice.

First, bureaucratic behavior is assumed to follow the intent of the legislature in the form of legislative enactments and guidelines for implementation. With legislative intent assumed as a principal guiding force, the bureaucracy’s responsibility to the legislature is clearly established: it relies on the legislature for substantive policy direction and for financial and political support. The legislature, in turn, looks to the bureaucracy for faithful and competent administration of the laws.

Second, there is a legitimate function of legislative oversight, or supervision, of bureaucratic behavior that logically complements legislative intent. In other words, the legislature is expected to supervise the work of the bureaucracy. Present in both assumptions is the expectation that the bureaucracy is distinctly subordinate to the will and initiative of other parts of the government.

Third, bureaucratic behavior is assumed to be subject to direction by the chief executive of the government. The apparent contradiction between chief-executive direction and legislative direction of the bureaucracy stems from the fact that these traditional assumptions were derived from parliamentary forms of government, in which the chief executive and top-level ministers are themselves members of the legislature. There is, however, a real contradiction—and often, a conflict—between chief-executive and legislative control of the bureaucracy in a system such as ours. In the United States, the chief executive and top-level executives are independent of the legislature. In fact, they are almost always prohibited from serving in the legislature at the same time that they hold executive office.

There is little question in parliamentary forms of government about how, by whom, and through what channels authority is exercised.
parliamentary governments, the chief executive and top-level ministers are themselves members of the legislature. Parliamentary government is practiced in most democratic nations, and the chief executive (prime minister or premier) is usually the leader of the majority party in the legislature (parliament). In this situation, bureaucratic responsiveness to the chief executive and to the legislature are one and the same thing. In the United States, however, such questions take on added importance because, in our system, there are no similarly convenient answers.

Finally, it was traditionally assumed that the bureaucracy would be a neutral, professional, competent structure staffed by specialists in both general administrative processes and their respective specific policy areas. The notion of a competent bureaucracy responding in a politically neutral manner to the initiatives of executives and legislators external to it seems to conform to the image of administration held by many Americans and has had a powerful influence on administrative design and practice in this country.

Explaining the Growth of Government Bureaucracy

The reasons for the growth of public administrative functions are not readily apparent. A number of possibilities exist, each of which is worth examining for the influence it may have had on the expansion of public administrative agencies.

One explanation commonly cited is that, beginning in the 1800s and continuing today, technological complexity gradually exceeded the capacities of legislative bodies and of political generalists to cope successfully. This view assumes that professional specialization in a host of fields (including the physical and social sciences, management itself, and professions such as law and medicine), in effect, invaded the public service just as it assumed far greater importance in society at large. Thus, as both the nation’s problems and methods of addressing them became more complex, specialized bureaucracies became more necessary in the process of discharging government’s responsibilities—or so the argument runs. To some extent, technological complexity has had an important effect on bureaucracy, but whether it alone triggered bureaucratic growth is not certain. On the contrary, innovations such as the widespread implementation of electronic government (e-gov) strategies are designed in theory to increase access to information about government and decrease citizen dependence on bureaucracy.

According to a second view, public pressures helped create a diversified and responsive bureaucracy, primarily because economic and social interests (stakeholders) became increasingly diverse throughout our society and government began to recognize those interests. Political scientist James Q. Wilson has referred to the phenomenon of clientelism, a term that describes the...
relationships between individual government agencies and particular economic groupings, a pattern that first appeared at about the time of the Civil War. Wilson cites another political scientist, Richard L. Schott, who noted that “whereas earlier departments had been formed around specialized governmental functions (foreign affairs, war, finance, and the like), the new departments of this period—Agriculture, Labor, and Commerce—were devoted to the interests and aspirations of particular economic groups.” That trend intensified in the twentieth century to such a degree that it is now entirely appropriate to speak of bureaucratic clienteles or constituencies in the same sense as legislative constituencies. (See Chapter 2 for an elaboration of this theme.) This view, then, suggests that bureaucracies have been created or disestablished in response to popular demand for government action or inaction in specific policy fields.

A third explanation, which has its roots in the disciplines of economics and international relations, maintains that governmental responses to crisis situations (such as economic depressions or military conflicts) cause both revenues and expenditures of government to move sharply upward. More important, after the crisis has passed, the levels do not return to their precrisis status, and new ideas of what is acceptable emerge, resulting in new “routine” levels of government activity. As we shall see in Chapter 8 on government budgeting, national government expenditure levels underwent precisely this sort of shift after the Civil War and again after World War II, with political acceptability of the change generally high in both cases. This explanation indirectly emphasizes society’s increasing readiness to turn to government for managing responses to major (and, perhaps, not so major) problems. The Bush administration’s homeland security and intelligence reorganizations were undertaken to prevent further acts of terrorism and respond to one of the greatest challenges facing public administrators since World War II. This is a clear example of crisis circumstances prompting bureaucratic (and budgetary) growth.

One final explanation, which also dates back to the late 1800s, overlaps all the previous ones. As the private economy became both more national in scope and more industrial in nature compared to the period before 1850, there developed a need for (and an implicit base of public acceptance of) greater regulation by the national government of private economic activities. Many of those regulative actions spawned new ones that, combined with the other forces at work (particularly crisis-related actions), led to the steady growth of public administrative entities.

All four of these explanations appear to have some merit; together, they paint a clearer picture of how government bureaucracy has reached its present scope. Considering “how we got here” may be useful in light of contemporary efforts to deregulate, privatize, or impose curbs or restraints on administrative agencies. Such explanations may also contribute to our knowledge and appreciation of government agencies and actions at times when civil rights, domestic security, healthcare coverage, personal liberties, and retirement savings are threatened.
Social Change and Public Administration

The social setting of public administration, like its structural and organizational arrangements, has both direct and indirect impacts, and changes in that setting, like others, carry with them potentially far-reaching implications. Several social-demographic changes during the past sixty years have been of particular importance in shaping contemporary public administration.

The most obvious changes are population growth and shifts in the demographic makeup of the population. We have become a nation of over 304 million inhabitants, from less than one-third that many a century ago and just under half that number (151 million) in 1950. This striking growth in numbers has been paralleled by increases in demands for public services. More often than not, these demands have been directed at administrative agencies (especially at the state and local level), such as police officers, firefighters, teachers and other educators, sanitation workers, and health services personnel. Related to, complicating, and intensifying this increased demand for service is a second development: the continuing concentration of people in urban areas. The greatest population growth occurred in suburban rings around larger cities, mainly in the Southeast, Northwest, and Southwest.

Perhaps more important have been major shifts in both population and economic activity from the Northeast/Midwest (Snow Belt) to the South/West (Sun Belt). During the 1970s, population growth increased faster outside the Snow Belt as states in this region lost nearly 1 million manufacturing jobs. In the 1980s, more than 90% of the nation’s population growth occurred outside the Snow Belt. Such changes continued during the 1990s and entail serious social, economic, policy, and administrative implications for regions on both ends of the migration streams. Even within the Sun Belt, growth has been concentrated in particular areas. In Florida, for example, the coastal population doubled between 1964 and 1984, and today, 12 million people live in that state’s Atlantic and Gulf Coast counties. Similarly, the population of the seventeen coastal counties of Texas increased by 64% in the period 1960–1994 and now numbers 6 million people. Today, more than one-half of all Americans live in counties adjacent to coastal areas. This demographic reality has major implications for large numbers of government programs, including emergency management, flood insurance, beach replenishment, and coastal zoning. Noncoastal states such as Arizona and Nevada have experienced similar increases in general population, and these trends in the Sun Belt are likely to continue well into the 2000s.

Several other important demographic shifts should also be mentioned. First, during the 1970s, the proportion of African Americans living in central cities declined (from 59% to 55% of all African Americans). This was the first time that any decline of that significance had occurred since the great influx of African Americans to northern cities during World War II. Second, more than 20% of the U.S. population age five or older speak a foreign language at home, and half of those individuals speak Spanish as their first language. Third,
after a period of declining birthrates, a small echo of the post–World War II baby boom has now appeared; consequently, the school-age population, which shrank during most of the 1980s, has begun to grow again. These changes pose new and complex problems for those who administer government programs in education, economic development, housing, and other social-service areas.

Globalization of the international economy has also permitted mass production and the distribution of durable goods on a larger scale than ever before. Improvements in technology, transportation, and telecommunications capabilities now allow literally billions of people to participate in a “flattened,” that is, less centralized and hierarchical, world economy. Consequently, a number of new concerns have emerged in the field of public management, concerns that have affected managers in both the public and private sectors. For example, it is increasingly apparent that equipment budgets and employee skills within all types of organizations must keep pace with developments in information technology (IT). All service organizations are coping with rapid technological change brought about by the new global economy. Adopting new technologies and adapting to these changes have become increasingly important to public administration. We have experienced a revolution in electronic communications in terms of instantaneously linking widely separated parts of the world via the Internet, World Wide Web, and satellites. An important outgrowth in this area within the public sector is the emergence of e-gov, which integrates disparate data sources into one-stop Web “portals” to improve access to information and facilitate communication between government agencies and businesses, citizens, and interested consumers. The knowledge revolution is another dimension of technological change and is giving rise to both the education industry and the expansion of privately and government-sponsored scientific research. Government regulation of, and participation in, increasingly complex technologies (such as the space program, control of environmental pollution and toxic wastes, and energy research) requires more and more sophisticated and specialized bureaucracies. This drastic alteration in technical capacity and responsibilities has had a permanent effect on the nature and course of American politics and public administration. The need for increased specialization is evident throughout much of both public and private administration. Of course, specialization is a core value in traditional conceptions of public bureaucracy; thus, movement toward greater specialization represents the extension of an existing feature rather than a new one. It has been a very important consequence for public administration that specialists both inside and outside of government have been able to be—indeed, have had to be—in closer working contact with one another as part of the policy-making process. Technology has allowed for the creation of electronic communication networks such as “blogs” (or Web logs) that make it easier for computer users to make contact with others on the network and to exchange data. This reinforces the dual patterns of more informed decision making and less centrally directed decision making (due to the limited ability of top executives
to comprehend fully all the specialties of the people in their organizations). Patterns of decentralization have been identified as a significant offshoot of the knowledge revolution that has become so much a part of American life.23

The desire for specialization is a major reason for fragmenting and compartmentalizing decision-making responsibility within a bureaucracy. Specialization gives a staff or organization considerable discretionary authority within its jurisdiction. To the extent that personnel systems are based on job-related competence that includes increasingly specialized knowledge, these tendencies toward specialization are likely to be reinforced.

Political decisions to address new problems, or to identify as problems certain conditions already present in society, have almost always enlarged the responsibilities of administrative bodies. This suggests that many of today’s challenges, such as global warming, environmental pollution, energy use and conservation, population growth and stability, health care reform, and mass transit (to name only a few major ones), have actually been with us for some time. In all of these cases, changes in societal values preceded identification of the problems. Even though certain situations may not as yet have been widely regarded as areas requiring public action, and although the results of serious and systematic research may have been suppressed by the Bush administration, there is still a need for debate over the scope and nature of particular governmental actions to address them.24 Administrative entities empowered to deal with these problems are thus drawn into controversies surrounding the nature of the problems themselves as well as the methods used to resolve them.

In sum, the combined effects on bureaucracy of population growth and geographic redistribution, vast changes in our knowledge and technological capabilities, specialization, and the rise of new, complex environmental and social problems have been profound and probably irreversible. Many of these changes are global in nature and impact governance in many different countries (as detailed in Chapter 12). Clearly, change in American society has led to new, unforeseen, and complex pressures on our machinery of government at all levels. Public administration has a history of conflict with its parent discipline (political science), and growing controversy exists over just where public administration belongs intellectually and institutionally. It is within this volatile setting that we take up our study of public administration.

Public and Private Administration: Similarities and Differences

Many similarities exist between administrative activities in the public and private sectors. In fact, many elements of public administration have their roots in the private sector. There are those who assume that whatever differences exist are relatively minor and that what works effectively in one setting will also work in the other; thus, for example, the recurring themes that we should
make government more businesslike, provide public services equal to the best in business, and bring sound management methods from business into government. But the notion that there are few if any important differences between public and private administration is undergoing intense scrutiny. There is no consensus about the nature of “publicness” in organizations. Scholars are divided over the importance of an organization’s public or private status. Along with other factors, this has led to increasing reliance on **nonprofit, faith-based, or “third-sector” organizations** to deliver government services. Although some parallels do exist, there are also critical differences between the public and private sectors.

First the similarities. In both settings, managers and those to whom they are accountable have an interest in running programs and other activities that are properly designed, appropriately directed to meeting their intended goals, efficient in expenditure of organizational resources, and effective in their results. Public and private managers are both concerned with meeting their staffing needs, motivating subordinates, obtaining financing, and otherwise conducting their operations so as to promote the survival and maximum impact of their programs. All this involves some “politics,” both internal and external to the organization. There are agreements to be reached and maintained, elements of persuasion and coercion to be weighed, and gains and losses to be realized. The president of the Ford Motor Company and the secretary of Health and Human Services—as well as Ford’s chief research engineer and the administrator at the FDA—have to be concerned with many of these same managerial issues, which must be carefully planned for and acted on to promote their organization’s interest.

On the other hand, important elements of the managerial environment (including its politics) differ for public and private managers. One fundamental difference is that, in the private sector, products or services are furnished to individuals based on their own needs or wants in exchange for a direct (usually monetary) payment—a **quid pro quo** transaction (defined as “an exchange of one valued commodity—such as a product or service—for another—such as money or a promise to pay”).

In the public sector, however, the goal of the manager historically has been to operate programs or provide services on a collective basis (rather than directly to individuals), supported in the great majority of cases by tax revenues, not direct payments (such as user charges or fees) for services rendered (although this has been changing since the 1970s). Another key difference is that private organizations define their markets and set their own broad goals, whereas public organizations and managers are obligated to pursue goals **set for them by their legislatures**. Public managers have relatively little freedom to alter basic organizational goals. Thus, whereas private managers can use an internal measure (the bottom line of profit or loss) to evaluate their organization’s performance, public managers are subject ultimately to evaluation by outside forces (especially the legislature, the chief executive, the courts, and
often the public itself), and it is those outside forces—not open markets—that have the critical last word in judging how well a public organization fulfills its responsibilities. Public managers, moreover, have been evaluated in somewhat nebulous and ill-defined terms. Until recently, for example, many managers have had more incentive to focus on satisfying interested clienteles and on holding and expanding political support than on substantive performance by itself. Meaningful, objective performance measures were largely lacking in the public sector until the mid-1970s, even where managers had sought to use them. New emphases on efficiency, productivity, and accountability for results have produced fresh concern for such measures (see Chapter 10)—another sign of increasing similarity between public and private organizations.

Other differences also exist. For one thing, many public organizations have held a virtual monopoly on providing certain essential public services and, consequently, have been able to survive without necessarily providing the highest-quality performance of their functions (although that, too, has clearly begun to change). Another difference is that achieving results in the public sector must compete for administrators’ attention with political and procedural concerns. Values such as participation and public accountability make it necessary for public managers to divide their attention between the results they seek and how to obtain those results. It is difficult to achieve maximum economy and efficiency while keeping a wary eye on possible political repercussions—and many public managers must do just that.

In contrast to the narrowly focused profit-oriented concern shared by most of private-sector management, there are often conflicting incentives among citizens, elected representatives, and administrative supervisors and leaders. If a consensus is lacking on what is to be done and why (not to mention how, as noted earlier), an organization will not function with the same smoothness it would if incentives were agreed on. Just as economic measures of performance have no counterpart in the public sector, general economic incentives have no parallel either.

Furthermore, most public organizations suffer from diffuse responsibility, often resulting in absence of accountability for decisions made. Separation of powers among branches of government is one factor in this, but fragmented executive-branch authority in most large governments (including those at the local level) is another. In contrast, centralized executive responsibility is a key feature of many profit-oriented organizations. (It should be noted, however, that exceptions to this generalization exist in both types of organization.) Also, unlike private organizations, public organizations entrust a fair amount of decision-making responsibility to citizen groups, courts, and various types of boards or commissions. Thus, an absolutely clear chain of command is not possible because of numerous opportunities for outside pressures to influence the power hierarchies (although some chief executives have tried to minimize those external pressures while enhancing their own leadership effectiveness; see Chapter 6).

There are still other important differences. Public-sector managers frequently must operate within structures designed by other groups (in some
states, these can include private-interest groups as well as government entities), work with people whose careers are in many respects outside management’s control, and accomplish their goals in less time than is usually allowed corporate managers. Unlike many private managers, public managers must operate in a goldfish bowl of publicity in which they are subject to scrutiny and criticism from the press, others outside the agency, and the general public. As for the media spotlight, public managers must cope with critical comments from outside, regardless of how well others understand agency purposes, empathize with operating difficulties, or consider political constraints on the manager. Conversely, the skilled public manager may be able to turn the media, as well as critical stakeholders, to the agency’s side, which can make it easier to recruit new staff, acquire more operating funds, or perhaps prevent potential critics from gaining credibility. At times, private-sector managers may have to face the same types of public criticism or have similar opportunities to generate good press. But, for the most part, their activities are significantly less exposed to public view until the final product or service has been delivered and evaluated.

In comparing the changing roles of public, private, and nonprofit sectors, two other dimensions merit consideration. In practice, these sectors are becoming increasingly interdependent: examples of this are the multibillion-dollar government bailout of failed savings and loan institutions in the early 1990s and more recent federal efforts to deal with financial and housing crises triggered by the so-called sub-prime “mortgage meltdown” since 2007 (see Chapter 9). There is also a growing tendency for governments (especially on the local and federal levels) to enter into contractual arrangements with private firms for delivery of certain services, such as corrections, homeland security, garbage collection, military security, and fire protection. For many, the distinction between public and private is becoming less important as functions continue to overlap. There has been a considerable blurring of what many once believed were well-defined boundaries between the two sectors. Nonetheless, a growing body of scholarly opinion holds that public organizations, and the roles of those who occupy key decision-making positions within them, are distinctive in important respects and that we need to develop a broader conceptual understanding of their design, function, and behavior.

Thus, although many administrative activities are common to both public and private sectors, major differences also are evident. As a result, there are obvious limits to how much the public sector can borrow advantageously from the private sector to improve the management of public affairs. As we shall see, however, those limits are breaking down as governments everywhere are being asked to do more with less (and, increasingly, to do less with less). At the same time, options are expanding as public administrators are able to choose from a much wider range of strategies to address public problems. This has led to greater interest in, and experimentation with, privatization, as well as partnerships and direct delivery of services through faith-based and nonprofit agencies. Even these emerging realities, however, do not change the fact that there are significant differences between public and private management.27
Public Administration as a Field of Study

The principal focus of public administration as a field of academic study has changed often since its emergence in the late 1800s. Changing and overlapping conceptions of the subject sometimes reflected and sometimes preceded evolution in administrative practice in the real world of government, and cross-fertilization of ideas between practitioners and academics was prominent throughout the twentieth century. Because so many public administrators were trained in formal academic programs (thus increasing the impact that academic disciplines have had on government administrative practices), it is useful to briefly review major emphases that have characterized and helped shape the academic field.28

In its earliest period, from roughly 1887 to 1933, public administration was viewed as distinct and separate from politics, more akin to business and business methods than to anything political. In his classic essay, The Study of Administration, Woodrow Wilson wrote that administration “is removed from the hurry and strife of politics. . . . Administrative questions are not political questions. Although politics sets the tasks for administration, it should not be suffered to manipulate its offices.”29 The concept of a dichotomy between politics and administration was widely accepted during this period, based not only on the writings of Wilson but also on the first textbook in the field, published by Frank Goodnow in 1900 and significantly entitled Politics and Administration. The bureaucracy was to administer, in an impartial and nonpolitical fashion, the programs created by the legislative branch, subject only to judicial interpretation. The dichotomy between politics and administration was reiterated in Leonard D. White’s Introduction to the Study of Public Administration, published in 1926. White summarized the conventional wisdom of administrative theory: Politics and administration were separate; management could be studied scientifically to discover the best methods of operation; public administration was capable of becoming a value-free science; and politically neutral administration should be focused exclusively on attainment of economy and efficiency in government.

The next phase in the development of the discipline was the movement toward discovering fundamental “principles” of administration. This offshoot of the scientific approach to administration was based on the belief that there existed certain permanent principles of administration that, if they could only be discovered and applied, could transform the performance of administrative tasks. Publication in 1927 of F.W. Willoughby’s Principles of Public Administration marked the beginning of a decade in which identifying and correctly applying these principles was the predominant concern of many, both inside and outside of academic circles. Luther Gulick and Lyndall Urwick’s Papers on the Science of Administration, published in 1937, defined seven principles that have become professional watchwords: planning, organizing, staffing, directing, coordinating, reporting, and budgeting (collectively known by the acronym POSDCORB). Gulick and Urwick reemphasized the importance of these administrative
principles, declared their applicability to almost any human organization, regardless of what the organization was or why it existed, and stressed the fundamental desirability of efficiency as the underlying goal for administrative “science.”

Even as Gulick and Urwick wrote these words, however, the dominant themes of public administration were changing. The orthodoxy of the first thirty years or so of the twentieth century—that is, the willingness of most of those in public administration to “embrace, without basic skepticism, the Wilsonian dichotomy” between politics and administration—was no longer as widely shared as it had been. The New Deal of Franklin D. Roosevelt, accompanied by a vastly expanded governmental role and the creation of scores of new administrative agencies in Washington, significantly changed the social and political contexts of public administration and sparked a crisis in the field. There were three major developments in the period 1933–1945: (1) a “drastic expansion in the public conception of the obligations and responsibilities of government in social and economic affairs”; (2) the emergence of an “enduring emphasis upon presidential leadership”; and (3) a change in the nature of the federal system, with a shift to “the national scene [of] the responsibility for most of the important policy decisions” in the economy and society at large. According to political scientist Alan Altshuler, Roosevelt had demonstrated “that patronage might be of great value in aiding a vigorous President to push through programs of social and economic reform.” Emphasis on nonpartisan neutrality could have obstructed presidential leadership in achieving social reforms supported by many academics. Blurring the politics–administration dichotomy caused considerable turmoil in the study of public administration as the discipline was cast loose from its original intellectual moorings without a clear alternative direction.

In the 1940s, with World War II commanding an even greater commitment in terms of government activity, the turmoil increased. Academics who worked for national government agencies during the war effort took back to their post-war campuses a considerably altered perspective on what was important to teach about administration, especially in relation to the political process and public administration’s explicit role in making public policy. During this same period (less than a decade after Gulick and Urwick had published their Papers), the principles of administration were coming under increasing fire. Critics claimed that the principles were logically inconsistent and potentially contradictory and that they gave no clues concerning how to choose the one most appropriate for particular situations. For example, one principle held that, for purposes of control, workers should be grouped according to either function, work process, clientele, or geography. There was nothing to suggest standards for using one instead of another or to suggest whether these were mutually exclusive categories. (As we have seen, however, these four categories are still used in government bureaucracy.) Critiques of this sort came from many scholars in the field but, in 1946 and 1947, few scholars had greater impact than Herbert Simon. In “The Proverbs of Administration,” Simon likened the
principles to contradictory proverbs or paired opposites. For example, Simon pointed out that, whereas “Look before you leap” is a useful proverb, so also is “He who hesitates is lost.” Both are memorable, often applicable, and mutually exclusive, without any hint of how to choose between them. Simon argued that the principles underlying these proverbs were much the same; that is, they were interesting but of little practical value in defining administrative processes. His book *Administrative Behavior* (1947) developed this line of argument further and contributed significantly to the weakening of the principles approach.

No comparable set of values replaced the POSDCORB principles, but different concerns began to emerge. Through the 1940s and into the 1950s, public administration found its relationship to political science—its parent discipline—to be one of growing uneasiness. Political science itself was undergoing significant changes in the post–World War II period. Most of these changes were in the direction of developing more sophisticated, empirical (including statistical) methods of researching political phenomena but were always based on the assumption that objectivity in research methodology was of the highest importance.

The problem for public administration in this “behavioral” era was that many functions and processes of administration do not lend themselves to the same sorts of quantitative research as do, for example, legislative voting patterns, election data, and public-opinion surveys. Altshuler points out that administrative decision making is frequently informal and that many decisions are made in partial or total secrecy. He also states that the exact values of administrators and the alternatives they consider are difficult to identify and analyze and that the traditional emphasis on efficiency (which has by no means disappeared) contrasts sharply with the core concerns of modern political science. Consequently, public administration became, in Altshuler’s words, a “rather peripheral subfield of political science,” with many questioning its relevance to the larger discipline. In addition, he questioned whether this direction—as valuable as it was for furthering our understanding of human behavior in an increasingly organized society—resulted in research findings that have political relevance, that is, relevance to the research directions of contemporary political science.

Another related development has been the growth of research into administrative change and organizational behavior—research that seeks to examine all sorts of organizations, not only (or even necessarily) public entities. This movement began with the assumption that the social psychology of organizations made less important the question of precisely what kind of organization was to be studied and sought to integrate research from not only social psychology but also business administration, information science, sociology, and statistics. This field, currently known as organizational change and development, represents an attempt to synthesize much of what is known about organized group behavior within the boundaries of formal organizations. Organizational change concentrates on the characteristics within a group or team that promote or retard change in response to, or in anticipation of, changes in demands.
from the external environment, particularly with regard to needs and desires for the services produced by the organization. In contrast, “organizational development” focuses on analysis of organizational problems and formulation of possible solutions. This approach aims at increasing the capacity of an organization to identify, analyze, and solve internal problems as a regular function within its ongoing routines, using social-psychological approaches (Chapter 4). It conceives of organizations as entities that do not follow a single structure or format from top to bottom, but rather depend on the skill set of particular units within the organization, which are shaped structurally, socially, and technologically in the most appropriate manner. Thus, in large and complex modern organizations, there is likely to be considerable diversity in the arrangements of different units designed to accomplish specific tasks.

Equally important to the context of public administration is social change in, among other things, the makeup of the population, the health of the economy, social relationships (such as marriage, child rearing, divorce, the generation gap), and where people choose to live (such as city or suburb, Sun Belt or Snow Belt). Social change is important because emerging social arrangements and patterns of behavior are inevitably accompanied by new problems with which government policy makers must contend. It is also important because, as society changes, so do our values, expectations, and priorities.

During the 1980s and 1990s, many departments and schools of public administration attempted to respond to such changes by declaring their intellectual and institutional independence from political science and business administration, moving instead toward the establishment of autonomous departments, programs, or schools. Public administration as an academic field of study, then, is far from a settled discipline. Boundaries between it and other fields are blurred, and there are many loose ends in terms of what to study and how the study of bureaucracy relates to changes in society.

A Word About This Book

Two brief comments are in order about what to look for in this book. First, four essential and recurring themes appear in the pages that follow: (1) maintaining the ethics and accountability of public administrators within the context of the larger political system, (2) increasing the internal efficiency and economy in the use of public resources, (3) improving the performance or results of public programs—especially through the application of information technology, electronic government, and performance management systems—in the real world of public management, and (4) more effectively anticipating, planning for, and securing the resources necessary to respond to ever greater complexity in our nation and around the world. An effort is made to treat these issues separately, but it is inevitable that they overlap, both in our treatment of them and in the working environments of public administration.
Second, the discussion of public bureaucracy and management can and does go on at three different (but interrelated) levels of analysis, that is, with a focus on distinct dimensions of the administrative process. One is the role and function of government bureaucracy in society at large—what differences large, complex, and influential agencies make in a nation founded on diffuse notions of popular rule (note the implicit importance of the accountability theme). A second dimension or level of analysis is the management of performance in public organizations, broadly defined as issues and challenges confronting the individual public manager. A third topic is the role of the individual—the contribution, in whatever form, of a person working as a public administrator and the challenges, opportunities, and problems associated with that role. All these are ultimately interrelated, and explaining why that is so is a major purpose of this book.

Summary

Public administration has become a prominent and influential force in American government and society. Most of us are familiar with bureaucracy, and many of our most pressing current political issues are related to administrative agencies and actions. Public administration is the set of processes, organizations, and individuals associated with implementing laws and other rules enacted by legislatures, executives, and courts. Administrative agencies are involved in the formulation of many of these rules, as well as their application. Public administration is simultaneously an academic field of study and an active field of training. Public administration and its politics involve interactions both internal and external to the formal agency structure. Public administration is also characterized by a distinctly managerial component, focusing on the internal dynamics of public organizations. Public managers must possess certain skills, including an understanding of computers, data analysis, technology, management systems, personnel, and budgeting. A successful public manager must direct both short- and long-term activities and is responsible for defining and bringing about action. Most managers operate within a bureaucratic and political environment that shapes both formal structure and operational policies of their organizations.

Public administration in the national government is characterized by several different types of agencies and ways of categorizing administrative employees; each of these may affect what agencies do and how they do it. The principal agencies are cabinet-level departments, independent regulatory boards and commissions, government corporations, divisions of the Executive Office of the President, and other miscellaneous agencies. These are most commonly organized according to function but can also be organized according to geographic area, clientele served, or work process. Administrative personnel can be classified according to whether they were hired through merit procedures or political appointment and whether they are specialists or generalists.
In larger states and local governments, essentials of organization are the same as those at the national and state levels. But the influence of local political parties and employee unions and the nature of government activity serve to differentiate local governments from the national government. Smaller local governments usually have less extensive bureaucratic development and less professional expertise than the national government.

Organizational structure is politically significant in a number of respects as it: (1) demonstrates commitment, symbolic or substantive, to particular policy objectives; (2) can signal adoption of specific policy directions; (3) serves to order political priorities by emphasizing some programs over others; and (4) provides different degrees of access to decision makers. The politics of organization is also significant in settings other than executive-branch arrangements. Contemporary public administration is shaped by the larger political system of which it is a part, by past and present political and administrative values, and by technology and social change. Traditional conceptions of bureaucracy and its role in government include: (1) political neutrality in carrying out decisions, (2) legislative intent as a principal guiding force, (3) legislative oversight, (4) direction by the chief executive of administrative activities (which, in a system of separation of powers, creates the possibility of conflict over control of bureaucracy), and (5) professional competence. Although they form the core of our beliefs about public administration, these conceptions are not altogether accurate.

The fragmented nature of policy making forces administrators to function in a political environment where: (1) there is no central policy coordinator with total control; (2) administrators possess considerable discretion; and (3) not all decision-making power or authority is clearly allocated. In such a setting, public administrators are often politically active and take policy initiatives that are not neutral, thus departing from traditional views about bureaucratic roles and functions. Furthermore, bureaucratic activity is organized around jurisdiction over particular policy areas; bureaucracies seek to prevent changes in jurisdiction that might harm their interests or those of their supporters.

Several explanations have been advanced for the rise of government bureaucracy, including technological complexity, public pressures in an increasingly diverse society, and government responses to global, social, and economic crises. Corporate corruption and the need for stricter border and immigration control have increased public acceptance of regulation and contributed to the recent growth of bureaucracy.

In addition to adapting to changing trends in political and economic thought, public administration has also had to adapt to rapid social and technological change. Especially during the beginning of the twenty-first century, public administration must deal with rapid population growth and urbanization, increased specialization, the threat of terrorism, and the possible consequences of complex technological advances. This book will focus on the interrelationships between politics and public administration, with attention to managerial aspects as well.
Many similarities, and a number of more significant differences, exist between public and private management. Two of the most important differences are that public managers must pursue broad goals set by others and evaluated by outside forces; neither is true of private managers. In addition, public managers generally cannot design their own organization’s structures or control the careers of many subordinates. They generally have far less time than private managers to accomplish their goals and must operate under considerable public scrutiny. Both public and private managers are expected to be similarly competent, effective, and efficient in producing results. There is growing overlap of the two sectors.

As an academic field of study, public administration has been shaped by several major and partially overlapping schools of thought: (1) the politics–administration dichotomy; (2) the pursuit of economy and efficiency as the key objectives of public administration; (3) the search for principles of administration; (4) rejection of the principles approach; (5) a turning toward different perspectives on administrative behavior (such as social and psychological factors in internal organizational processes); (6) growing ferment regarding the links between public administration and its parent discipline, political science; and (7) developing trends that seem to carry the study of administration away from political science and allied fields of administrative study and toward disciplinary autonomy.

**DISCUSSION QUESTIONS**

1. How has public support of government bureaucracy declined in recent years? In the past, what has accounted for public support of bureaucracy? What actions can be taken to restore trust and confidence in bureaucracy?

2. How has public discontent with bureaucratic decision-making been shown in recent years? Has there been anything in your own personal or career experience that shows a similar expression of public dissatisfaction? Can you think of areas in which the public has shown a positive attitude toward government and public administration? Discuss.

3. Could strong citizen pressure on government lead to cutbacks in bureaucratic discretion? Why or why not? What effects would such a cutback have on the government’s performance?

4. How and why do some state and local government bureaucracies differ from their national government counterparts?

5. How is the American structure of government and public administration different from that of other nations with a parliamentary form of government? Why is it different?

6. Summarize arguments for and against political involvement of administrators. Why is political involvement so widespread when the long-standing ideal is a politically neutral administrator? Under what circumstances must bureaucratic agencies and individual bureaucrats play political roles?
7. How can organizational structure be politically significant? Discuss and cite recent examples. What are public administration’s intellectual links to economics? To political science? To sociology? To psychology? To business administration?

8. How do government corporations differ from other types of executive level agencies? Discuss the changing roles of public, private, and nonprofit agencies in addressing public problems. What difficulties might a public manager face in trying to implement management techniques borrowed from the private sector?

9. Does modern American public administration differ from the traditional concepts of bureaucracy? If so, how and why?

10. Discuss the everyday realities—especially the operating constraints—of public management that most public administrators confront regularly.

11. Explain how the following generally affect the operations of American administrative agencies: administrative discretion, bureaucratic neutrality, legislative intent, and legislative oversight.

12. Of the factors that are said to have contributed to the growth of government bureaucracy, are any still operative? If so, which ones and why? What are the implications for the future evolution of bureaucracies, given the factors you have cited? Are there other factors that may increase or decrease the size of government in the future?

13. How have technological changes affected government in general and public administration in particular? Discuss the effects of e-government (e-gov) on bureaucracies. Be sure to describe changing public expectations as well as the size and structure of bureaucracies in your discussion.

14. What elements of social change have contributed to the expansion of administrative responsibilities in American government? Discuss specific impacts of social change on the scope and activities of administrative agencies.

15. What social changes have occurred as a result of globalization and how do these trends impact American government?

16. Are the similarities between public and private administration more important than the differences between them, or vice versa? Why?

17. A fundamental assumption of administrative reformers in the late 1800s and early 1900s was that politics could only have adverse effects on administration. How valid is that belief? Why? How, and to what extent, do current administrative structures and practices reflect that assumption?

18. Discuss the contributions to the academic field of public administration made by the following individuals: (a) Woodrow Wilson, (b) Luther Gulick and Lyndall Urwick, (c) Herbert Simon, and (d) Alan Altshuler.

19. In what ways does organizational change differ from organizational development? What do these fields seek to observe about organizational behavior and structure?
20. What elements of social change have contributed to the expansion of administrative responsibilities in American government? Discuss specific impacts of social change on the scope and activities of administrative agencies.

21. Give five examples of how an American citizen is affected by bureaucracies on a daily basis. Explain how decisions and initiatives from public administrators could potentially affect these bureaucracies.

22. Identify and explain the differences between legislative intent and legislative oversight as they relate to public administration.

23. Explain the similarities and differences between public and private agencies in terms of their functions and the methods they use to implement policy.

24. During the early 2000s, state and local governments faced severe fiscal constraints. How has this trend affected the field of public administration? If growth declines, what are the implications for public employment?

25. In recent years, how has the role of the bureaucracy become more apparent in the daily lives of Americans? Is there anything in your own personal or career experience that shows a similar expression of public sentiment? Can you think of areas or agencies in which the public has shown a positive attitude toward government and public administration? Discuss.

**KEY TERMS AND CONCEPTS**

- bureaucracy
- discretionary authority
- entrepreneurial government
- public administration
- stakeholders
- public management
- reverse pyramid
- Department of Homeland Security (DHS)
- Transportation Security Administration (TSA)
- jurisdiction
- Office of Management and Budget (OMB)
- organizational structure
- Office of the Director of National Intelligence (DNI)
- checks and balances
- power vacuum
- bureaucratic neutrality
- legislative intent
- oversight
- parliamentary form of government
- electronic government (e-gov)
- clientelism
- social-demographic change
- information technology (IT)
- technological change
- knowledge revolution
- nonprofit, faith-based, or “third-sector” organizations
- privatization
- POSDCORB
- organizational change and development
SUGGESTED READINGS


Chapter 2

Public Administration, Democracy, and Bureaucratic Power

The exercise of discretionary power, the making of value choices, is a characteristic and increasing function of administrators and bureaucrats; they are thus importantly engaged in politics.


The decisions of public administrators do not take place in a vacuum. They are powerfully influenced by broader economic, social, and governmental processes—the constitutional allocations of political power, the exercise of discretionary authority by those inside and outside of government, and the overall roles assigned to elected officials, prosecutors, judges, and appointed administrators in governing the nation. In turn, the governmental system (like all other human institutions) is continuously being reshaped by society’s values and beliefs (both past and present) about what should be done and how it should be done. A major influence on these beliefs is the social setting of government, including society’s basic values, the extent of popular agreement on them, how directly they relate to the conduct of government, and how government reflects and shapes them. The values of other institutions in society (such as business, courts, military, schools, and the mass media) also shape government and public administration. Conflicting values create demands and expectations that may need to be resolved through government action. For example, the public demands a commitment to public safety, national security,
and quality education, as well as ethical conduct from elected and nonelected administrators; it also expects the government to conduct its affairs in a “businesslike” manner, with a high degree of economy, efficiency, and measurable results. In addition to the discussion of how the social environment and basic values shape administration, we deal with three principal themes. First, we will examine *foundations* of bureaucratic power, especially how expertise in a particular field is used to build, retain, and mobilize support for administrative agencies and programs. Second, we will look at *subsystem politics* and the emergence of issue *networks*, terms that refer to the ways in which bureaucrats enter directly into alliances with others inside and outside of government in pursuit of shared programmatic and political objectives. Lastly, we will consider the challenge of establishing the *accountability* of nonelected government officials (that is, most bureaucrats), identify several limitations on bureaucratic accountability, and suggest how those limitations can be overcome.

Public administration has been sharply affected by changes in values concerning the role of government, in administrative concepts (including renewed concerns about privatization and the use of nongovernmental organizations for government activities), and, in general, social values and public demands. On the one hand, modern bureaucracy is the result of past evolution in theory and practice. Traditionally, institutional change tends to be cumulative; as patterns of behavior come and go, they leave behind carryover effects that then mingle with and become indistinguishable from the patterns that replace them. So it is with contemporary administrative policies and machinery, in which much of what we do today reflects lingering influences of the past. On the other hand, social values and established institutional patterns are undergoing rapid, unpredictable, and turbulent change. Today, many basic values are changing, such as those relating to marriage and family life, gender roles, respect for authority, job security, “entitlements,” energy consumption, material possessions, the environment, and human rights. For traditional institutions (including bureaucracy) to respond to such social upheaval is a large order, and much recent criticism of bureaucracy focuses on its apparent failure to do so.

Out of all this has come a renewed interest in *democratic values* as they pertain to public trust, responsiveness, and popular control of government institutions. With the tremendous expansion of government bureaucracies have come clearer distinctions among *political values*, such as equality, fairness, representation, participation, patriotism, and accountability; *social values*, such as concern for others, civic duty, individual achievement, and morality; and *administrative values*, such as political neutrality, secrecy, economy, efficiency, rationality, rule of law, and expertise (Table 2-1). Some of America’s traditional values—democracy, equality, freedom of speech and religious expression, and the belief that America has a special moral responsibility to promote these values internationally—have remained constant throughout decades of social change. Other values, such as duty to one’s country, social conformity,
respectability, accepted norms of sexual morality, and the work ethic, have declined in importance for many people. Values gaining in importance during this same era include respect for diversity, pluralism, greater acceptance of individual differences, wider choices in personal living arrangements and circles of friends, respect for the environment, emphasis on quality of work life, belief in technology as a solution to many problems, putting family ahead of career and personal ambition, assuming individual responsibility for health care and retirement, and protecting the rights of minorities, women, and children. As of 2003, the vast majority of Americans (92%) told pollsters that they would vote for an African American as president.1 As greater numbers of interests espouse different and often conflicting values, it becomes less and less likely that all groups in society as a whole will share a common set of value preferences. As always, when different values conflict, it is more difficult to compromise and reach consensus. In this chapter, we examine those value conflicts as they pertain to public administration and then deal more extensively with specific problems in this area.

Political and Administrative Values

Our discussion of political and administrative values has three purposes: (1) to understand the fundamental beliefs underlying American government and public bureaucracy, (2) to recognize the impact of values on public administration, and (3) to see the ways in which these values conflict conceptually—and how that conflict affects the conduct of public administration.

As used here, the term political values refers to basic beliefs and assumptions not only about politics and the political system but also about appropriate government relationships to private activity, especially economic activity. Links to economic activity fall under the heading of political values and are relevant to a discussion of public administration because of increasing governmental responsibility in regulating business and industry.

In general, the United States is regarded politically as a liberal democracy and economically as a capitalist system.2 Moreover, the two concepts of

<table>
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<th>Table 2-1 Political Versus Administrative Values</th>
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<tr>
<td><strong>Political Values</strong></td>
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<tr>
<td>Accountability</td>
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liberal democracy a fundamental form of political arrangement founded on the concepts of popular sovereignty and limited government.
capitalist system an economic system in which the means of production are owned by private citizens.
popular sovereignty and limited government are central to the notion of liberal democracy. Popular sovereignty—government by the ultimate consent of the governed—implies some degree of popular participation in voting and other political actions. Although this does not necessarily mean mass or universal political involvement, America has, in fact, expanded voting rights over the years. The specific vehicle for popular rule has been representative government. Initially, Americans emphasized legislative representation, which is stressed by the Constitution. More recently, concern has grown for political representation and demographic representativeness, notably in administrative organizations and processes. This concern has principally taken the form of efforts to promote affirmative action in hiring, with the goal of a public service that, in the words of former President Bill Clinton, "looks like America." These subtle changes in meaning have cumulatively made it more difficult to determine whether democratic or administrative values are being maintained. Conceptual uncertainty about values also makes it more difficult to deal with accusations that we are not living up to our own standards of democratic government. For example, defining representativeness in a particular way might, in effect, include one group while excluding another from decision making, and those excluded might well dispute the existence of representativeness. Public discontent with affirmative action, immigration policies, and preferential hiring has prompted groups in many states to challenge these policies by placing them on the ballot to decide their future through public initiative and referenda. In recent decades, as the public grew dissatisfied with the degree of popular control over bureaucracy, greater representativeness in bureaucracy was seized on as one remedy that had considerable appeal. Political scientist Herbert Kaufman has gone so far as to suggest that “the quest for representativeness . . . centers primarily on administrative agencies.”

The second central concept, limited government, reflects the predominant view of those who framed the Constitution that government poses a basic threat to individual liberties. In their experience with the British government, these men had endured the suppression of their personal liberties, and they wanted to prevent that from happening again. Therefore, they incorporated into the Constitution four devices that effectively limit government: (1) a system of checks and balances in which the exercise of even a fundamental power by one branch requires the involvement of a second branch; (2) separation of powers among the executive, legislative, and judicial branches of government; (3) federalism, a division of powers between government levels in which certain powers are allotted to the national government whereas others are retained by the states (which are to some degree independent of control by the national government); and (4) judicial review, the process by which courts can invalidate, on constitutional grounds, the laws and actions of other government entities. In addition to this fragmentation of government powers, the Bill of Rights (the first ten amendments to the Constitution) established broad areas of
The courts have taken on a more activist role in recent years, not only maintaining traditional constitutional guarantees but also, in some instances, taking over direct supervision of public agencies such as state prisons, local housing authorities, mental hospitals, highway patrols, and other institutions in order to remedy violations of the constitutional rights of prisoners, mental patients, and other citizens that had occurred as part of routine administrative processes. In the words of one observer: “Judicial review has passed from matters of procedure to matters of both procedure and substance. Courts have not merely sat in judgment on administrative action but on inaction as well; they have required agencies to do things the agencies themselves had declined to do.” Other examples of judicial activism include appointing expert witnesses, dismissing jurors for poor conduct, suggesting areas of inquiry during civil cases, ordering payment of fees for research, and transferring prisoners held in overcrowded city jails to state prisons. Whether such activism on the part of the courts is desirable from all standpoints has been questioned as it runs counter to other political and social values. With the appointment of Chief Justice John Roberts to the U.S. Supreme Court, President George W. Bush did fulfill one of his campaign promises to restore limited government by appointing justices who interpret the Constitution more narrowly and practice judicial restraint, rather than judicial activism. (For more information, see: http://www.supremecourtus.gov/ and http://www.findlaw.com/casecode/supreme.html.)

Two related concepts widely reflected in American society are individualism and pluralism. Our emphasis on the individual is evident in the complex of protections for civil rights and liberties, but individualism also implies the right to participate meaningfully in the political process. The theory and practice of pluralism stresses group organization as a means of securing protection for broad group interests in society. Furthermore, it assumes that groups of citizens have the right to organize to advance their causes, that groups with differing interests will compete and bargain with one another, and that the resulting compromises will benefit the community and the nation as a whole. The rights of all citizens to “organize to advance their interests” links the Bill of Rights, individualism, and pluralism, suggesting that individual freedom includes the right to become active in organized interest groups.

Directly related to individualism and pluralism is the capitalist notion of political and economic competition, which exists primarily among groups but is also found among individuals. Limited government suggests that economic competition, if regulated at all, will be loosely controlled by government; in theory, market competition itself will establish boundaries of acceptable behavior among the competitors and will allocate the fruits of success. Geared to private profit and general economic growth, these economic doctrines fit very comfortably with capitalist theories. They emphasize maximum freedom
for private entrepreneurs (individuals) and minimal government involvement in the decisions and operations of the private economic sector. Two assumptions link capitalism to political values of limited government, individualism, and pluralism: (1) the individual is assumed to be both self-sufficient and capable of being self-governing (thus minimizing the need for government), and (2) the individual is thought to be better off both politically and economically if government intervention is restricted.

During the twentieth century, government’s relationship to the economy changed dramatically, and what was once minimal involvement increased. Have limited government and capitalism, then, been lost? Some argue that they have. Others suggest that government programs for economic development, social insurance, and income maintenance are neither radical nor brand-new ideas, and that governments have a responsibility within the broader framework of capitalism to ensure economic well-being and social justice, as well as to “provide for the common defense” and to “ensure domestic tranquility.”

It should be noted that our values generally emphasize how things are accomplished more than what is accomplished. Our political values stress the importance of means, not ends. The end does not justify the means; rather, procedures are valued for their own sake, and fair procedure lends legitimacy to what is done. Hence our commitment to equal protection and due process of law, although there is an inevitable gap in all societies between the ideal and operational reality. Our ideology does not attempt to define specifically what is good or correct public policy. We leave it to the political process to formulate policy while we concentrate on ensuring that the process is characterized by some degree of public access to decision making and decision makers, a certain amount of equity in the distribution of political and economic benefits, and a great deal of market competition among diverse interests. The amount of access, equity, or competition that exists is itself a matter requiring resolution. These values serve as standards against which political reality is measured; only rarely do realities match the rhetoric or thinking. But that does not alter the importance of these political values or their influence on what we may try to accomplish through the implementation of public policy.

**Representative Democracy**

A major political value in America has been representative democracy, and increasing emphasis has been placed on democratizing the political process. What that entails has not always been clear, however. Some elements of democracy are universally supported (or nearly so), whereas others are the subject of controversy. Most agree, for example, that majority rule and minority rights are fundamental. The former enables the political system to make and implement binding decisions through popular control; the latter permits
those not in the majority the freedom to voice their political views and otherwise to be politically active. Directly related to these principles are the constitutional guarantees of a “free marketplace of political ideas”—that is, the freedom to speak, write, and publish political concepts and commentaries, including those out of favor with officials and the majority of citizens. Most of us would, at least, pay lip service to free expression of ideas. (Numerous studies of public opinion suggest, however, that many Americans are inconsistent in their willingness to allow free expression of unpopular ideas.) Most would also agree that democracy requires widespread participation in the election of public officials by means of voting and active participation in political campaigns.

One element emphasized in the last half-century as essential to democratic government is direct participation in making and administering important decisions by those affected most directly by them. Initially, there was considerable resistance to this idea (both in the abstract and in practice) in light of the extensive reallocation of political resources and power that would be required. Nevertheless, calls for participatory democracy in general and participative management in particular have met with increasingly positive responses. Where it has been implemented, direct participation has had the effect of increasing the number of decision makers—such as citizens giving testimony at public hearings and participating in managing program operations, and emerging forms of voluntarism—at the same time that it altered decision-making mechanisms (and very often the content of some decisions). Whether representative democracy requires widespread direct participation is open to debate, but merely raising the question has had an impact on our thinking about democracy and on the ways some government decisions have come to be made. (One example of this type of decision-making process was the California governor’s recall election in October 2003.)

Another idea about democratic government, closely related to direct participation, was an expanded definition of what constitutes “representativeness” in our major institutions. The claim was made, with some justification, that numerous groups in the population—women, gays, lesbians, African Americans, and Latinos in particular—had been regularly excluded from decision making in government, business, industry, the legal system, religious hierarchies, labor organizations, and political parties. It was argued that these institutions had not been sufficiently responsive to the needs, interests, and preferences of such groups. Many argued that this systematic exclusion from power needed to be corrected, and increased direct representation of these groups in key decision-making positions was advocated as the most appropriate remedy. Not surprisingly, considerable tension has been generated over this policy ever since it entered the political arena. Although many governments at all levels have moved steadily to increase representativeness (or diversity) in the workforce, many citizens remain uneasy about full enforcement for a variety of reasons.
Starting in the early 1970s, national government guidelines for affirmative action to remedy past discrimination were implemented. Educational institutions, local police forces, intercollegiate athletics, and other programs and institutions that wished to receive federal funds had to comply with those guidelines. But compliance was often grudging at best and was accompanied only intermittently by changes in the attitudes and values in question. Furthermore, with the aid of a number of Supreme Court appointments by the Reagan and both Bush administrations (1981–1993; 2001–2009) and several subsequent lower-court decisions, some parts of the policy have been successfully reversed. (The continuing controversy over affirmative action as a public policy is discussed in Chapter 7.)

Furthermore, issues involving economic competition and regulation, public participation, and popular representativeness have tended to center (though not exclusively) on the roles of administrative entities. One crucial debate (as noted in Chapter 1) has focused on the manner, scope, specificity, and implications of government (mainly administrative) regulation of the economy. There are still other links between representative political values and public administration. One is the diversity of interest groups, which increases the potential for alliances with those in positions of influence in the government. Another is renewed concern for democratic values and political accountability; this interest leads to new questions about administrative discretion, ethics, and effective control of bureaucracies.

Public administration in America has been profoundly affected by the evolution of, and recent upheavals in, political values. It has been shaped in part by the devices that limit government (that is, separation of powers, checks and balances, federalism, and judicial review) while also having a profound effect on those devices. In particular, government bureaucracies have both contributed to, and benefited from, what some have called the “tilt” toward the executive branch of government (and away from Congress) during much of the twentieth and early twenty-first centuries. It is clear that if public administration had been shaped solely by changing political values and the interplay of political forces, it would have been altered considerably from its earliest forms and practices in the nineteenth century. However, administrative values have also figured prominently in its evolution, and it is on these values that we now focus our discussion.

Administrative Values, Pluralism, and Political Accountability

American public administration is grounded in certain fundamental assumptions that have dominated administrative thinking for more than a century. Chief among them are the following: First, it has been freely assumed that politics and administration are separate and distinct. Political determination
of broad policy directions and administrative management of public programs have been thought of as different processes controlled by different hands. From the founding of the Republic to the early twentieth century, public administrators viewed their role as subordinate and responsive to prevailing majorities in legislatures and to chief executives’ proposals and directives. Their duty was not to initiate but to act on the initiatives of others. Administration was to be not only politically neutral but also passive. This conception of bureaucracy is not unlike that of a finely tuned machine that is activated only when someone else pushes the button.

Another common assumption, since the reforms of the late nineteenth century, has been that partisan politics should not intrude on processes of management. This idea has persisted even though political control of administration was considered entirely appropriate and even consistent with bureaucratic neutrality. It was also assumed, in the early twentieth century, that administrative processes and functions (based on business practices) could be studied scientifically and that such an examination would yield various principles to guide administrative conduct. The purpose of developing a “science of administration” was to increase economy and efficiency in government and to use these principles as the main measures of administrative performance. Companion values have included an emphasis on merit (instead of political-loyalty tests) as the primary basis for hiring, faith in the work ethic and in statistical evaluations of work performance, and a belief that a basic social consensus (other than the profit motive) underlies public administrative processes.

These values first emerged around 1900, in the era of government reform that followed a period of some seventy-five years in which politics and administration were deeply intertwined. Government administrative jobs had been crudely bartered in exchange for favors and support, and the guiding principle in public personnel administration had been “to the victor belong the spoils of victory.” The reform effort was based on the belief that all kinds of politics could have only adverse effects on administration and that, therefore, a separation of politics and administration was absolutely necessary.

Heavily politicized administration had indeed been wasteful, corrupt, and inefficient, and there had been undeniably negative effects on the quality and effectiveness of government action. It should be emphasized, however, that attempts to separate politics and administration, pursue economy and efficiency, and discover enduring principles of administration were not merely passing fancies. They dominated virtually all the major approaches to administration from the turn of the 20th century until after World War II, and remain present in large segments of the general population even today. Some reformers and others who seek to bring better management practices into government still cling to the doctrines of economy and efficiency almost as a matter of faith. And presidents from Teddy Roosevelt to George W. Bush (not to mention numerous other politicians) have found it politically
advantageous to speak of improved government performance and efficiency as goals of their tenure in public office.

There are, however, some problems created by administrative values that stress separation of politics and administration while at the same time emphasizing efficiency in government operations. First, these approaches are not all consistent with the political values articulated by the Constitution. The Framers did not seek to establish an extensive bureaucratic structure, nor (as far as we can tell) did they foresee the development of one:

They placed their faith in periodic elections, legislatures, and an elected chief executive rather than in a bureaucracy, however pure and efficient. There is nothing to suggest that they believed sound administration could compensate for bad political decisions. Redressing grievances and bad political decisions [was] the function of the political process, rather than of administrative machinery.8

Thus, the separation between politics and administration probably would have been seen by the Framers as either undesirable (because government through the political process was central to the constitutional scheme) or impossible. (It is also likely, however, that they would have objected equally to the blatant politicizing of administration that occurred during the mid-1800s.) It seems probable that they would have been suspicious of any developments that insulated important decision makers, such as administrators, from effective control by, and accountability to, the voters or the voters’ elected representatives. Yet the administrative values that we have discussed here seem to create precisely that sort of insulation.

Second, it has become clear, on the basis of a substantial body of research since World War II, that public administration is not merely well-oiled machinery for implementing decisions made by other government institutions. As we noted earlier, public agencies and administrators have both the authority and the power of initiative to make a host of decisions, both large and small, that have real impacts on public policy. Instituted a century ago in response to unmistakable partisan excesses, protections against undue manipulation have given rise to the possibility of administrative excesses. Because control over policy making (in all but the smallest governments) is indirect, it is therefore more difficult for elected leaders and their immediate subordinates to exercise.

Third, there is some tension (if not outright conflict) between the major emphases of the Constitution and those of administrative values. Perhaps, above all else, the Framers sought to prevent unchecked exercise of power by any institution of government or by government as a whole. The Framers also desired a political system that would freely resort to the political process for making decisions and solving problems and that, when necessary, would be able to act.9 Changes in particular values have intensified existing pressures on administrative institutions, especially in recent years.

The underlying values of administration, on the other hand, clearly point toward efficiency, not merely as a desirable feature of government operation but
as a key standard for evaluating government performance. The reformers who first sought to increase efficiency in government associated most forms of politics with inefficiency (in many instances, rightly so) and consequently were largely “antipolitics.” Their values strongly favored political neutrality as a key feature of both the composition and operation of public administrative agencies and, thus, also as a major remedy for inefficiency. (It should be noted, however, that these reform efforts had political effects. In particular, they narrowed channels of access to government employment for those who could not meet criteria of merit, and built public organizations around a predominantly white, middle-class ethic.)

Political scientist Douglas Yates explored more fully the conflicts between these two sets of parallel yet distinctive values. Yates treats them, with somewhat more precision, as normative models of pluralist democracy and administrative efficiency. He summarizes the main conflicts as follows:

1. In the pluralist model, power is dispersed and divided; in the efficiency model, power is concentrated. Related to this, in the pluralist model, governmental policy making is decentralized; in the efficiency model it is centralized.

2. In the pluralist model, there is suspicion of executive power (in fact, of any concentration of power); in the efficiency model, great emphasis is placed on centralizing power in the hands of the chief executive [for the sake of accountability].

3. In the pluralist model, power is given to politicians, interest groups, and citizens; in the efficiency model, much power is given to experts and professional bureaucrats.

4. In the pluralist model, political bargaining and accommodation are considered to be at the heart of the democratic process; in the efficiency model, there is a strong urge to keep politics out of administration.

5. The pluralist model emphasizes individuals’ and political actors’ own determination of interest . . . the efficiency model emphasizes technical or scientific rationality (which can be better discovered by detached expert analysis than by consulting the desires of voters and politicians).

It is small wonder then that, whereas both sets of values have continued to influence American government, inconsistencies between them have been difficult to reconcile. The result, a structurally fragmented government operating on broadly democratic principles, makes some inefficiency more likely than overall efficiency. On the other hand, efforts to maintain efficiency of operations while holding administrators accountable have met with considerable success. Attempts to reconcile these values merit our continued attention. The conflicts inherent in the application of these explanatory models contribute daily to the operational decisions of public managers (see Box 2–1, “The Public Manager: An Overview”). These models also reveal the complexity of dealing with public issues and reflect citizen expectations (and frustrations) often associated with democratic government.

The Public Manager: An Overview

Several major points should be made about the public manager's job:

1. The public manager inhabits an intensely political environment. Political processes do not abruptly stop at the door of a bureaucracy; the manager's job and environment are essentially political, requiring a primary emphasis on the task of managing political and administrative conflict.

2. The public manager's job also contains a variety of political dimensions, including building support with the chief executive, dealing with related departments and interest groups, bargaining with the legislature, managing and coordinating a fragmented structure of bureaucratic subunits, and (in the national government) trying to oversee and coordinate policy subsystems extending to the operations of state and city governments.

3. The manager's primary role is to deal with competing organizational pressures and to manage political conflict. In some cases, the manager will employ strategies of conflict resolution. At other times, the task will be to convert the negative, adversary features of conflict into something more positive, namely, cooperation, compromise, and coalition building among both political and administrative actors. (This process of conversion is often what we have in mind when we speak of leadership.)

4. In managing this political conflict, the manager faces many of the same issues that worry an advocate of pluralist democracy and, in a general way, would-be controllers of the bureaucracy. He or she has to worry about the fragmentation of bureaucratic activity, especially where it leads to strongly segmented bureaucratic structures and insulated concentrations of power. No less than the ordinary citizen, the public manager needs to "open up" the bureaucracy in order to achieve any real penetration into its operations. Finally, the public manager, along with the pluralist democrat, must worry about the balance of power among different groups: whether desirable levels of competition and bargaining exist, whether certain interests overwhelm other groups in the policy-making process, whether citizens' complaints and demands are heard and registered. In sum, the public manager, far from being the clerk of a narrow efficiency, faces the problems of both pluralist democracy and administrative efficiency.

Popular control of government has always been a matter of considerable importance in American politics. The Founders emphasized the legislative and, to a lesser extent, executive branches of government—which, in principle, could be held directly accountable to voters through periodic elections. This mechanism did not assume a large bureaucracy or broad-scale participation in anything other than the electoral process. This relatively simple, clear-cut arrangement for accountability and popular control has become responsive to other kinds of political pressure. Thus, it is not surprising that there is fresh concern about public access to government and influence over what government does, especially in an era where public agencies possess the capacity to collect and restrict access to information as a matter of official secrecy.

Democratic governance requires at least the presence, in a political system, of popular sovereignty, substantial electoral equality among its citizens, consultation between government and citizens over proposed major courses of action, and majority rule. Increasingly, equality of opportunity is also regarded as a prerequisite for a political system to be truly democratic. In a more specific, operational sense, democracy may be said to require the following: (1) freedom of expression, (2) citizen participation in decision making, (3) a free press and uncensored mass media to hold government accountable for its decisions, (4) an independent judiciary, and (5) regular, free elections to encourage participation and political accountability. The meaning and scope of these values, however, have varied over time.

In the 1700s, political participation referred to voting and holding public office and was limited by such qualifications as property ownership, wealth, education, social status, race, and gender. Beginning in the 1830s, eligibility for participation was broadened, so that today, virtually every citizen eighteen years of age or older can vote and otherwise become involved in politics. Lately, participation has taken on another, more controversial dimension—mandatory inclusion of various population groups in governmental decision making.

Debates over the meaning and scope of participation are nothing new and may indeed be inevitable in a democracy. Political scientist Emmette Redford observed, four decades ago, that although participation is a key element of “democratic morality,” a number of questions about it still exist. One concerns who should participate, with near-universal participation recommended by the true believer in democracy (the pure “democrat”). Another question centers on the scope of participation—at what stages of policy making and in what ways participation is to occur. Another dilemma for the aspiring democrat is whether opportunities to participate should be afforded equally to those with high stakes in government decisions and those with little interest in specific policies. Such issues complicate the structuring of channels of participation, but a commitment to making participation possible must exist before the issues can be addressed.

accountability a political principle according to which agencies or organizations, such as those in government, are subject to some form of external control, causing them to give a general account of, and for, their actions; an essential concept in democratic public administration.
Accountability once meant holding officials generally responsible for their actions through direct elective mechanisms, as in the case of legislators, or through indirect machinery such as independent regulatory boards and commissions in which elected officials held others to account on behalf of the public. Now, however, the meaning and means of accountability are less clear. The issue of to whom officials are actually accountable is a complex one, making it difficult to determine whether they can, in fact, be made to answer to the general public for what they do, or do not do. Complicating matters still further have been the isolated, but highly publicized, instances of serious abuses of power by major U.S. corporations (such as Adelphia, Conseco, Enron, Tyco, and WorldCom). What responsibility, if any, do governmental regulatory agencies such as the Pension Benefit Guarantee Corporation (PBGC) or the Securities and Exchange Commission (SEC) have to protect the retirement savings and assets of the employees and shareholders of these publicly regulated corporations? These and other examples of the abuse of corporate power have fueled the debate about public- and private-sector accountability and official misconduct by corporate executives and high-level politicians, as well as by local officials.¹⁴

Disagreement with specific policies notwithstanding, the larger concern is for maintaining democratic norms and practices in a complex governmental system within a diverse and rapidly changing society. Today, many fear that democratic values, however defined, are endangered by government actions that take place without popular control and consent. Governmental institutions are clearly under pressure “from the people”—left, right, and center—to stay within the political reach of the public. (Witness the brief but intense support for the Pat Buchanan and Ross Perot populist movements during the 1992 and 1996 elections, and Ralph Nader’s Green Party influence on the 1996, 2000, and 2004 presidential elections.) Difficulties in maintaining democracy, however, are hardly new. Assuming that democracy implies fairly equitable access to decision makers, widespread opportunity to exert influence in the political process, and clear public preferences about public policy, the realities of American democracy have fallen short of the ideal for some time.

If policy mandates are vague, the process of defining the “public interest” is even more so. One can argue (as Ralph Nader did in his failed presidential campaigns) that the public is the ultimate “owner” of governmental institutions and that institutions should serve the owner’s interest—the public interest—but defining and gaining agreement on what that is as a practical matter is not easy. In a pluralist democratic society, various contesting forces claim to be acting in and for the public interest, and each may have a legitimate claim to some part of larger societal values. Also, it is not clear whether the public interest is some generalized view of societal good or the sum total of all private interests, which are themselves inconsistent with one another.
Democracy and Public Administration

Democracy, as we have noted, requires mechanisms for both participation and accountability, ensured by an independent judiciary, uncensored media, and free elections. Public administration, however, poses troublesome problems for any such system. It does not accord with the notion of elected public officials because most bureaucrats are not elected, and it has usually emphasized, expertise, limited access, knowledge, and secrecy over accountability, participation, openness, and democratic control. Growing societal complexity and increasing administrative responsibilities have virtually required more specialization and larger numbers of bureaucratic professionals, as well as new and varied forms of indirect public administrative activity (contracts, grants, loans, performance partnerships, tax expenditures, and regulation). At the same time, disadvantaged groups and others have turned to government bureaucracy more frequently for various kinds of aid—ironically, often while voicing grievances against many of the same agencies—and to demand a greater role in making policies that affect them. Often, the result has been a collision between the need for professionalism and technical competence, and insistent demands for citizen participation in policy making. Bureaucratic accountability in such a system has to be achieved largely, if not entirely, through indirect popular influence via the legislature and chief executive. When technical expertise is required, it is very difficult, though not impossible, to reconcile accountability and participation in the policy-making process. In the same way, and raising some of the same issues, it is always difficult to achieve both popular control and administrative discretion at the same time.

The concerns that have come to center on bureaucracy include, besides issues of accountability and participation, the question of representativeness. In addition, the general disposition of bureaucrats and bureaucracies to operate behind a veil of secrecy has triggered efforts to open their activities to public scrutiny. Two such efforts are state and national freedom of information laws and so-called sunshine laws requiring that public business be conducted in open forums.

**Freedom of Information and Sunshine Laws**

Holding government officials accountable for their actions and that of others is crucial to democratic governance, even more so when substantial responsibility is entrusted to nonelected (administrative) personnel. This rationale underlies the need for openness in government operations, public scrutiny, and freedom of information (FOI) and sunshine laws, all of which increase the public’s ability to inquire successfully into the activities of bureaucracy and other branches of government. The glare of publicity has long been known as one means of enforcing accountability, by making possible a better-informed citizenry that can then act more intelligently and purposefully.
Sunset laws add another dimension to accountability. By requiring positive legislative action to renew agency mandates, there is a virtual guarantee that some examination of agency performance will take place. It should be emphasized, however, that merely routine reviews and near-universal renewals of agency authorizations will not serve the purposes of sunset legislation. Only careful, thorough, and demanding examinations will do.

The use of sunset laws, in particular, as an instrument of accountability is part of legislative efforts to hold executives accountable. In the best tradition of those who first shaped the political system, the public once again seems to be looking to its legislative representatives to bring about greater popular control over executive-branch agencies. In both state and national government, increasing numbers of legislators seem inclined to respond positively to public pressures and, in some cases, to lead public opinion as well as follow it. Further, legislative entities (such as the Congressional Budget Office [CBO] and U.S. Government Accountability Office) that analyze budget requests, conduct general oversight activities, and issue critical reports, have been granted increasing authority to discipline administrative agencies. It also should be noted that agencies such as the Office of Management and Budget (OMB) and state bureaus of the budget (“mini-OMBs”) are increasingly active in seeking to hold operating bureaucracies more accountable. These, too, have acquired more authority of late to carry out that function.

The importance of the relationship between access to government information and governmental accountability was recognized more than six decades ago. Congress, in the Administrative Procedure Act of 1946, attempted to open up the bureaucracy by encouraging distribution of information to the public on a need-to-know basis. According to that principle, the burden rested with the inquiring citizen to demonstrate that information was needed from the bureaucracy; the presumption was that information could be safeguarded by the bureaucracy unless a strong case was made to the contrary. As long as popular trust of bureaucracy remained high and no major interests felt harmed or threatened, that arrangement was satisfactory. At the same time, bureaucratic secrecy went largely unchallenged, and little information filtered out of the bureaucracy when agency personnel decided to restrict it.

By the 1960s, the situation had changed. Increasing government activity bred rising citizen concern about administrative decision making, which, in turn, sparked calls for greater access to hard-to-get information. Congress responded, after some delay and without strong presidential leadership, by passing the Freedom of Information Act (FOIA) in 1966, based on the principle that the “timely provision of information to the American people, upon their own petition, is a requisite and proper duty of government.” The law presumed a right to know, with some limitations on information to be made available (most relating to national security). The effect of this statute was to increase the potential for citizen access to a wide variety of government records and files. This statute is increasingly recognized as a means of
exposing mismanagement. In most instances, agency accountability has been greatly enhanced because information was brought to light by the mass media or interest groups.\(^\text{17}\)

The FOIA records of recent administrations have been somewhat mixed.\(^\text{18}\) Proponents of greater access to government information have seen some of these developments as very positive; other developments are viewed less favorably; and there have been frustrating instances of evasion of open government laws by government agencies, and invasions of individual privacy that are cause for concern. Bill Clinton drew praise during the 1992 campaign for pledging openness in government and, in October 1993, took a major step to fulfill that pledge by formally reversing a twelve-year policy of withholding government information from the press. Attorney General Janet Reno issued new FOIA policy directives that, among other things, established a presumption of openness in the executive branch and directed that the Justice Department no longer defend other executive-branch agencies challenged under provisions of the FOIA. The attorney general also issued new procedures governing Justice Department responses to FOIA requests for some department documents. The OMB created a new policy under which executive-branch agencies must make government information, in electronic form, accessible to scholars and librarians, among others. And in mid-1993, the U.S. Supreme Court ruled that FBI records are not automatically confidential, especially if a criminal defendant seeks access to relevant records as part of an effort to establish his or her innocence.

The George W. Bush administration attempted to suspend full implementation of the FOIA in the interests of national security and limited access to sensitive information about the activities of the armed forces and domestic intelligence agencies in the war on terrorism. Not surprisingly, requests for information dramatically increased, creating a backlog of unprocessed FOIA applications (Figure 2–1). The FOIA allows agencies broad discretion in the release of information. If the agency declares that releasing the data would be a threat to national security, the information will remain a secret. Even when a document is released, so much text might be considered confidential that a 100-page document is one continuous set of black lines with only the words and, the, and of readable. Other issues have emerged that will demand attention in the immediate future. First, access to online electronic data is thought by most observers, including many members of Congress, to be protected under the FOIA, but many troubling questions remain to be answered (some with privacy implications).\(^\text{19}\) Second, there is growing unease that privatizing government services (see Chapter 10) creates greatly diminished public access to information about those services, because no FOIA provisions automatically extend to private-sector entities.\(^\text{20}\) Nearly forty states have also passed FOIA statutes, with varying degrees of effectiveness. Free and open exchange of information is crucial for both accountability and access. Clearly, freedom of information continues to have substantial
importance, in the eyes of both government officials and those who, for myriad reasons, wish to monitor what government does. In addition, unnecessary secrecy inhibits organizational communication and policy implementation. Former Vice President Gore argues that withholding such information from the American people may also damage democratic values:

The historic misjudgments that led to the tragedy of America’s invasion of Iraq were all easily avoidable. The [Bush] Administration’s arrogant control of information and the massive deception perpetrated on the American people in order to gain approval for a dishonest policy led to the worst strategic mistake in the history of the United States. But the damage they have done to our country is not limited to the misallocation of military and economic and political resources. Nor is it limited even to the loss of blood and treasure. Whenever a chief executive spends prodigious amounts of energy in an effort to convince the American people of a falsehood, he damages the fabric of democracy (emphasis added) and the belief in the fundamental integrity of our self-government.21

Sunshine laws, which have been passed at all levels of government and apply mainly to legislative proceedings, have also been enacted for administrative agencies. Regulatory agencies at the national level operate “in the sunshine,” although they are required to do so by judicial rather than legislative action. In all fifty states, open-meeting laws are on the books, applying to state legislative committees, state executive branches and independent agencies, and local governments. As with freedom of information laws, the greatest potential beneficiaries are organized groups of citizens who seek to monitor
administrative activities. City councils, county commissions, and local school boards have been at the center of controversies over open meetings at least as often as state or national entities. Both FOIA statutes and sunshine laws have succeeded at all levels in opening government to greater public scrutiny, but—perhaps not surprisingly—they have fallen short of what was hoped for them by their strongest advocates. Government behavior can be changed only gradually, if experience with these devices is any guide.

There is also growing concern that government and bureaucracy are not doing enough to protect individual privacy and to ensure that government records concerning affairs of private citizens are fair and accurate. This is a particularly sensitive issue in view of electronic information capabilities. Prior to the widespread use of data processing, information might have been available to government, but it was costly and time-consuming to have it on hand or to organize it. Computers, however, make retrieval and cross-referencing of information not only possible but quick and convenient. A principal concern is the extent and diversity of personal information that is now stored on computers of public and private organizations—Social Security data, credit ratings and transactions, driver’s license information, medical records, income figures, and so on.

Both national and state governments have taken action to better safeguard an individual’s right to privacy. Legislation at the national level includes the Freedom of Information Act, the Fair Credit Reporting Act, the Family Educational Rights and Privacy Act, the Privacy Act of 1974, and the Fair Credit Billing Act. Congress has established the Privacy Protection Study Commission to look into intrusions on individual privacy by agencies outside the national executive branch. Over half a dozen states have enacted privacy laws, and an even larger number have adopted their own versions of the Fair Credit Reporting Act. In short, there has been considerable government activity in this area, but concern persists that Big Brother still may have too much access to personal records. Indeed, there are growing fears that “hackers” in both the public and private sectors may be in a position to invade our privacy and steal our identities to a far greater extent than ever before. (Note, again, the potential links to freedom of information policy regarding access to electronic data.) Former Attorney General Alberto Gonzalez’s “loose” interpretation of due process and judicial review requirements for electronic surveillance and wiretaps proved embarrassing for the Bush administration and contributed to Gonzalez’s resignation in 2007.

**Dimensions of Democratic Administration**

In the following section, we will examine in greater depth selected areas in public administration that pose particular challenges for the maintenance of democratic norms and practices. We will consider each of the following: (1) citizen participation, (2) bureaucratic representativeness, (3) bureaucratic responsiveness, and (4) administrative effectiveness as a possible threat to personal freedom.
CITIZEN PARTICIPATION

The ideology of citizen participation has firm roots among our political values, especially participatory democracy. The push for greater citizen participation in government decision making was reborn in the 1960s out of related movements for civil rights, “black liberation,” and decentralization of urban government structures. It originated in demands by minorities for a larger voice in determining policies and programs directly affecting them. The urban poor, at least during the 1960s, concentrated on organizing themselves and confronting those in power with demands for change. Their participation was formally incorporated in both the planning and implementation of federal Model Cities and community-action programs and in other programs since then.

The forms and practices of citizen participation are numerous, ranging from advising agencies to attending hearings to actual decision making. In addition to making statements at meetings held by administrative agencies, individuals may take part in budget and other legislative hearings, and in initiatives and referenda; serve on advisory committees; participate in focus groups and respond to citizen surveys; and, in some cases, sit on governing boards of operating activities funded by government entities. Also, in the delivery of human services, individuals act as coproducers of the services by their involvement in program operations (this refers to services such as unemployment compensation, job assistance, garbage collection, and education). Viewing the citizen as coproducer is a different but highly relevant conception of participation that should not be overlooked. The same kind of active role is an essential ingredient in the more contemporary attempts to provide improved customer service and empower local communities to act in their own interests.

Specific purposes of participation can include some or all of the following: (1) providing information to citizens; (2) receiving information from or about citizens; (3) improving public decision processes, programs, projects, and services; (4) enhancing public acceptance of governmental activities; (5) altering patterns of political power and allocations of public resources; (6) protecting individual and minority-group rights and interests; and (7) delaying or avoiding difficult public-policy decisions. (Redistributing power and resources and protecting minority interests were central to the demands of urban nonwhites in the 1960s.) Although some of these purposes are mutually incompatible, all are directed generally toward reducing citizen alienation from government. This is a form of grassroots involvement that can also be used to hold public officials accountable.

Ideological differences about citizen participation and debates over its place in governing are related conceptually to the continuing debate in American politics over centralization and decentralization of administrative authority (see Chapters 3 and 4). Particularly as practiced in the federal system...
during the past quarter-century, citizen participation represents an application of the decentralist principle, which assumes value and purpose in delegating decision-making authority to affected persons and groups. Decentralization as a mode of operation clearly permits wider participation; it gives greater assurance that the existing spectrum of opinion will receive a hearing; and it lends more legitimacy to both the process and the outcomes of decision making. Because federalism itself was designed as a bulwark against intrusive centralization, the concept of decentralization obviously has a place in operations under a federal system. Citizen participation, fostered by many national programs, has been a key mechanism used to promote decentralization of operating responsibility.

The concept of participation has been applied in different ways to varying problems. **Community control** focused on neighborhood management of schools and delivery of other essential urban services, principally in nonwhite ghetto areas of major American cities. In other places, neighborhood and citizen-action organizations sprang up for the purpose of “preserving neighborhood character” and sometimes redevelopment of physical structures in the neighborhood. For example, there have been concerted efforts to prevent construction of interstate highway projects that would cut through, or perhaps level, parts of established urban neighborhoods; cattle ranchers in western states have joined forces with Native Americans and antinuclear groups to oppose uranium mining by energy conglomerates; citizen groups have protested toxic-waste disposal; and residential associations have tried to attract (or repel) commercial enterprises such as Home Depot and Wal-Mart. Organized antitax movements, such as the Ruby Ridge, Idaho, and Waco, Texas, incidents in August 1992 and April 1993, and the bombing of the Alfred R. Murrah Federal Building in Oklahoma City in April 1995, illustrate the extremes to which some groups have gone to protest actions of government agencies.

Citizen participation also has been incorporated into formal mechanisms for decision making. At the national level, for example, public participation in regulatory proceedings has been increasing, although with considerable variation in regulators’ responses and opportunities provided to citizen groups, such as consumer and environmental organizations. Agencies and commissions undoubtedly have legal discretionary authority to decide just how much public participation (if any) to permit and, particularly, whether and how to finance participation by those with limited resources. Nonetheless, there has been considerable frustration on the part of so-called **public interest groups** (PIGs), which have been slow to gain access to regulatory proceedings. And, at the local level, participation is now more regularized, especially in building code and zoning enforcement, environmental protection, and planning and design of urban communities.

Some other dimensions of citizen participation are worth noting. First, the matter of who is to participate and to what extent is not only a problem of democratic ideals, as discussed earlier; it has potentially important
implications in a strictly practical sense. In antipoverty programs of the mid-
and late 1960s, “maximum feasible participation of the poor” was called for,
but there was bitter debate over who constituted “the poor,” and how they
were to be selected and incorporated into program operations. Furthermore,
in almost all studies of citizen participation, it has been found that
groups of individuals active in such programs (1) represent organized interests
likely to have been previously active in agency affairs, (2) include a large com-
ponent of spokesmen for other government agencies, (3) represent a rather
limited range of potential publics affected by programs, and (4) tend toward
the well-educated, affluent middle- to upper-class individuals. Viewed in terms
of the ideological program goals, programs seldom appear to . . . produce a
great socioeconomic diversity among participating interests.\textsuperscript{26}

Second, there is a distinct possibility that officially sponsored citizen par-
ticipation tends to be \textbf{co-optation} and tokenism rather than representation.
On more than one occasion, what began as a good-faith effort to build greater
participation into a decision-making process ended up as more show than sub-
stance, symbolic politics at its worst, with the newer groups occupying a place
of greater visibility but little increased power. In developing relationships
between some urban community-action groups and municipal administrations
(for example, “city hall”), leaders occasionally have succeeded in co-opting
a group’s leadership by agreeing to some of their demands and giving them
greater political visibility in exchange for moderating other demands. This has
occurred especially in communities like Chicago that have well-entrenched
local political organizations, where community-action groups choose to set-
tle for “half a loaf” rather than risk forfeiting all chance to have some impact
on the way decisions are made and resources allocated. Powerful government
structures are capable of co-opting nongovernmental groups. In addition, co-
optation can work both ways, in that a government agency might be co-opted
by stronger nongovernmental, private-sector groups. Either way, co-optation
involves surrender by a weaker entity to a stronger one of some power to
shape the course of the weaker entity’s long-term activities.

Third, decentralizing and localizing control over governmental programs
has not been a guarantee of either increased participation at the local level or
more democratic operations. Indeed, government at the grass roots may be \textit{less}
democratic than in a larger and more diverse political system.\textsuperscript{27} The dangers
of domination by a small minority of elite local citizens are very real, regard-
less of official mandates or unofficial expectations. It also has been observed
that citizen participation can become a “bureaucratic ideology” to be used
“against the elected officers of representative government.”\textsuperscript{28} All such obser-
vations clearly imply a hazard inherent in citizen participation: the potential
for citizen interests to become primarily self-serving rather than representa-
tive of broader interests in the community or society.
A fourth concern is that agency personnel, in their enthusiasm for satisfying immediate citizen-action demands, may initiate responses that prove to be shortsighted when judged by more rigorous criteria over time. Compounding this potential difficulty is a tendency for citizen groups to scorn cost–benefit analysis as an instrument of evaluation of their own proposals. Cost–benefit analysis is not always an appropriate evaluative tool, but it can often strengthen one’s case, particularly under conditions of fiscal stress, or at least increase a group’s credibility in a political dialogue.

Fifth, if citizen participation is designed to help keep bureaucracy accountable to the general public, it has had a mixed record of success. Citizen groups seem to have the greatest impact when they have the political power to make bureaucrats listen and when group values most nearly match those of the bureaucracy.

Sixth, citizen participation and its impact will be affected by the degree to which contacts with those in government are characterized by confrontation as opposed to negotiation, by a sense of “us against them” as opposed to a perceived community of interests. Tension in a political system is not uncommon, but a democratic system virtually requires that tension not be constant. Barring fundamental shifts in the locus of power in a particular decision-making system, continuous confrontation will soon reach a point of diminishing returns for those seeking access and influence.

Finally, a widely accepted concept affecting participation is citizen input, about which a cautionary note is in order. Many of us seem to assume that we should seek “greater input” into the mechanisms of decision making. (The term is borrowed from computer science, where input makes a major difference in results.) However, the concept of input involves an implicit acknowledgment that somebody else is running the machine. In other words, those who seek input are admitting to a subordinate position in decision making. How to get action with too many voices “in action” is a real dilemma for decision makers. There are other possibilities—coproduction, empowerment, partnership, and full control, for example—for which input is an inappropriate concept. To think only in terms of input, in short, serves to limit the variety of ways that participation can occur and to confirm the power of those already holding it.

Citizen participation, in sum, has dramatically modified decision making processes in a host of policy areas and has taken its place as a major feature of democratic administration. However, nothing is automatic about the manner in which participation and representation are practiced. Although those in positions of power have often yielded only grudgingly to citizen groups, it is unlikely that the gains that have been made will be rolled back.

**Bureaucratic Representativeness**

There are, first of all, several approaches to representation. Should constituents’ opinions and preferences be conveyed to government officials and reflected faithfully in legislative voting, or should a representative exercise...
independent judgment and individual conscience in making decisions? The former, which has been labeled the “delegate role,” maximizes the public’s impact on decision making but does not take advantage of the representative’s potentially superior knowledge of details and of subtleties in making choices. The latter, labeled the “trustee role,” emphasizes the representative’s capabilities and the public’s trust that their interests will be faithfully served (thus the label trustee). In both instances, we are depending on our representatives to somehow serve the public interest. Unfortunately, it is rarely clear how elected officials make their decisions and to whose voices they listen when they do act as delegates. Thus, in its most basic dimension, there is ambiguity concerning representation.

That ambiguity is complicated considerably when the focus shifts to the administrative context. Because bureaucracies in American politics are acknowledged to have a representative function, it follows that answers to the same sorts of questions must be found. But, historically, bureaucratic agencies have served narrow clienteles with specialized interests (see Chapter 1). An agency’s representation of those interests—and its accountability to them—can be quite complete without its serving the larger political system. How, then, can these administrative patterns be reconciled with democratic values that emphasize broad popular representation? These are not “new” issues. Political scientist Emmette Redford attempted to supply some answers to this dilemma in the late 1960s. Central to the argument is the following proposition: “The attainment of the democratic ideal in the world of administration depends much less on majority votes than on the inclusiveness of the representation of interests in the interaction process among decision makers.”

Redford develops that proposition by suggesting the process can be called “democratic” only if the interaction process is broadly inclusive at two levels of decision making: first, at the level of political superstructure, where basic decisions on rules for society and roles for actors in the administrative state are made, and second, at the level of program specialization to which much of the decision making of the administrative state has been entrusted. Interaction should include several types of leaders from diverse segments of the community who, in their participation and the influence of nonleaders upon them, represent the many and varied interests within society.

Thus, the degree to which representation is inclusive of existing interests in the society is, in this view, a key test for how democratic administrative processes will be. Underlying this is another concern: the extent of effective access afforded to those not already a part of the interaction process, consistent with the norm of inclusiveness. Both access and regularized interactions are crucial to democratization of administration, especially regarding the opportunity for newer or weaker groups to gain a hearing for their interests and grievances.

Another essential difficulty in representation concerns the delegation of authority. In a fundamental sense, we delegate our authority to Congress and to state and local legislatures to make our laws, knowing as we do that
representation of our every view is imperfect. Legislatures, in turn, have delegated vast amounts of authority to bureaucracies (and to chief executives), further removing decision-making power from the source of authority—that is, the people. When authority is delegated, it must be either very precisely defined and limited, which tends to be impractical and defeats the purpose of delegating, or else discretionary, with those who exercise it largely deciding how it should be used.

Once discretionary authority enters the picture, which it clearly does in administrative decision making, the representational quality of decisions may be diminished. This is especially true where expertise, technical competence, and rationality are highly prized values, as they are in much of our bureaucratic structure. We come back, then, to a dilemma that troubles much of democratic administration: the conflict between professionalism and participation/representation. Increasingly in recent years, “the people” have grown to resent “somebody else” making a judgment about what is best for them. Most of the time, that “somebody” is a professional operating within a bureaucracy. Thus, discretionary authority exercised by bureaucratic “trustees” increases the chance that the general public’s feelings will not be as well represented as they might be under conditions of reduced (professional) discretion.

Another aspect of discretion should be noted. If, as one observer has pointed out, “good administration consists of making [bureaucracy] predictably and reliably responsive” to the wishes of the public, then large areas of discretionary authority clearly get in the way of predictability. The only way to make bureaucracy more predictable, given our past history of delegating authority, is to reduce dramatically the discretion technical experts in the bureaucracy are permitted to exercise. This would require a fundamental reassessment of the kind of bureaucracy—and expertise—we want.

Finally, bureaucratic representation is inhibited by longtime practices insulating administrative personnel from direct political pressures. Conceptually, politics and representation of the public’s feelings are virtually synonymous, and to hamper political interchange is to place limits on popular representation. Whether the U.S. civil service is, in fact, representative of the population at large is a debatable—and debated—issue.

Several studies suggest that national government civil servants are imperfectly representative of the public at large in demographic (and perhaps political) terms, as senior civil servants certainly are. Yet, given the professional nature of their work, we might expect that to be the case—at least concerning income, education, and certain issue positions. On the other hand, considering the changes already in motion regarding recruitment, promotion, and the like, it is not surprising that we are seeing greater demographic representativeness. Although career civil servants are likely to be affected by the presence of a presidential administration that has “a substantial degree of coherence in its overall program goals and its personnel system, and [that] appears for the moment to have strong political momentum,” the views of career employees
still do not “exactly mirror those of the presidential administration.”33 Strong partisan ideologies dominated executive-bureaucratic relationships during the second Bush administration.

The issue of representativeness obviously has many sides to it. Women, gays, and ethnic minorities, in particular, have taken the virtually unanimous position that greater representativeness is needed to enhance general understanding within the civil service of problems confronting women, homosexuals, and minority groups. Furthermore, theirs is a call for advocacy of their cause as a central activity of female and minority administrators. In general, the effort to increase representativeness based on gender and race is founded on the belief—perhaps quite valid—that government would otherwise ignore their concerns in program design and management. Other groups such as evangelical Christians, Neo-Conservatives, and the so-called Christian Right have taken similarly strong stances in favor of including more of their ideology, representatives, and interests in national politics.

**Bureaucratic Responsiveness**

The responsiveness of public officials to popular sentiments depends on the presence of several factors in the governmental process. For one thing, it depends fundamentally on the people’s assumptions about what is and what should be in the conduct of government and public-policy making. It is not only a matter of what we establish very loosely as our governmental and societal objectives (and those objectives will conflict!), but it is also what we take for granted in our expectations about governmental activity.

Second, responsiveness requires meaningful access to the right decision makers and a legitimate opportunity to be heard. Access is a key step in the policy process and, without it, responsiveness cannot be ensured. A key issue regarding access is—and will continue to be—whether it should be granted or denied by virtue of an individual’s (or group’s) payment of a “retainer” in the form of a pre-election campaign contribution. Citizen inputs are likely to have a limited effect in attaining bureaucratic responsiveness because of restrictions on citizens’ expertise, time, and access to decision makers.

Third, government and its agencies have to be able to respond to potential emergencies, and ongoing policy and program demands, in new ways to meet new threats. Politically, financially, and administratively, agencies must be equipped to deliver services or otherwise satisfy public demands placed on them. These demands have escalated following 9/11 and Hurricane Katrina with the need for comprehensive planning to prevent actions of domestic and international terrorist groups and minimize the impact of natural disasters. Such changes may require fundamental changes in the police power of government that may compromise strict interpretation of civil liberties.

There are two major constraints on responsiveness. The first concerns public expectations. Ideally, public expectations should be realistic, reasonable,
and manageable. Admittedly, anyone in government can hide behind excuses of unrealistic, unreasonable, or unmanageable public desires to avoid tackling hard problems that may, by objective standards, need attention. But the point here is that there may actually be conditions that, for legitimate reasons, are difficult to deal with—for example, crime, environmental pollution, poverty, or nuclear-waste disposal. If people assume that a problem can be solved and it is not solved, the government may be accused (not entirely fairly) of being unresponsive to public wants. Despite our skepticism, inability to act can be an operating reality for a government agency—perhaps as a result of lack of jurisdiction, limited funds, managerial ineffectiveness, political opposition, or merely difficulties in “making the ordinary happen” (see Chapter 9).

The second constraint on responsiveness is that government agencies cannot—or at least do not—respond equally to all societal interests. Inevitably, some groups view government as unresponsive because it does not respond to them. And they are often correct in that assessment. The main point, however, is that government is not simply responsive; it is responsive to specific sets of interests and preferences that exist in society at large. Especially in the context of limited resources (fiscal and otherwise), government cannot be responsive to each and every interest or need, and it is rarely able to satisfy fully those interests to which it does respond.

**Administrative Effectiveness and Personal Liberty**

One other topic deserves our attention: the possibility that, as government machinery strengthens, it may acquire additional potential for diluting individual liberties. This does not necessarily occur as the product of deliberate decision in the highest councils of government. It can result simply from overzealous implementation of perceived mandates by an individual agency or bureaucrat. It is an even greater possibility when strong public sentiment supports an agency such as the Office of the Director of National Intelligence in doing a job that inherently threatens individual liberties. Examples are potential actions by the border patrol, immigration, intelligence, law enforcement, and national security agencies. In their zeal for securing our borders, preventing further acts of terrorism, and “fighting crime,” there is danger that federal agencies like the FBI, state law enforcement agencies, or local police may infringe on Bill of Rights protections. This is a serious concern of many people, involving such issues as domestic surveillance by U.S. intelligence agencies, search and seizure procedures, wiretapping, profiling ethnic and racial groups, and balancing the priorities of national security versus individual privacy. Civil libertarians are concerned about the **USA PATRIOT Act**, which loosens the procedures and rules of evidence for surveillance, investigation, spying, and jailing of terrorist suspects. President Bush signed the act into law on October 26, 2001, just five weeks after the 9/11 attacks on New York and Washington. It is a large, complex, and hastily drafted law that increased central government powers to investigate, detain, and wiretap persons suspected of engaging in terrorist activity.
that was passed by Congress over the objections of civil liberties groups on both ends of the political spectrum. The act gives the executive branch extensive powers and a wider range of tools to limit freedoms of speech, privacy, and due process. The essential point is that, as the machinery of government grows stronger—whether or not it is supported by popular majorities—the potential for infringement of all sorts on individual rights grows apace. This causes operating problems for those in public administration but, because of the basic values at issue, all of society is ultimately involved.

The Political Environment of Bureaucratic Power

Like most other government institutions, administrative agencies function within a complex framework of widely scattered legal and political power. Both the formal structure of governmental power and the actual competition for power reflect a lack of centralization in the political system. Competition for power includes conflicts among and within the branches of government (especially within Congress), factional conflict within the two major political parties, and continual jockeying for position and influence among interest groups. This dispersal of power is sustained and supported by the noncentralized nature of American society, with its strong cultural emphases on capitalism, individualism, and pluralism. This prevailing political culture is accompanied by acceptance of individualism and group competition as appropriate mechanisms for achieving success in politics and other pursuits.

Wide dispersal of political power both constrains and creates opportunities for stakeholders—diverse interested individuals, groups, and institutions—to seek and acquire leverage in a policy arena. The major problem facing any group or agency is that competition for influence in a particular subject area is usually fierce because, at the same time, many other groups and agencies are also seeking to have their preferences adopted as public policy.

Take, for example, proposed changes in government health care policy. This area is of considerable interest to stakeholders such as the medical profession, pharmaceuticals manufacturers, hospitals, medical equipment dealers, insurance companies, patients, the uninsured, and consumer groups. Others with a stake in health care policy include labor unions whose members are covered by company-paid health plans, stockholders of drug companies, allied health professionals employed by health care providers, and government agencies—such as the national Department of Health and Human Services (DHHS) and state and national health regulatory commissions—that have responsibilities affecting, and affected by, decisions on health care policy issues.

The key to understanding why bureaucratic agencies are forced to play political roles is the lack of cohesive political majorities within the two houses of Congress and the resultant “fuzziness” in programmatic mandates often
enacted by Congress. Political scientist Norton Long, writing over sixty years ago, observed that “it is a commonplace that the American party system provides neither a mandate for a platform nor a mandate for leadership. . . . The mandate that the parties do not supply must be attained through public relations and the mobilization of group support.” Long went on to suggest that the parties fail to provide “either a clear-cut decision as to what [administrative agencies] should do or an adequately mobilized political support for a course of action.”

He continued:

The weakness in party structure both permits and makes necessary the present dimensions of the political activities of the administrative branch—permits because it fails to protect administration from pressures and fails to provide adequate direction and support, makes necessary because it fails to develop a consensus on a leadership and a program that makes possible administration on the basis of accepted decisional premises.

Thus Congress, lacking majorities that can speak with clear and consistent voices for sustained periods of time, is characterized instead by shifting political coalitions, the composition of which varies from one issue (and even one vote) to the next.

Another factor contributing to the lack of clarity in legislative mandates to government agencies is the inability of legislatures as institutions—and of individual legislators—to define precisely the exact steps required to put into effect a desired policy or program:

Legislators, not being technical experts, frequently write laws embodying goals that are exemplary but [that] lack details. Skeletal legislation, as it is frequently called, is phrased in occasionally grand and, therefore, fuzzy terms. The implementing agency is told by the legislature [in national, state, or local government] to provide a safe environment for workers, to see that school-children are served meals with adequate nutritional content, . . . to assist the visually impaired, to maintain adequate income levels, and so on.

Most of the time—but especially when basic statutory language is ambiguous—legislators delegate to administrators the authority necessary to breathe life and specific meaning into such provisions of the law and then to implement them. (Ambiguous language can also be the result of political compromises. For example, it is always easier to agree on support for “quality education” than to define exactly what that is.) For whatever reason, then, the usual pattern is legislative enactment of statutes that are phrased in general terms, accompanied by legislative delegation of authority (to define and implement those statutes) to administrative agencies.

Thus, agencies are placed in the position of making judgments about legislative intent and program management. These decisions carry with them significant political implications. Congress, however, does not simply leave

bureaucrats to their own devices. Legislative oversight is a legitimate function of Congress, one that can sometimes result in fairly strict control by a legislative committee or subcommittee of actions taken by administrators under its jurisdiction. (Other potential controls will be examined in the discussion of bureaucratic accountability later in this chapter.)

Presidents, who might be expected to provide leadership for bureaucracy from a relatively solid base of political support, ordinarily lack the sort of backing that would permit them to take unequivocal policy positions. Presidents have the largest constituencies and therefore must be, if not all things to all groups, at least many things to many of them. Administrative decisions are inevitably impacted by the need to serve so many varied interests. This can also pose a considerable challenge to administrators seeking to carry out directives from the chief executive as well as the legislature.

For a variety of reasons, chief executives of public agencies (presidents, governors, mayors) may seek to avoid a leading role in giving detailed direction to administrative implementation of public policy. For administrators, there are both advantages and disadvantages to this course of action: On the one hand, administrators are not bound to follow every executive dictate exactly; on the other hand, they are not able to rely routinely on presidential, gubernatorial, or mayoral power or prestige for political support.

Before discussing the principal political resources of administrative agencies, some other generalizations concerning the political environment of bureaucratic power should be noted. First, formal definitions of agency power or responsibility are not likely to reveal the full scope of actual power or influence. Second, although bureaucratic agencies generally occupy a power position somewhere between total independence from the president and Congress and total domination by either or both, the amount of independence they have in any specific situation is also heavily influenced by the power relationships they have with other political actors and institutions. Agencies with relatively low political standing may be dependent on the support of Congress or the president in order to function adequately, thus running the risk of allowing others to dominate their decisions. Those with higher standing or stronger backing from other supporters are better able to stand on their own in relation to Capitol Hill and the White House. These generalizations also hold true in state and local politics.

Third, the acquisition and exercise of bureaucratic power are frequently characterized by conflicts among agencies over program jurisdiction, the area of responsibility assigned to an agency by Congress or the president. The study of bureaucratic imperialism, that is, the tendency of agencies to try to expand their program responsibilities, suggests that such expansionism arises because administrative politicians need to maintain a sufficient power base for their agencies. “Power is organized around constituency and constituency around jurisdiction.” In their quest for “sufficient power,” bureaucratic agencies seek support from permanent and semipermanent coalitions of
constituency groups—that is, interest groups—which in turn are organized to pursue policy objectives of their own. To secure backing from such groups, administrative agencies must manage government programs of interest to these potentially supportive constituencies. Thus, agencies always seek to obtain control over programs that have strong support from influential constituencies.

Bureaucratic imperialism, however, is neither universal nor automatic; for example, an agency may deny, in its own interests, that it has legal authority to exercise powers within some specified “unpopular” area of jurisdiction. The point is not that agencies are inherently imperialistic or nonimperialistic but rather that an agency’s decisions regarding program jurisdiction usually take into account potential repercussions. Thus, conflicts over agency jurisdiction are serious contests for political power.

Finally, governmental institutions, including administrative agencies, have at least two roles to play in the exercise of power and decision-making authority. These roles overlap but are conceptually distinct and can sometimes conflict. On the one hand, institutions may act as unified entities seeking to maximize their influence and their share of available political rewards and benefits. On the other hand, government institutions also serve as arenas of political competition, within which various forces contend for dominant influence in decision-making processes. This is especially evident in Congress, where rival political coalitions are frequently in noisy dispute over well-publicized issues. Media reports that “Congress voted today to . . . ” really mean that a majority coalition was successfully formed on a given vote. Also at issue every time Congress makes a decision is control of the way the question is presented, possible amendments, use of numerous tactics to speed up or delay consideration, and other tactical questions. There is far less visible conflict in the bureaucracy than in Congress, but this pattern of conflict resolution is much the same, complete with conflict over shaping the issue, moving it along or foot-dragging, and so forth. Like Congress, the bureaucracy operates within a complex web of political forces and must respond to the external (and frequently internal) pressures brought to bear on the administration of government programs.

Ordinarily, administrative agencies try to strike a manageable balance between, on the one hand, what they can and want to do to further their own programmatic interests and, on the other, what they must do to ensure their survival and prosperity, however that is defined. Achieving such a balance requires a willingness to compromise, a sure instinct for deciding when to seek a larger or smaller share of the pie, and an ability to read both long- and short-term political forecasts accurately. In addition to those internal skills, however, an agency must first have and maintain the two crucial foundations or sources of bureaucratic power mentioned earlier: expertise in the subject matter of its program responsibilities and political support. Let us consider each of these in turn.
Foundations of Power: Bureaucratic Expertise and Political Support

One of the major foundations of bureaucratic power is the collective expertise an agency can bring to bear on programs for which it is responsible. As various facets of society have become more complex and interdependent and as technological advances have followed one another with astounding speed, the people with know-how—the experts—have acquired increasing influence because of their specialized knowledge. Government is obviously subject to the same forces as the rest of society; this is especially true of particular governmental functions such as intelligence gathering that are uniquely affected by technological change. As a result, government experts now play larger roles in numerous public-policy decisions.

Political scientist Francis Rourke has suggested that the influence of experts rests on five major components: (1) full-time attention by experts to a problem or subject-matter area; (2) specialization in the subject; (3) a monopoly on information in the subject area that, if successfully maintained by only one staff of experts, makes these specialists indispensable in any decision making involving their subject; (4) a pattern of increasing reliance on bureaucratic experts for technical advice; and (5) increasing control by experts of bureaucratic discretion. The last three of these components deserve discussion. Although a monopoly on information is desirable from a particular agency’s point of view, it is rarely achieved in practice. This is partly because no single agency controls all governmental sources of information on any given subject, partly because government does not control all information sources in society, and partly because information—itself a source of power and influence—is the subject of intense interagency competition. Thus, when expert staff members have a monopoly on information relevant to making a given decision, their influence increases. Conversely, influence can be more effectively contested when there is greater diversity of information sources.

Reliance on expert advice, although on the increase, is not without limits; the influence of experts, therefore, is similarly constrained. Not every agency decision revolves around technical criteria or data. Even when an issue does involve technical data, top-level administrators, for political or other reasons, may prefer a decision that is not the best according to technical criteria (see Chapter 5). Thus, in many agencies, expert advisers play a role that, although important and influential, also has its limitations.

Two aspects of the experts’ increasing control of bureaucratic discretion are worth noting. First, by exercising discretion, an expert maximizes the ability to decide just how vigorously or casually to implement the public policies over which the agency has jurisdiction. Second, bureaucratic discretion enables agency experts to influence policy decisions by defining the decisional alternatives from which higher-level officials choose the course to be
followed. To the extent that responsible policy makers permit bureaucratic experts to define available alternatives, they strengthen the experts’ influence through the power to decide what is and is not included among the alternatives presented.

Experts possess another useful resource: their ability to employ the language of their respective trades, speaking in terms and concepts unfamiliar to most of us. This use of specialized language (some might call it jargon) has become a common phenomenon among experts inside and outside of government, and poses problems for the layperson who seeks to understand complex developments and issues. By using jargon, bureaucratic experts make it very difficult for others to challenge them on their own territory, so to speak; if we cannot fathom what they have proposed, how can we argue against it? This resource, moreover, has been greatly enhanced by the fact that, in countless cases, proposals put forward by experts have yielded very positive and beneficial results. As Rourke has noted, this combination of obscurity of means and clarity of results has helped consolidate the position, prestige, and influence of experts in government agencies.

In recent years, however, the obscurity of means that previously was a source of strength for experts has contributed to growing public disenchantment with “big government,” bureaucracy, and experts in general. With the increasing desire for broader public involvement in decision making has come a greater unwillingness to take the experts’ word and a more insistent demand that experts make clear to the general public exactly what they are doing, proposing, and advocating. In the long run, public reactions and attitudes may have more effect on the influence and power of government experts than any characteristics or actions of the experts themselves.

Political support for an administrative agency has a number of key dimensions. First, and perhaps foremost, the legislature is a major potential source of support that must be carefully and continuously cultivated. In most instances, an agency derives its principal backing from one subdivision (usually a committee or subcommittee with authority to oversee the agency’s operations) rather than from the legislature as a whole. Most agencies are faced with the task of continually generating and maintaining the support of committees, subcommittees, and even individual legislators. They attempt to do this in a number of ways, including (1) responding promptly to requests for information, (2) effectively promoting and managing programs in which legislators are known to have an interest, (3) cooperating administratively with legislators’ electoral needs, and (4) anticipating legislative preferences regarding the operations of particular programs.

A second major source of support is the executive branch, which is composed of the president, governor, or mayor and other administrators and agencies formally lodged in the executive hierarchy. Executive influence can be decisive in determining success or failure, and an agency will make every effort to win favor in both the short and long run. An important corollary...
of presidential or vice presidential backing at the national level is favorable reviews of agency budget requests by the Office of Management and Budget, which molds the executive-branch budget proposals submitted to Congress each year. Although the OMB does not itself allocate funds to the agencies, its support can enable an agency to concentrate on persuading Congress (which does hold the purse strings) to back its programs financially. The best position for an agency to be in is one in which its programmatic responsibilities have a high priority on presidential policy agendas year in and year out, but, as suggested earlier, few agencies enjoy this kind of support. Far more common is a pattern in which agencies and their programs compete for support and settle for a “win some, lose some” record. Support for an agency can be earned, among other ways, by giving stronger agency support to programs that are administered by the agency and are consistent with the current administration’s policy priorities; by sharing, at least on the surface, chief-executive concerns about how programs are managed (as many agencies did in response to President Bush’s management agenda for the federal government [see Chapter 10]); and by avoiding public conflict with the chief executive over policy and program priorities.

A second means of acquiring executive-branch support is by allying with another agency or agencies in quest of common objectives. Such interagency alliances tend to be limited in scope and duration. Because most agencies are very protective of their program jurisdictions and because there is an element of risk that a cooperating agency might also be a potential rival, most agencies enter into alliances with others rather carefully, even though they may share limited objectives. An example of such a bureaucratic alliance is the periodic coalition formed by the military services in opposition to cuts in defense appropriations, even as each is contending with the others for a greater share of the fiscal pie. But these are occasional alliances brought about by specific and passing needs; they do not usually outweigh more enduring differences among agencies. In sum, although cooperation with other agencies may indeed be a means of acquiring support, it has its limitations. The agencies with which cooperation would be most logical in terms of programmatic interest are the very ones with the greatest potential for conflict over jurisdictional responsibilities.

A third major source of support, which is carefully cultivated, is constituent or clientele groups that look to the agency for satisfaction of their policy demands. These interest groups represent an organized expression of political opinion by a portion—usually a small one—of the adult population. They tend to be groups directly affected by the agency’s operations, which therefore have a tangible stake in its policy decisions, rule making, or programmatic output. The political relationship that usually develops between an agency and such a group is one of reciprocity, in which each has some political commodity from which the other can benefit. The agency’s greatest strength is its expertise and the control it exercises over particular
government programs that are of interest to the group. In turn, the group has political resources that it makes available to the agency in return for agency attention to its needs and desires. The group may provide linkages to other influential individuals and groups, help the agency sell its program to Congress and the president, or aid the agency in anticipating changes in the political environment that would present problems or provide opportunities. Such agency-clientele group relationships exist, among many others, between the Pentagon and defense contractors, the Social Security Administration and senior-citizen groups, the Department of Agriculture and the tobacco industry, the Maritime Administration and the shipping industry, state commerce commissions and private business associations, and both state and national departments of labor and the labor unions.

Administrative agencies often have more than one constituent group, creating both advantages and disadvantages. A principal advantage is that, with multiple sources of support, an agency can operate more effectively in the political process without having to rely too heavily on any one source of assistance. A corresponding disadvantage stems from the fact that various clientele groups often have differing interests, which lead them to demand different things from an agency or to demand the same things but not in the same order of priority. Not infrequently, an agency faces a situation in which satisfying one group's preferences will seriously interfere with its ability to satisfy those of another.

An agency must also deal with Congress as a whole or a specific committee as though it were a clientele group with demands and expectations that must be satisfied. An agency is well advised to consider congressional clientele groups as among its most important, especially when it is confronted with conflicting sets of demands. In other words, it is unwise to regularly disregard the demands of Congress, even if this means making other (private) clientele groups unhappy. (As we shall see later in this chapter, however, agencies have some means at their disposal to avoid being caught in a squeeze between their congressional and private clientele groups.)

In state politics, agencies are frequently tied even more closely to private interest groups. When the governor has somewhat limited formal powers or informal influence, or when the state legislature is relatively passive or weak, support from interest groups is often the greatest (and sometimes the only) source of strength for an administrative agency. Even in states with strong governors and legislatures—such as New York, California, Illinois, and Michigan—the support of key interest groups can benefit an agency significantly. For example, the Illinois Agricultural Association, the state component of the American Farm Bureau Federation, is a vital source of political strength for the state Department of Agriculture; in California, farm organizations help sustain both the Department of Agriculture and the Department of Water Resources. In return, of course, these agencies are expected to advocate and defend the interests of their supporters, such as
irrigation for California’s farmers. These relationships often become at least semipermanent.

One other aspect of agency-clientele relationships is quite important. As noted earlier, administrative organizations cherish, and thus strive to maintain, their control over particular programs. Sometimes, however, an agency may have to give up some of this control to outside influences, such as legislators or private clientele groups, in return for continuing political support. If this surrender is temporary, an agency loses little and may gain a great deal in the long run. If the agency fails to regain control, however, it is said to have undergone co-optation, whereby a set of outside interests acquires the ability to influence the agency’s long-term policies. If this happens, all the agency’s substantive policies may be subject to influence, not just those of most direct concern to the outside group or groups.

A fourth source of political support or opposition for an administrative agency is the general public. The potential influence of the unorganized public is great; if mobilized and concentrated on a particular issue, public opinion can decisively tilt the political balance of power in one direction. The problem for any stakeholder is to mobilize the public successfully, which is no easy task. Ordinarily, most Americans pay scant attention to public issues unless the issues affect them personally.

Yet the public’s attention can be directed to a pending major policy decision, and the public’s feelings about it can be aroused. In some instances, expression of public opinion has forced a decision to be made—for example, withdrawing troops from an unpopular engagement, making an effort to combat environmental pollution, and taking steps to reduce government budget deficits. Without broad public demand and backing, these policy directions, which represented significant changes from earlier policies, could not have been proposed or sustained through the political process. In short, public support can be a valuable political resource to strengthen the positions of those in government. Numerous public-opinion studies have suggested that, when the general public has strong feelings on a matter of importance to large numbers of people, the governmental response is usually consistent with those feelings. An agency supported by broad public opinion can, by using public sentiment, generate support for itself and its programs.

In political terms, an agency’s overall task can best be understood as controlling its programmatic responsibilities while simultaneously maintaining adequate support for its operations. This must be accomplished without making any of the agency’s clientele groups seriously dissatisfied with the way it is performing its functions. This is far from easy to do, and it is the exception rather than the rule when an agency succeeds on all fronts. More frequent is the pattern of agency adaptation to, and accommodation of, particularly strong interests. Political backing can usually be obtained from these powerful groups in sufficient strength to outweigh any losses incurred by diminished program support among weaker clientele groups.
Bureaucrats, Interest Groups, and Politicians: Subsystem Politics in America

One place to begin an examination of how bureaucrats manage their political alliances is to consider certain important parallels between the national government bureaucracy and the U.S. Congress. These institutions have three features in common that are important in this context. First, within both, there is a well-established pattern of division of labor; that is, the work to be done is divided among numerous smaller, specialized units. In Congress, these units are the committees and subcommittees of each chamber; in the bureaucracy, they are the multitude of bureaus, staffs, branches, and divisions that make up larger executive agencies. Second, the divisions within both Congress and the bureaucracy are organized primarily according to function and deal with general areas of policy concern, such as education, housing, labor, or defense. Third, the specialized nature of these smaller units is the principal source of their influence in the policy-making process.

It is a pervasive unwritten rule of Washington political life that, all other things being equal, larger institutions defer to the judgments of their more specialized units. This pattern of regularized respect for experts means that, in the great majority of cases, these units tend to be focal points of important decision making. In Congress, although bills passed by the full House and Senate must be identical, committee proposals usually form the core of bills that eventually reach passage. Amendment of committee proposals is possible, but the initial form of legislation carries some weight, and key committee and subcommittee members often influence the entire process of deliberation in the full chamber. In the bureaucracy, specialized personnel (the experts described earlier) wield considerable influence in the formulation of proposals that make their way up the formal hierarchical ladder (and to Congress as well) and into the daily processes of program implementation.

In short, it is misleading to assume that influence is concentrated only “at the top” in either Congress or the bureaucracy. The fine details of lawmaking, and of legislative oversight of executive departments, are the responsibility of subject-matter committees and subcommittees of Congress, each assigned jurisdiction over particular administrative agencies and their programs. Only rarely do such matters engage the attention of the full House or Senate. Similarly, the nuts and bolts of administration are normally concentrated in the lower levels of government organizations, not at the top or even very near it. Thus, in the broad picture of policy making in Washington, there is a high degree of fragmentation, with many small centers of influence operating in their respective areas of expertise.

Plainly, bureaucratic expertise is a source of bureaucratic power. Members of Congress also seek to become specialized, for two reasons. First, they are encouraged to do so by constituent interests on the grounds that such specialization is the best route to influence in Congress. Second, they quickly
recognize that by becoming influential they can do more for their voters back home. For sound political reasons, most seek to join and lead congressional committees that have jurisdiction over areas of public policy affecting their electoral constituencies. For example, a representative from a constituency with sizable concentrations of low-income and minority groups in a large city would be likely to seek assignment to the Financial Services Committee (especially its subcommittee on Housing and Community Opportunity), or perhaps to the Education and the Workforce Committee; these deal directly with the problems of urban constituents. Likewise, a senator from a state with a major port or a rail transportation center would cherish a seat on the Commerce, Science, and Transportation Committee. And so it goes, all through Congress.

Obviously, members of Congress do not always get their first choices of assignment. But in pursuit of their own electoral fortunes and policy objectives, legislators are attracted to those committees in which they can have the most impact in policy areas that interest them personally and in which they can maximize their influence in support of constituency interests that could be decisive in their reelection bids. (Note that this implies selective attention to constituency interests, often focusing on objectives and preferences of influential friends and allies before—or at the expense of—objectives and preferences of others less powerful who live in the same constituency.) This naturally leads to increased contact between legislators and others interested in the same policy areas: administrators in agencies with jurisdiction over relevant programs; interest groups that, even more than legislators or bureaucrats, have specialized interests at the core of their existence and activities; and other members of Congress with one or more similar public-policy interests.

**INTEREST GROUPS AND “IRON TRIANGLES”**

This coalition of shared specialized interests produces the potential for pooling political resources by individuals and small groups in different parts of the policy-making arena in order to achieve common purposes. Hundreds of quiet, informal alliances have grown up in this manner, with the term *subsystem* or simply *subsystem* used to describe them.

What is a *subsystem*? It is defined here as any political alliance uniting some members of an administrative agency, a congressional committee or subcommittee, and an interest group with shared values and preferences in the same substantive area of public-policy making (see Figure 2–2). Subsystems are formal alliances or coalitions that link individuals in different parts of the policy structure. The members usually have some influence in the policy-making process, in part because of their formal or official positions—bureau chief, committee or subcommittee chair, or committee member. The essential strength of a subsystem, however, lies in its ability to combine the benefits of bureaucratic expertise, congressional leverage, and interest group capabilities in organizing and communicating the opinions of
those most concerned with a particular public issue. All subsystems have that potential; some, of course, are far more powerful than others.

One example of a very influential subsystem is the so-called medical-industrial complex, composed of doctors, hospitals, insurance companies, pharmaceuticals and medical equipment manufacturers, the U.S. Department of Health and Human Services staff, influential members of House and Senate health and social affairs committees, and each chamber’s appropriations subcommittee on Medicare and Social Security expenditures. Parallel executive departments, private insurers, health care professionals, and legislators at the state and local government level are also active stakeholders in this subsystem. The presence in this subsystem of large industries supplying hospital and medical equipment, prescription drugs, and public health care assistance to the poor (through Medicaid) and the elderly (through Medicare) significantly expands the number of affiliated legislators. Numerous public and private interest groups, such as the American Medical Association (AMA), the American Association of Retired Persons (AARP), and the American Hospital Association (AHA), direct their lobbying efforts toward key members of congressional committees. The American Association of Retired Persons (http://www.aarp.org/) is a nonprofit, nonpartisan association dedicated to serving elderly members of population. Founded in 1958, AARP is the nation’s largest...
organization of midlife and older people, with more than 30 million members. The American Hospital Association (http://www.hospitalconnect.com) is an interest group representing hospitals and health care organizations; the American Medical Association (http://www.phma-assn.org) represents doctors. Thus, members of these committees are not the only legislators who might belong to a subsystem; other legislators may belong to a subsystem in order to advocate the interests of their constituencies.

Another example of a very powerful subsystem is the “highway lobby.” Members of the House Public Works and Transportation Committee, officials of the Bureau of Public Roads, and such powerful interest groups as auto manufacturers, auto workers’ unions, long-distance truckers, tire companies and their unions, road contractors and their unions, and oil companies and their unions, as well as members of Congress from these groups’ states, have a common interest in maintaining and expanding highway usage. States represented in this subsystem include (among others) Michigan, Missouri, California, Texas, and Oklahoma, and some key legislators come from those states. It is not surprising, then, that Congress has only reluctantly allocated funds collected from gasoline and road taxes to be used for the expansion of mass-transit systems. This political subsystem ardently opposes gasoline tax increases as a source of federal, state, or local government revenue. Not surprisingly, these same groups opposed proposals for a temporary reduction in the gasoline tax in order to relieve consumer complaints about the high costs of fuel during the run-up of oil prices in the spring and summer of 2008.

Subsystem activity tends to remain behind the scenes. Policy decisions are reached in a spirit of friendly, quiet cooperation among various interested and influential persons; many of their decisions turn out to be key factors in policy making. Bureaucrats derive considerable benefit from this arrangement because they can usually count on adequate support both from inside government (Congress) and from outside (interest groups). Sometimes referred to as the iron triangle, the three-sided relationship (Figure 2–2) allows any one component of the subsystem to activate an effort toward common objectives with the full cooperation of the others. Unless challenged from outside—by other subsystems, the media, or perhaps the president—a subsystem is often able to dominate a policy-making arena.

Admittedly, however, even a strong subsystem cannot ignore the possibility that rivals may emerge. For example, the powerful tobacco lobby has lost considerable influence in the continuing controversies over required health warnings on cigarette packages, payments for the health care of individuals afflicted with smoking-related illnesses, and sales of its products to teenagers; similarly, automobile emission controls, fleet mileage requirements, and air bags were imposed over the objections of auto manufacturers. Under routine circumstances, however, subsystems, including their administrative supporters, exercise decisive influence in the policy-making process.
Several changes in the environment of subsystem politics have become increasingly noticeable, especially in the past dozen years. One is the process by which House and Senate leaders refer a bill to more than one congressional committee; this is known as multiple referral.\textsuperscript{46} Whereas the Senate requires unanimous consent for such a step (a rare occurrence in that chamber), the practice has become more common in the House. The chamber leadership may refer bills \textit{jointly} (that is, concurrently) to two or more committees; a referral may be \textit{sequential}, going first to one committee, then to another; or a \textit{split} referral may occur, with different parts of the same bill being considered by different committees. One effect of multiple referrals is to strengthen the influence of the chamber’s leaders (the Speaker of the House and the Senate majority leader), at the expense of committee—and therefore subsystem—control over the decision-making process regarding a particular bill. Therefore, to the extent that multiple referrals become even more common—which is, of course, uncertain—subsystem influence might be reduced still further.

There are other developments that, like multiple referrals, point to a continued weakening of subsystems as pressures rise for more sharply focused, and therefore more centrally directed, congressional responses to a wide variety of policy challenges. One such challenge most evident in debates over budgetary issues is the increasing influence of votes in the full chamber rather than in subcommittees and committees. Another, which was especially noticeable in the weeks of \textit{gridlock} between President Clinton and the Republican-controlled Congress in late 1995, resulted in the increased use of what one observer calls “special crisis-focused leadership summits.”\textsuperscript{47} These are also employed at the expense of committee influence in shaping both decision agendas and decisions themselves. Finally, the role of \textit{partisanship} in congressional decision making has become a great deal more prominent in recent years. This indicates that members of Congress may be subject to stronger pressures to respond to \textit{party} rather than to \textit{committee} leaders, thus weakening members’ committee and subsystem decision-making roles. This pattern of congressional decision making has been especially apparent since the Democrats regained control of Congress in 2006.

For several reasons, the influence of similar alliances is often less extensive in state and local policy making than in national politics, even taking into account the changes just discussed. First, in many state legislatures, individual committees do not have the same degree of independent standing or jurisdictional control over policy areas that U.S. congressional committees have. Policy making is more centralized in the hands of legislative leaders, making any interest group relationship with an individual committee less productive. Second, in many states and localities, the policy-making process is dominated by less diverse groups than is the case nationally and, consequently, the process lacks the intense competitiveness for access, influence, and power that characterizes Washington politics. Therefore, the necessity to develop close working
relations with an individual committee or agency is not as great. Third, especially in local government, the policy process is not only less visible but also much more informal than at the national level. For many established interest groups (particularly the stronger ones), there are fairly regular opportunities for consultation on policy preferences, so that the influence of these groups is often felt throughout local government, not in just one part of it. Thus, though some elements of subsystem politics can be found in state and local governments, the general patterns identifiable in the national policy process do not operate to the same extent on other governmental levels.

“ISSUE NETWORKS” AND SUBSYSTEMS: SIMILARITIES AND DIFFERENCES

Subsystem politics has been the subject of informed discussion since the late 1950s. More recently, however, several observers have noted still another pattern of interaction developing in the policy process: the phenomenon of so-called issue networks, which, like subsystems, involve a variety of political actors attempting jointly to influence the course of public policy. Unlike subsystems, however, issue networks are more open and fluid groupings of individuals both inside and outside of government. In political scientist Hugh Heclo’s words, an issue network is “a shared-knowledge group having to do with some aspect or problem of public policy” but without the degree of permanence characteristic of subsystem alliances. Such a “floating” network may exist only when a policy question emerges that activates a wide range of interests; members of the network may not deal with one another regularly outside their network contacts; and, significantly, they may not agree on the nature of the policy problem or on possible solutions to it. In all these respects, issue networks differ from subsystems.

Examples of issue networks include the various groups and public officials involved in specific policies, such as those dealing with AIDS research. These include university medical research departments, state medical associations, hospitals and hospital organizations, U.S. Public Health Service personnel, and nutrition specialists, among others. Another issue network example involved homosexuals in the military, Department of Defense program managers, gay rights groups, and civil rights groups interested in preventing discrimination and ensuring benefits to dependents of military personnel. In these examples, many of the participants could not reach even general agreement on policy directions merely by activating the network. Rather, once a policy question was perceived as affecting a broad range of interests, groups and individuals advocating those interests jumped into the fray over policy development, thus creating the network as a means of addressing the policy issues at hand. This was especially true of AIDS research policy under President Reagan and the policy on gays in the military under President Clinton. It is not surprising that none of these policies was clearly defined under such circumstances.
The foundation of shared knowledge that unites network participants often does not lead to the creation of a “shared-action” coalition or a “shared-belief” (conventional interest) group. Like subsystems, such networks function with relative autonomy but, unlike subsystems, “rarely in any controlled, well-organized way,” or even with agreement on policy content among the principals involved. Thus, issue networks contribute further and in somewhat new ways to the fragmentation present in national policy making. The expansion of “blogs” on the Internet has led to an increase in the influence and number of issue networks and shared-knowledge groups.

**Bureaucratic Power and Political Accountability: More Questions than Answers**

Having discussed the political context of bureaucratic power, key sources of that power, and the informal alliances through which much of that power is exercised, let us now consider to what extent bureaucracy is, or can be made, accountable for what it does or fails to do. The political accountability of a bureaucracy is enforced through multiple channels, both legislative and executive. As we have seen, political interests in the legislature and in the executive branch are frequently in conflict with one another, making it, at best, difficult to enforce accountability consistently or effectively. The situation is made more complex by the fact that most bureaucracies operate under authority delegated by both the chief executive and the legislative branch and have considerable discretion to make independent choices. The difficulty is further compounded by the hybrid systems of personnel management found in different parts of the executive hierarchy in the national government and in many states and localities. Frequently, top-echelon executives owe their positions to appointment through political channels, but the bulk of their subordinates are hired and usually retained through job-competence-related merit procedures. In state and local government, the mix of political and merit employees in a bureaucracy varies widely, and the presence of public-employee unions and collective bargaining raises other issues of bureaucratic accountability.

Another factor limiting accountability is the inability of top executives to command wholehearted responses from administrative subordinates. A substantial portion of the work of top executives is inspecting, monitoring, and overseeing the activities of their staffs in an effort to bring about as much congruence as possible between presidential directives and the performance of executive agencies. In particular, the executive operates under severe handicaps in this effort. Because of time constraints, the necessity of concentrating on a limited number of general policy priorities, and the complexity of administrative operations, a considerable proportion of bureaucratic activity escapes close examination by the White House. Furthermore, as noted by journalist David Broder, subsystems represent “powerful centrifugal forces” in the
nation's capital. Broder writes: “The interest groups that benefit from specific programs, the agency bureaucracies that run those programs and the congressional subcommittee members and staffs who create, finance, and oversee those programs are tenaciously resistant to directives from the president.” Thus, the task of holding bureaucracy accountable for its actions assumes formidable proportions.

**Bureaucratic accountability** implies several things. First, in a legal and constitutional sense, it implies that a political entity—in this case, the bureaucracy—is not beyond the control of other entities in a checks-and-balances system or, ultimately, beyond reach of the consent of the governed. Also, accountability implies that, to the extent that such an entity exercises delegated authority and discretion in decision making (as bureaucracy certainly does), it also has some responsibility to adhere to the broad will of the governed, however that will has been expressed. This also assumes that the “public will” and the achievement of accountability can be defined.

Although it may be possible in theory to define these concepts and circumstances, in practice it is difficult to do so with certainty or finality. One approach is to interpret election results as reflecting the will of the majority and to define bureaucratic accountability as responsiveness to the chief executive (president, governor, mayor), who is dominant in setting policy directions and standards. Opponents of a given chief executive or of executive power in general would resist such definition, however, looking instead to legislatures and sometimes to the judiciary to lay out broad guidelines for measuring bureaucratic accountability. Political conflict over criteria of accountability ensures less than complete adherence to whatever standards prevail at a particular time.

Therefore, it is not simply a matter of bureaucracy being or not being “accountable.” Rather, bureaucracy and all other institutions of government can be accountable only to officials or to institutions outside themselves. Furthermore, the question, *to whom for what?* must also be answered in meaningful ways for a discussion of program evaluation methods and techniques. Also, the bureaucracy cannot be viewed as a whole; its many subparts have institutional bases, lives, and priorities of their own. All these factors act as constraints on the political accountability of bureaucratic power.

Is it impossible, then, to speak in practical terms of accountability? No, it is not. Allowing for limitations such as those just outlined, it is possible not only to prescribe in theory but also to describe in fact some forms and aspects of accountability that characterize political relationships between bureaucracy and other parts of the U.S. polity—although these, too, have their limitations.

First, both the president and Congress have many instruments of control at their disposal. The president’s arsenal includes (1) powers of appointment and dismissal that, restricted to the very top positions, give him the ability to staff key leadership posts in the executive branch; (2) considerable initiative in lawmaking, which helps shape the legislative environment surrounding...
bureaucratic implementation of congressional enactments (this includes congressional delegation of authority to the president to formulate rules and regulations under which the bureaucracy functions); (3) by exercising power through the Executive Office of the President (EOP), presidents can make known their preferences and intentions to the bureaucracy, directly and indirectly; (4) specific entities of the EOP, notably the White House Office and the Office of Management and Budget, which carry the full prestige of the presidency when they interact with the bureaucracy and, in the case of OMB, can exert financial leverage that can be persuasive; (5) access to the mass media, through which presidents can generate favorable or unfavorable publicity; (6) power to initiate bureaucratic restructuring, an unwelcome course of action for most agencies though, in the past, it has been used sparingly (see the comments earlier in this chapter regarding structure, jurisdiction, and clientele politics); and (7) the **line-item veto**, a favorite way for conservative governors to trim budgets. Shrewd presidents have used these instruments to win support for their initiatives, though the process often requires significant expenditure of political capital. In general, governors, local executives, and state and local legislatures have less extensive powers over their bureaucracies.

Congress also has many tools at its disposal with which to conduct legislative oversight of administration.51 These include (1) appropriations power, the classic power of the purse, and the implied (sometimes real) threat that it can represent to an agency's fiscal well-being; (2) power to conduct legislative postaudits of agency spending and program effectiveness through the Government Accountability Office (GAO), headed by the comptroller-general and operating under the direction of Congress; (3) hearings before congressional committees in which bureaucrats may have to answer very specifically for their actions (most notably during budget hearings before appropriations committees and subcommittees); and (4) occasional devices such as senatorial confirmation of presidential appointees and special committee investigations. These are not perfect instruments, but they do afford Congress many opportunities to look into details of bureaucratic activities and to maintain a degree of control over the administrative apparatus.

Partly because of bureau–clientele ties, a number of studies have questioned whether legislative oversight—as currently conducted—is even minimally effective as a means of holding bureaucracies accountable to the political system at large. The core concern of those raising this possibility is that *changes within Congress itself* have produced a markedly reduced capacity for congressional supervision of administrative activities. These changes include an emphasis on wider participation by members of Congress in policy-making processes, a resultant dispersion of power within Congress from its standing committees to much more numerous, and more autonomous, subcommittees, and a tendency to devote more of their time to constituent services or **casework** in pursuit of their own reelection. Casework provides a form of “feedback” between citizen and legislator, and may assist in the

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**line-item veto** a constitutional power available to more than forty of America’s governors with which they may disapprove a specific expenditure item within an appropriations bill instead of having to accept or reject the entire bill.

**casework** refers to services performed by legislators and their staff on behalf of constituents.
early identification of problems with government programs. There has also emerged a generalized pattern of behavior in which legislators regularly call on administrative agencies (and their clientele groups) to facilitate the rendering of services to the public. Administrative agencies benefit during the appropriations process from effectively responding to members' requests for service to their constituents.

Formal responsibility for legislative oversight has also passed from full committees to subcommittees but, although more hearings have been held and more pages filled with testimony, the net effect has been one of less effective oversight. This is attributable to members of Congress simultaneously becoming (1) more dependent on agencies and interest groups as they call on these groups for increased constituent service and (2) less inclined to “challenge the existing relationships between agencies and interest groups” and, thus, “less likely to investigate agencies’ implementation of policy unless that implementation flies in the face of these major interest groups.”

If congressional supervision of the bureaucracy via subcommittees is indeed less reliable now than in the past, bureaucratic autonomy may be greater than is ideal. We might describe this pattern and others like it as cases in which the micro-institutions (committees and subcommittees) within Congress are unable or unwilling to hold agencies accountable for their actions. But it appears that, as a macro-institution, Congress is also rather limited in its oversight capabilities. This limitation exists principally because legislators often lack incentive to use available oversight instruments (and frequently have incentive not to use them) and because some instruments of congressional control have proved to be fairly “weak reeds.” This is especially true with regard to appropriations: individual members jealously guard their own capacities for largesse but fail to oversee expenditures as a whole.

Congress lost one oversight instrument that it had employed, on occasion, for over fifty years—the legislative veto—when the Supreme Court declared the single-chamber legislative veto unconstitutional by a 7–2 ruling in Immigration and Naturalization Service v. Chadha, 103 S. Ct. 2764 (1983). This is perhaps testimony to the strength of our commitment to the concept of checks and balances and to separation of powers, and also to our longstanding belief that Congress is obligated to use a variety of instruments to ensure that laws are faithfully executed by administrative agencies.

In sum, although there may be telling weaknesses in legislative oversight of government bureaucracies, they are not beyond remedy, and there may be alternative means of supervising administrative agencies. This discussion highlights one aspect of the situation that merits explicit emphasis: If we are not content with administrative agencies’ behavior, we might do well to pressure Congress to make the desired changes. Indeed, one authoritative observer argues that Congress has already strengthened its own oversight capacity, leading to congressional oversight that is more consistent and effective than many seem to believe. In any event, as political scientist Morris
Fiorina notes, “United States congressmen gave us the Washington establishment. Ultimately, only they can take it away.”

Some other mechanisms of accountability also exist. Bureaucracies are legally accountable to the courts for their observance of individual rights and liberties, whether in their investigative capacities (especially where regulatory agencies are concerned) or in the course of routine legislative activities. In this respect, they hardly differ from the president and Congress, in that the courts have the ultimate say in defining acceptable legal boundaries of governmental behavior. It is symptomatic of the growth of the bureaucracy and of its impact on our national life that the most rapidly expanding area of court litigation has been in administrative law, in which cases arise out of administrative rules and regulations and their application to individuals, groups, and public and private enterprises (see Chapter 11).

Accountability is hampered by the prevalence of technical subject matter in government decision making. In many respects, this limits the potential for accountability to those able to understand an issue and the implications of different proposed solutions. A case in point is energy policy, where one thing that stands out is a need for more and better information for decision maker and citizen alike. Few among us comprehend all the intricacies of supply and demand for electrical power, natural-gas pricing, the politics of oil supply here and abroad, and so on. If we the people cannot monitor corporate or government actions, who can be held accountable for them? There is no easy answer.

Accountability also is made more difficult by the fact that administrators must frequently face situations in which competing criteria for decisions are very much in evidence. For example, it has been noted that, in allocating public housing, there are contradictory goals that create conflicts in the possible approaches to decision making: equity (treating like cases alike on the basis of rules) and responsiveness (making exceptions for persons whose needs require that rules be stretched). How does one reconcile these desirable but conflicting objectives? By one set standard to which all adhere? By situation ethics? By following dictates based on the kinds of need? Again, there is no single or easy answer. Note, also, that the “equity-responsiveness” tension can be found in numerous other settings as well (for example, personnel management, making grants and loans, and the college or university classroom).

Bureaucratic agencies are also held to account, as part of our constitutional scheme, by the mass media. The news media’s interest in bureaucratic activity is founded on a basic premise of free government and on a powerful ethic of American journalism: that a free press, acting in an adversarial relationship to public officials, serves as a watchdog over government actions. In particular, the investigatory potential of the news media makes bureaucracies wary. Part of an agency’s strength is good public relations, and adverse publicity resulting from a media investigation—even if unwarranted and even if successfully counteracted—can damage an agency’s political standing. Thus, the mere
possibility of such an inquiry is enough to prompt most agencies to exercise considerable caution. Increasing numbers of governments, notably state and local institutions, have employed “media consultants” or public relations specialists to handle the volume of such inquiries.

As in the case of bureaucracy–legislature interactions, relationships between administrators and the media are often two-sided. This creates the possibility that the press, far from maintaining a critical and objective perspective, may become involved in continuing relationships, the principal product of which is an ability to publicize agency programs. Under such circumstances, it is still possible for a reporter, editor, or publisher to investigate or critique agency performance. But if an agency official continually provides good copy for a reporter and also provides inside tips or leads on stories that the reporter can take credit for “breaking,” it is less likely that an agency will be subjected to the feared spotlight of publicity. This is politics on an intensely interpersonal level, but it can matter a great deal in determining how much and what kind of information will come to public attention about a given agency.56

Finally, there is some measure of bureaucratic accountability directly to the public. Although the general populace rarely has direct access to, or control over, a given bureaucratic entity, a widespread public outcry over bureaucrats’ actions can have an effect. Ordinarily, this requires public pressure on other divisions of government to get them to restrict the actions of an agency. Such pressure must be sustained over a sufficient period of time and with sufficient intensity to overcome resistance from the agency and its supporters, but it can be done.

**Administrative Discretion and Political Accountability: Alternative Perspectives**

In discussions of how concerned citizens might hold bureaucrats and their agencies accountable, there is often an implicit assumption that more accountability and control are needed in order to keep these officials in line and that their natural tendency is to go astray unless they are closely watched. There is no question, of course, that, in our system of checks and balances, every government entity (executive, legislative, and judicial) must ultimately be held to account. In recent decades, however, that principle (as applied to administrative agencies) seems to have acquired an additional dimension that is not necessarily accurate. Many people seem to assume—wrongly—that administrative discretion can only be abused, at the expense of the public interest, and can serve no useful or constructive purpose. Many also bemoan the fact that neither Congress nor the president is able or willing to control administrative actions fully or effectively. This point of view seems to suggest that elected officials can act only beneficially whereas administrators can be expected to act only in a narrowly focused, inefficient, destructive, and otherwise
irresponsible fashion. (Recall Charles Goodsell’s remarks about perceived bureaucratic shortcomings compared to the realities, quoted in Chapter 1.) There is, indeed, reason to wonder how much truth there is in this view of discretion.

For one thing, administrative discretion was an important, though often overlooked, element in the thinking and writing of administrative reformers of a century ago. Woodrow Wilson, one of the foremost reformers, argued, in his classic essay “The Study of Administration” (1887), that administrators should be granted “large powers and unhampered discretion”—both “administrative energy and administrative discretion”—as essential elements of their functioning in accordance with the notion of “political” neutrality. His expectation was that, given the opportunity, administrators would exercise competent professional judgment as they carried out their assigned duties. This would serve the public interest (because sound public policy would result) and, in turn, the interests of elected officials of either political party (who could then take the credit for effective governance). In sum, he saw discretion as necessary for administrative effectiveness as well as ensuring political neutrality.

If exercised positively, administrative discretion has one very positive aspect: program managers are often better able than legislators or judges to make decisions on the basis of the broader public interest—and, according to Wilson’s nineteenth-century view, most administrators are capable of doing so most of the time. Interference with administrative discretion by congressional restraints and controls actually brings about the kind of narrow responsiveness to private interests that such controls seem designed to prevent. There are two reasons for this. First, interest groups often usurp public power through the manipulation of iron-triangle relationships (see Figure 2–2), exercising considerable influence through both committees and issue networks. Second, as noted previously, legislators are strongly inclined to look after their own policy priorities and constituency interests; in the process, they pressure administrators to conform to their wishes. Thus, it is possible that if oversight of administration is left to legislators acting primarily in their committee roles, the actions taken by administrators may be more narrowly conceived and implemented than would be the case if those same administrators were given more freedom.

This is not, by any means, a call for the complete autonomy of administrators. There is ample reason to be as concerned about “discretionary” abuses of power or fraud or corruption among public administrators as among any other government officials. However, we might do well to place greater implicit faith in administrators than we now do if we want them to be able to act responsibly. Under these circumstances, it would still be possible to hold them ultimately accountable, consistent with our scheme of government and with public expectations for accountability, at least as effectively as we do at the present time.
Summary

Politically, our system of government is a liberal democracy; economically, it is based on free enterprise and capitalism. Throughout our history, key political values have included popular sovereignty, limited government, individualism, and pluralism. We have also emphasized individual liberty and democratic principles such as majority rule, minority rights, and the free exchange of political ideas. Two related concepts—representation and representativeness—have taken on new meanings, leading to definitional uncertainty. More controversial issues are direct voter participation and a broadened definition of representativeness in public decision making. For the most part, our political values have fit comfortably with the economic doctrines of capitalism. Although increasingly regulative, government economic policies have sought to sustain competition and protect the rewards of competitive success.

Major objectives of a politically neutral “science of administration” are separation of politics and administration, scientific management and administrative principles, and, most important, attainment of economy and efficiency in government. These values were the basis of administrative reform in the late nineteenth and early twentieth centuries, and were a reaction against practices of the early to mid-nineteenth century. These values have had continuing popular appeal and have been used quite effectively as part of campaign oratory by candidates for public office.

However, our political and administrative values are not entirely consistent with each other. The Framers of the Constitution assumed that there would be effective political control over all important decision makers by the voters or their elected representatives, whereas the reformers intended to insulate administration from direct political control. Such insulation has become cause for concern as administrators have assumed or been delegated ever greater policy-making responsibility and authority. In addition, one set of values is based on the assumption that individual liberty and the public interest are best served by keeping government restrained—and therefore unable to infringe upon our freedoms. The other set of values, however, is geared toward improving the ability of government agencies to operate efficiently—and also in the public interest. Public administration is particularly troublesome for a democratic system. Most bureaucrats are not elected. Expertise and knowledge are emphasized over participation. Specialization and professionalism are highly valued. Participation and professionalism often conflict, and it is difficult to incorporate both accountability and access into administrative policy making. Accountability and access require government openness to public scrutiny. In this connection, freedom of information and sunshine laws have been enacted to help legislative bodies hold executive-branch agencies accountable. Accountability is made more difficult by the technical subject matter in so much government activity.
Major dimensions of democratic administration include (1) citizen participation, (2) bureaucratic representativeness, (3) responsiveness, and (4) administrative effectiveness as a threat to personal freedoms. Citizen participation has also been incorporated into formal mechanisms for decision making and has had substantive impact on government decisions. It also has its constraints, including the possibility of co-optation of citizens, limits on citizen time and access, and tokenism. Bureaucratic representation is ambiguous, although it has been suggested that democratic morality is best served by promoting broadly inclusive representation of interests in interactions among decision makers. Closely related is the need for access to decision makers, especially for weaker interests. The representativeness of government bureaucracy, a continuing concern, has been said to enhance bureaucratic effectiveness and responsiveness. Representativeness of women and minorities, emphasized since the late 1960s, has increased in the civil service, although with what effects is not entirely clear. Bureaucratic responsiveness depends on popular assumptions about what is and should be in the conduct of government, meaningful access to decision makers, and agencies’ ability to respond to public demands. Public expectations can affect how responsive government is thought to be. Also, government cannot or will not respond equally to every interest in society. Effectiveness of administrative machinery may pose a threat to individual liberties under some circumstances. Concerns about public administration and democratic government include the possible misuse of administrative secrecy, a traditional feature of bureaucracy, to violate the constitutional rights of individual citizens. Another recent emphasis is on the need to protect individual privacy against government invasion and against misuse of personal information. Widening access to the Internet and its capabilities for fraud and identify theft have made this an increasingly vital issue for public scrutiny.

Bureaucratic power is exercised in the context of widely dispersed political power. Neither the legislature nor the chief executive has a power base that is consistently strong enough to permit decisive control over the bureaucracy. Administrative agencies are keenly interested in building power bases of their own, and they seek to acquire programs that bring with them constituency support for their activities. Agencies are frequently centers of conflict and must seek to maintain themselves through adaptation to the pressures that are placed on them. How well they succeed is an important determinant of their long-term survival. The major foundations of bureaucratic power are (1) expertise in the programs they administer and (2) adequate political support. The impact of bureaucratic expertise stems from full-time attention to a specialized subject-matter area, a monopoly or near-monopoly on relevant information, a pattern of reliance on experts for technical advice, and experts’ growing control of administrative discretion. Sources of political support include key legislative committees and subcommittees, chief executives and their staffs, other executive agencies (especially those directly under the chief executive), clientele groups that follow agency affairs because of their own
interest in the same program areas, and the general public, which can occasionally be mobilized on behalf of particular agency objectives.

Subsystem politics in America is built around coalitions that bring together interest group representatives and government officials who share common interests and policy preferences. A subsystem ordinarily includes congressional committee or subcommittee members, representatives of interest groups, and bureaucrats from the responsible administrative agency. Because both Congress and the bureaucracy generally divide work among subunits whose expertise they respect, quiet, informal alliances (subsystems) of specialists often dominate their respective policy arenas. Bureaucrats contribute expertise to their subsystems and receive in return an opportunity to share control of a policy area. Similar patterns of collaboration exist in state and local politics but usually not in precisely this form or to the same extent. Issue networks and shared-knowledge groups are also different from subsystems but add to the fragmentation in national policy making.

Promoting accountability of bureaucratic power is not an easy task. Because bureaucracies operate under delegated executive and legislative authority, tight controls from either are difficult to impose, and tight controls from both would be likely to conflict. Accountability suggests that bureaucracy is, or should be, answerable for its actions to other institutions and to the public. This is difficult to put into practice because of the noncentralized nature of both government and bureaucracy. The president and Congress (and their state and local counterparts) each have methods for influencing bureaucratic behavior that, although somewhat effective, require continuing effort and vigilance. In recent years, some have questioned whether Congress is still able to exercise meaningful oversight in terms of maintaining accountability to the political system at large. The mass media also have the ability to uncover and publicize information adverse to agency political interests. In addition, bureaucratic agencies are accountable to the courts in that the agencies’ actions are limited (and sometimes mandated) by legal guidelines laid down in judicial decisions. Finally, the general public can be mobilized either in support of, or in opposition to, actions taken in the administrative process. All these instruments of accountability have some impact on bureaucratic behavior, but none is perfect. It is also possible that more, not less, administrative discretion would serve the political system well, providing for pursuit of both the broader public interest and administrative accountability.

DISCUSSION QUESTIONS

1. What are the basic democratic values that underlie our society? How have they changed in recent years? How have these changes affected public attitudes toward democratic government and public administration?
2. Does modern American public administration differ from traditional concepts of bureaucracy? If so, how and why?

3. Discuss the political values central to “liberal democracy.” In your judgment, which values stand out as most important? Why?

4. What elements of social change have contributed to the expansion of administrative responsibilities in American government? Discuss specific impacts of social change on the scope and activities of administrative agencies.

5. Explain how the following factors generally affect the operations of American administrative agencies: legislative intent, administrative discretion, and legislative oversight.

6. A fundamental assumption of administrative reformers in the late 1800s and early 1900s was that politics could have only adverse effects on administration. How valid is that belief? Why? How, and to what extent, do current administrative structures and practices reflect that assumption?

7. How important is “citizen participation” as a basic component of democratic administration? Identify and discuss various forms of citizen participation that have been employed in recent decades to increase access and representation.

8. Discuss the key problems and issues associated with the value of “representation” in governmental decision making, including the need for efficient, rational, and neutral policy making by government officials. What assumptions are made by those advocating an expanded definition of “representativeness,” as applied to our major political institutions? Do you agree or disagree with their assumptions? Why? If you disagree, what alternative meaning(s) of the term would you suggest?

9. What factors influence government accountability? Has government accountability increased or decreased over the years? What are some barriers to accountability?

10. To whom are government officials accountable? To what extent are they accountable to the people? What steps can be taken to secure, and perhaps increase, government accountability to the people? In your opinion, how effective is each device likely to be? Why?

11. Compare the role played by each of the following in keeping public administration accountable to the public and to elected officials: (a) Freedom of Information laws, (b) sunshine laws, and (c) sunset laws.

12. Could strong citizen pressure on government lead to cutbacks in bureaucratic discretion? Why or why not? What effects would such cutbacks have on the government’s performance?

13. Compare and contrast the fragmentation of government power and decision making due to (a) the four devices for ensuring limited government, (b) the growth of bureaucracy, and (c) the knowledge explosion.
14. There is a growing perception that government should do more to protect individual privacy and ensure that individual records and files are fair and accurate. What basic issues are involved in this debate, and how might such privacy guarantees be instituted?

15. Compare and contrast the conflicting values of pluralist democracy and administrative efficiency.

16. Give an example of how the highly specialized, highly technical jobs and tasks within a bureaucracy may in fact hinder those who oversee that particular bureaucracy.

17. Explain the relationship between the Freedom of Information Act (FOIA) and national security under the George W. Bush administration. What has changed? Has the FOIA been limited or expanded?

18. Explain some of the explicit similarities and differences between “issue networks” and subsystems.

19. What are the foundations of bureaucratic power? Name at least one specific example for each foundation and explain how it works to consolidate an agency’s power.

20. What limits exist regarding the ability of citizens to make government more responsive to their inputs?

**KEY TERMS AND CONCEPTS**

- liberal democracy
- capitalist system
- popular sovereignty
- limited government
- representation
- representativeness
- judicial review
- individualism
- pluralism
- due process of law
- representative democracy
- participatory democracy
- affirmative action
- pluralist democracy
- administrative efficiency
- accountability
- freedom of information (FOI) laws
- sunshine laws
- sunset laws
- community control
- public interest groups (PIGs)
- co-optation
- empowerment
- Neo-Conservatives
- USA PATRIOT Act
- bureaucratic imperialism
- interest groups
- specialized language
- constituency
- subsystem
- iron triangle
- multiple referral
- gridlock
- partisanship
- issue networks
- bureaucratic accountability
- line-item veto
- casework
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SUGGESTED READINGS


Chapter 3

Federalism and Intergovernmental Relations

I think it is quite an interesting thing that we have this impressive array of people to come to a conference on federalism, a topic that probably ten or twenty years ago would have been viewed as a substitute for a sleeping pill.

An excerpt from President Clinton's speech at the Forum of Federation Conference in Mont Tremblant, Canada, October 8, 1999

Federalism is a widely recognized feature of American government. The federal system consists of a national government and state governments existing independently of each other in the same territory while commanding the loyalties of the same individuals as citizens of both state and nation. Under the Constitution, the powers of all governments are drawn from the same fundamental source—the sovereign people—and are exercised concurrently. States, in turn, are composed of numerous subjurisdictions, such as cities, counties, municipalities, townships, and special districts, which are dependent entities chartered by the state. The original rationale for establishing a federal system in the United States was to prevent the concentration and misuse of power by a strong national government. The states were viewed as counterweights and protectors of individual liberties against the national government—and many are again coming to view the states in that light.

The nature and operation of federalism have been the subject of much controversy since the founding of the Republic. Referring to our basic governmental structure, former Vice President Al Gore observed that “America was born angry at government. We were so sick of the [distant and insensitive] English
Indeed, this nation was later torn by a violent civil war (1861–1865) that resulted from conflict over the twin issues of slavery and the extent of the states’ authority to oppose the national government. Since the New Deal in the 1930s, and with rising emphasis in the last few years, many Americans (including public officials of both major political parties) have expressed concern about the wide-ranging authority of the national government. These concerns focus on, among other things, how the expansion of that authority has affected state and local government powers. In turn, the states’ relations with—and influence over—their respective local governments have increased in importance. There have also been growing concerns about citizens’ power to retain a significant measure of control over governmental structures at all levels in the federal system.

Public administration is at the heart of many of the questions and controversies that have characterized contemporary federalism. The two have had a reciprocal effect on one another. The administration of national government programs requires recognition of, and accommodation to, the existence, prerogatives, and preferences of states and localities that have their own decision-making apparatus and political majorities. At the same time, the growth of bureaucracy at all levels of government has helped to reshape the federal system.

In this chapter, our concerns will include (1) the definition of federalism and a brief historical review of its evolution; (2) the rise of intergovernmental relations (IGR), the multitude of formal and informal contacts among governmental entities throughout the federal system, and the ways in which these have modified federalism as a formal concept; (3) the expansion, after 1960, of financial assistance from the national government to states and localities, with accompanying shifts in leverage exerted by the former over the latter, and since 1980, changes in national government aid, together with reduced leverage in the hands of national officials for pursuing national goals through state and local action; (4) administrative and political consequences of increased intergovernmental aid, especially administrative complexity and bureaucratic controls accompanying national government grants, and the resulting political conflicts, including a rising public backlash against both government unfunded mandates and the professional public administrators responsible for managing intergovernmental programs; (5) growing concern about managing homeland security and antiterrorism initiatives within the existing IGR and grants system; and (6) questions about the future course of IGR, including the impacts of diminished national government fiscal support for many of its own activities as well as those at state and local levels.

Before we begin, a comment is in order about one key term in this discussion, namely, federal. Technically, federal describes the formal relationships among different levels of government and various qualities or
Chapter 3: Federalism and Intergovernmental Relations

characteristics of those relationships. In a more colloquial sense, however, many people refer to the national government as “the federal government.” Such usage, which has roots in debates over ratification of the Constitution in the 1780s, can lead to confused thinking about contemporary federalism and IGR. In this chapter and elsewhere, when reference is made to the national government, that is generally the phrase employed; federal is used in its more technical sense, for the sake of clarity.

The Nature of Federalism: The Formal Setting

The most elementary definition of federalism suggests that it is a constitutional division of governmental power between a central or national government and a set of regional units (such as the American states, Canadian provinces, and Swiss cantons); that, under a federal arrangement, both the national and regional governments have some independent as well as some shared powers over their citizens; that neither government owes its legal existence to the other (as local governments in the United States do to the states); and that, as a matter of law, neither may dictate to the other(s) in matters of structural organization, fiscal policies, or definition of essential functions. This definition clearly implies that the regional governments have substantial independence from the national government but that both may exercise powers of government directly over their citizens. It leaves unanswered, however, some pertinent questions about how authority is to be exercised simultaneously by different units of government sharing jurisdiction over the same territory and citizenry.

Federalism is also an explicitly political arrangement. This relates in important ways to how power in a governmental system is distributed, structured, and exercised. A federal arrangement is designed to restrain and counteract centralized power through multiple centers where decisions are made in widely scattered geographic regions. Such a system, with separate, legitimate, and authoritative government units operating individually within the same overall territory, makes it less likely that a central government could achieve an excessive concentration of power, which might endanger individual freedoms. Finally, federalism has an increasingly important fiscal/administrative dimension. This pertains both to the operations of government programs that have impact on at least one other level or unit of government and to the growing complexity and interdependence of programs created, funded, and managed by different governments. Later in this chapter, we will treat the phenomenon of intergovernmental fiscal relations in considerably more detail.

In the early 1800s, the U.S. Supreme Court defined some essential boundaries in national-state relations, with long-term implications. The fundamental issue was the scope of national authority, particularly when it overlapped and conflicted with state powers. Specific questions included...
whether states could tax national government agencies (they cannot, under *McCulloch v. Maryland*, 4 Wheaton 316 [1819]); whether the national power to regulate interstate commerce superseded state regulatory actions, setting up conflicting rules (it does, with some exceptions); and whether the states could interfere in any way with national enforcement of national laws (they cannot—though in recent years, as we shall see shortly, the Supreme Court has handed down a series of rulings that have changed the rules of the game in this regard). Some other issues were resolved in Congress and by presidential action. The question of slavery, however, proved unsolvable through the political system. This failure, coupled with irreconcilable differences (related to slavery) over national versus state sovereignty, resulted in the secession of the South and the creation of a confederation of eleven states. The Civil War followed, culminating in a Union victory that was both military and political: slavery was ended, the Union was preserved, and a federal—not confederate (state-centered)—system was reaffirmed.

The next half-century was a time of transition in American federalism. Many basic decisions affecting the legal structuring of federalism were resolved and, as government generally became more active in dealing with problems of society, some forms of joint or overlapping governmental activities became more common. A number of new national programs combined participation by (especially) state governments with use of the first cash grants-in-aid from the national government to the states; early examples included agricultural extension programs in 1914, federal aid for state highways in 1916, and the Vocational Education Act of 1917. Fundamental structural-legal questions were receding in importance, but modern intergovernmental relations was still being defined within the broader federal context.

**Intergovernmental Relations: The Action Side of Federalism**

*Intergovernmental relations* is a relatively new term, having come into common usage only in the past seventy-five years. It designates “an important body of activities or interactions occurring between governmental units of all types and levels within the [U.S.] federal system.” In political scientist Deil Wright’s words, intergovernmental relations embrace “all the permutations and combinations of relations among the units of government in our system.” These include national-state and interstate relations (the areas traditionally emphasized in the study of federalism), as well as national-local, state-local, interlocal, and national-state-local relations. In addition, other key features of IGR are worth noting.

One is the fact that the consequences of intergovernmental relations are often unpredictable and decision making is hidden from public view. There is no direct electorate and decisions shift from year to year with no particular direction. There is no policy-making body, no executive, no legislative, and no
judiciary to oversee the results of billions of dollars transferred to states and local governments from the federal government. Predictably, this lack of consistency leads to considerable inequities in the distribution of federal money to states and cities.

A second feature of IGR is that, although we speak of intergovernmental relations in the abstract, the individual actions and attitudes of elected and appointed officials determine what kinds of relations exist between units of government. Understanding intergovernmental relations has to be formulated largely in the context of human relations and human behavior. Who the officials are, the roles they play in the governmental process, their policy views, and the interests they seek to promote all have a bearing on the conduct of IGR.

Third, IGR does not refer only to occasional interactions, single contacts, or formal agreements. Rather, it is a continuous series of informal contacts and exchanges of information and views among government officials aimed at solving shared multigovernmental problems. Virtually all policy areas have an intergovernmental dimension, and some are almost totally the product of shared policy formulation, implementation, or financing. Examples of such policy areas include homeland security, air and water pollution control, criminal justice, agriculture, education (a prominent example is the No Child Left Behind Act [NCLB]), and transportation. The fact that policies are fashioned through intergovernmental processes, however, does not always mean that government officials agree with one another on all or even most major aspects of a program. IGR can be cooperative, competitive, conflicting, or a combination of all three and still be IGR (see Box 3–1).

The rapid growth of Devils Lake [in North Dakota] did more than sow misery for thousands of people living in the [lake’s] basin. It became the focal point of a nasty political showdown pitting North Dakota against Canada, and to a lesser extent, Minnesota.

From 1992 to the late summer of 2005, the lake—which has no natural outlet—rose more than 26 feet, as the basin was inundated with rain and snow. It flooded thousands of acres of farm and pasture land, and devoured hundreds of homes and businesses, as well as forest and infrastructure. The lake tripled in size, and more than $500 million was spent on roads, dikes and other public works, in an effort to keep the lake at bay—but nothing worked. In mid-August of 2005, however, North Dakota officials began operating what for residents of the city of Devils Lake (population 7,222)

(continued)
was their last, best hope in their battle with the lake. After a contentious conflict involving the state governments of North Dakota and Minnesota, the Canadian federal government, and the provincial government of Manitoba, the gates were opened on a $27 million concrete outlet that began draining the waters of the lake into the Sheyenne River to the south. The outlet is a 14-mile channel made up of open ditches, pipes and pumping stations that will funnel water from western Devils Lake into the Sheyenne (a tributary of the Red River, which flows north into Lake Winnipeg).

The amount of water that will be drained is so relatively modest that, at best, it will stabilize the water level, not lower it. But that didn’t prevent Canadian and Minnesota officials from ferociously opposing the diversion. Canadian government officials, especially, objected to the fact that Devils Lake water flowing into the Sheyenne will ultimately end up in the Red River, potentially introducing exotic biological species into the Red’s watershed, and subsequently emptying into Lake Winnipeg, which is both a commercial fishery and a resort location. Those governments also complained that the diversion could violate existing water pacts between the U.S. and Canada.

In a June, 2005 letter to the chairman of the White House’s Council on Environmental Quality, Minnesota Governor Tim Pawlenty detailed what he called his state’s “current apprehensions with the Devils Lake project” and expressed hope that “the best interests of Minnesotans and North Dakotans are served as it relates to our unique relationship with our Canadian friends.” Some of those “Canadian friends,” however, were less polite. In mid-June, a member of the Manitoba provincial Parliament from Winnipeg likened North Dakota to North Korea, calling it a rogue state! (The same member previously had described North Dakotans favoring the project in far less charitable terms!) Far from distancing themselves from that stance, members of Manitoba’s House of Commons unanimously backed a resolution that called on the U.S. government to block the diversion.

Heavy, almost constant rains in June contributed to the unwanted rise—even as they also delayed completion of the outlet. Meanwhile, the governments of Canada, Manitoba, and Minnesota tried to haul the project into the jurisdiction of the International Joint Commission, which mediates water disputes along the U.S.–Canada border. North Dakota resisted that, claiming that such a move would stall the project for years. Canadian officials also pushed for a multimillion-dollar sand filter that could keep biological contaminants out of the Red River watershed. That’s fine, North Dakota officials said, but they aren’t about to pay for it. As this political back-and-forth went on, the troubles at Devils Lake continued to mount.

*Box 3-1* INTERGOVERNMENTAL RELATIONS MEETS INTERNATIONAL RELATIONS—AND FOR A WHILE, IT WASN’T PRETTY! (continued)
In early August, 2005, an agreement was reached on new guidelines which allow North Dakota to operate the Devils Lake flood outlet while the U.S. and Canadian governments explore ways to ensure it doesn’t transfer harmful water organisms to Canada. North Dakota, Minnesota, Manitoba and the U.S. and Canadian federal governments issued a joint statement outlining the accord, described by [North Dakota’s] Governor Hoeven as “a shared approach” to solving Devils Lake problems. While the document is not legally binding, it stipulates that North Dakota may operate the outlet to relieve flooding damage in northeastern North Dakota, while the U.S. and Canadian governments do further testing of Devils Lake water and fish to judge whether they may pose an environmental threat. It also permits the two federal governments to design and build an advanced system to filter Devils Lake’s water. (The outlet already includes a rock and gravel filter 18 feet thick, to block fish, eggs and some plants from going into the Sheyenne River, but critics say it is inadequate to prevent unwanted bio-organism transfers.)

In a statement, Manitoba Premier Gary Doer called the agreement positive, while Reg Alcock, the Canadian federal Minister responsible for Manitoba, said: “We are protecting Manitoba’s waterways while providing flood relief to our neighbors in North Dakota.” The agreement was included in a statement issued by the U.S. State Department in early August of 2005, which Hoeven said was drafted by officials from North Dakota, Minnesota, Manitoba and the U.S. and Canadian federal governments.

Unfortunately, implementation of the 2005 agreement has proven difficult—but for reasons totally unrelated to the language of the agreement or to the political will to carry it out. The problem has been inadequate water flows in the Sheyenne River, due to drought conditions which have prevailed in the area virtually since the agreement was signed. Without adequate water flows in the river, drainage from the lake would put unacceptably high levels of salts and sulfates into the river. Thus, at least for the near-term future, solutions to the problems of Devils Lake and the surrounding area do not appear to be within reach.

SOURCE: Adapted from Bob von Sternberg, “Fast-rising lake presents one devil of a dilemma // In North Dakota, a community battles creeping waters,” Minneapolis Star-Tribune, July 4, 2005, p. 1A; and Dale Wetzel, “Devils Lake outlet gets temporary OK // Negotiations between the United States and Canada continue,” an Associated Press wire service story appearing in the Minneapolis Star-Tribune, August 7, 2005, p. 9B. The authors also wish to thank Joseph W. Belford, County Commissioner of Ramsey County, North Dakota, and Downstream Acceptance Coordinator for Devils Lake, for information furnished by telephone on December 28, 2007.
Another key feature of IGR is the involvement of public and private, government and nongovernment, officials at all levels. Clearly involved are chief executives and legislators in Washington, state capitals, county seats, and city halls, because they formally promote and enact the programs that constitute IGR. As appointed administrators at all levels of government have assumed greater responsibility and as IGR has become more pervasive, intergovernmental administrative relations have taken on ever greater significance. (An issue of some importance in IGR, discussed later in this chapter, concerns the degree to which influence has become concentrated in the administrative arm of government at all levels without routinely effective means of control by elected officials.) And, although we speak of intergovernmental relations, many public purposes are accomplished through nongovernmental institutions and organizations. Thus, IGR, properly understood, also includes the public functions of organizations not formally part of any government (voluntary action groups, civic organizations, the United Way, and so on).

Action in the federal system is often taken on selected parts of a general problem rather than on the total problem area; that is, decisions are fragmented rather than comprehensive. Governments are prone to act in response to relatively specific pressures for narrow objectives and find it difficult and politically “unprofitable” to do otherwise. Thus, although government policies exist in areas such as water quality and air pollution control, no single policy governs the nation’s approach to environmental quality. Similarly, there are policies concerning urban mass transit and public housing, but there is no one overall urban policy. A major reason for this is the ability of literally hundreds of governmental agencies at all levels to act independently of one another. When a policy emerges, it is usually in incomplete form and, in the majority of cases, lacks a centrally coordinated direction. Contributing to this, of course, is the fact (discussed in Chapter 2) that the national government itself is far from a monolithic entity. According to Russell L. Hanson:

The structure of intergovernmental relations is . . . a federal one in which the powers and responsibilities of government in general are shared among specific governments. However, the sharing of power and responsibility is not equal, nor is it unalterable. As a result, the structure of authority [in IGR] tends to be rather loose, and it invites frequent clashes between governments over the right to make certain kinds of decisions. Conflict often arises in the course of day-to-day interactions between governments as they seek to define and redefine their relationships with one another in order to satisfy the demands of their respective citizenries.

Because a wide spectrum of political opinions and issue preferences are reflected in the multitude of national government activities, it is inaccurate to speak of what “the national government” desires, intends to do, or is actually doing. The same may be said, though perhaps to a lesser extent, of many
Thus, IGR involves virtually all governments and public officials, it is highly informal and very dependent on human interactions, and it involves the nonprofit and private sectors. A vivid example of IGR at work dates back to the mid-1950s, when President Dwight Eisenhower secured enactment in Congress of legislation creating the Interstate Highway System—a major expansion of the existing system of roads. All “federal” highways, but especially the interstate system, involve national, state, and local road officials (as well as highway contractors and many others) in continuing and frequent contacts—not to mention chief executives and legislators at all levels who are involved in funding and management decisions on a regular basis.

Historically, the evolution of federalism and the emergence of IGR have been accompanied by continuing disagreements and tensions over just how national and state governments were to relate to each other. Scholars and others who have studied federalism often have referred to two competing concepts or models, in distinguishing between two broadly different viewpoints. Figure 3–1 illustrates these concepts, known as “dual federalism” and “cooperative federalism.” Under the dual federalism approach symbolized by a “layer cake” analogy, the functions of national and state governments are separate and distinct from each other. On the other hand, under the cooperative federalism approach, symbolized by a “marble cake” analogy, the functions of national and state governments are mingled—some say, deeply intertwined—and exhibit widespread patterns of cooperation and mutual

![Figure 3-1 Dual Versus Cooperative Federalism](attachment:figure31.png)
support. Disagreement exists among both scholars and practitioners about the extent to which each of these models has existed, in our history—let alone which one is to be preferred over the other!

**The Courts and Intergovernmental Relations**

The role of the courts (especially the U.S. Supreme Court) in shaping federalism has been very significant throughout much of our history. But if anything it has become more prominent in the past sixty years, and especially since 1990. Indeed, both national and state judiciaries have been called on to resolve federalism-related disputes. Increasingly, the U.S. Supreme Court has handed down significant rulings directly affecting the relative authority of state and national governments. Most (though not all) of these recent rulings have favored state authority at the expense of both national authority and citizen rights and remedies. Among other things, the Supreme Court has “curbed congressional power under the interstate commerce clause,” and “limited congressional legislative authority to protect minority groups under Section 5 of the 14th Amendment.” These decisions have dealt with issues as diverse as age and gender discrimination, handgun control, minimum wage, employment conditions, and civil rights. Some have even suggested that the Supreme Court has been engaged in a so-called “federalism revolution,” in which a central goal has been to more firmly fix the boundaries of national versus state authority. As part of that effort, the Court frequently has acted to “restrict statutory claims against state and local governments”—in effect, further strengthening the freedom of state governments to act on their own, without legal challenge.

For example, in 1992 the Court, in *New York v. United States* (505 U.S. 144), ruled unconstitutional a 1985 federal statute that in the majority’s view exceeded the legal boundaries for national government activity established in the Tenth Amendment to the Constitution. The statute, dealing with low-level radioactive waste, had directed state governments to implement a federal regulatory program. Three years later, in *United States v. Lopez* (514 U.S. 549), the Court took a similar position with regard to the Gun-Free School Zones Act of 1990. Congress had enacted this statute on the basis of its authority to regulate interstate commerce, but the Court ruled that provisions of the statute went beyond the scope of the commerce clause, and were therefore in violation of Congress’s powers.

In the case of *Alden v. Maine* (527 U.S. 706 [1999]), the legal question at issue was whether the state of Maine could be sued in its own (state) courts under the federal Fair Labor Standards Act. Again, the majority opinion favored state over national authority by holding that the powers delegated to Congress under Article I of the Constitution do not include the power to subject non-consenting states to private suits for damages in state courts. This decision was in keeping with a 1984 ruling, when the Court sharply limited the power of lower federal courts to order state officials to obey state laws. That earlier
decision had greatly expanded the scope of the Eleventh Amendment, the relatively obscure provision giving state governments immunity from being sued in U.S. courts without the states’ consent. The Alden ruling reaffirmed the earlier ruling, and strengthened the legal reasoning set forth in that decision.

The case of Central State University v. American Association of University Professors, Central State University Chapter (526 U.S. 124, 1999) arose after the state of Ohio enacted a statute authorizing instructional workload standards for state university faculty members; the intent was to increase the amount of time professors dedicated to teaching rather than research. Significantly, the statute provided that such standards were not subject to collective bargaining. Central State University adopted the statute and informed its labor union organization (the American Association of University Professors) that it could not bargain for such standards. The faculty union brought a complaint in the Ohio Supreme Court, contending that “the statute created a class of public employees not entitled to bargain regarding their workload and thus violated the equal protection clauses of the Ohio and Federal Constitutions” (Central State University v. American Association of University Professors, Central State University Chapter, p. 227). The Ohio Supreme Court ruled in favor of the union, stating that the statute had singled out faculty members from other public employees, and thus did violate the equal protection clause. However, the U.S. Supreme Court reversed the decision, on the grounds that the statute affirmed a legitimate government purpose by increasing the amount of time professors should spend in the classroom. According to the Court, the imposition of a faculty workload policy met the “rational test” standard because it properly accomplished the purpose of the legislation.10

In United States v. Morrison (529 U.S. 598 [2000]), the Court ruled that Congress’s right to regulate interstate commerce does not include permitting women to sue their alleged abusers in federal court, when alleged private acts of violence do not cross state lines. The net effect of these and similar Supreme Court rulings (many of them by narrow 5–4 majorities) has been to limit the national government’s legal and administrative authority, and to place more discretionary authority in the hands of state (and, by extension, local) officials.

Not all Supreme Court decisions have invalidated or narrowed national government authority. For example, early in 2004 the Supreme Court ruled that the U.S. Environmental Protection Agency (EPA) has authority, under the Clean Air Act of 1970, to “override state officials and order some anti-pollution measures that may be more costly.” Although state officials can make some decisions involving facilities within their borders, the EPA retains significant enforcement authority regarding the 1970 statute.11 In addition, this decision is an example of a growing phenomenon known as preemptions—legal actions by federal courts or agencies to preclude enforcement of a state or local law or regulation. These direct assumptions of power have increased significantly during the past three decades, even as prevailing judicial philosophies have pointed in very different directions.12
And in mid-2005, in a highly controversial decision, the Court greatly expanded the power of local governments in relation to the property rights of private citizens. In Kelo v. New London [Connecticut] No. 04-108, the Court ruled that local governments may seize people’s homes and business—even against their will—for private economic development. It was a decision “fraught with huge implications for a country with many areas, particularly the rapidly growing urban and suburban areas, facing countervailing pressures of development and property ownership rights.”13 The New London residents who challenged the loss of their property had contended that while the city government could properly take private property for a “clear public use, such as roads or schools, or to revitalize blighted areas”—under the well-established power of eminent domain—it should not be able to take private property “for projects such as shopping malls and hotel complexes, to generate [local] tax revenue.”14 But the Court (again in a 5–4 decision) ruled against the property owners and in favor of this exercise, by the city of New London, of eminent domain power—sparking, among other things, a growing number of state legislative efforts around the country to place limits on local authority, in this regard.

The courts, then, have been highly influential in shaping the organization and operation of—and within—the federal system. The continuing expansion of IGR has served only to increase the reach of judicial decision making because more governments and their actions are potentially affected by any given ruling. This expansion is testimony to the increased complexity within American federalism, and it is that subject to which we now turn our attention.

Contemporary Intergovernmental Relations: The Rise of Complexity

It was under the presidency of Franklin Roosevelt, a Democrat, in the 1930s and 1940s that national government activity underwent a quantum leap in terms of scope and diversity, and intergovernmental relations became more closely interwoven with general (and more centralized) governmental undertakings. With little fanfare, but steadily, intergovernmental aid and joint efforts became more important components of public policy making. Thus, for example, national government grants for rural highway construction and maintenance (begun in 1916) became more numerous; grants for urban renewal became more widespread; and direct aid to urban governments for airport construction and other transportation purposes also appeared on the scene.15 After the Great Depression, federally-funded state and local social welfare, along with farm support and public-assistance bureaucracies, gradually replaced voluntary sources for aiding those in need. In the 1950s, under Republican Dwight Eisenhower, the pace of national government expansion slackened but did not stop completely. Significantly, it was just after Eisenhower took office in 1953 that the Department of Health, Education and Welfare (HEW) was created,
paving the way for later expansion of grants and other provisions relating to social services. Throughout the period 1930–1960, increased national government activity and the rising importance of IGR paralleled one another and often coincided. With the advent of the 1960s, however, IGR experienced its own quantum leap into new forms and new impacts.

In the last five decades, the structure of intergovernmental relations has been transformed by the rapid proliferation of financial transactions among different levels of government; by the development of new and often permanent linkages among program administrators at all levels; by the establishment of new forms of government at what is called the “substate regional level,” such as local-level “special districts” (providing many services, including water, education, and transportation), economic development districts, and health planning agencies; and by issuance of literally thousands of rules, guidelines, and regulations—collectively known as mandates and often accompanying fiscal aid packages—to hundreds of governmental units (see Chapters 1 and 11). This expansion of national government power has sparked political controversy of various kinds, resulting from the complexity associated with increasing numbers of federal grants and their accompanying regulations. Despite the best efforts of state and local elected officials to keep pace with the rapidly changing rules of the game, there is growing concern that the national government may have acquired excessive influence over state and local decisions. Also, many citizens apparently believe that these same complexities have weakened the people’s control over many of the activities and decisions of government that affect their daily lives either directly or indirectly. In recent years, IGR has been affected (though more indirectly) by another change: the growing service-delivery roles of nonprofit community organizations and various for-profit organizations in the private sector. These developments have also posed immense new challenges to those responsible for effectively administering government programs in a constantly changing environment. That these developments have been largely interrelated has made coping with them all the more difficult.

In the following discussion, several principal themes stand out. One is the importance, in this context and in broader terms, of government purposes organized by function. Functional alliances have tended to dominate contemporary IGR (much as they have done in “subsystem politics” at the national level) and, as a result, have become centers of ongoing controversy. A second theme, closely linked to the first, is the growing political and managerial struggle between elected public officials and administrative/functional specialists (and their respective political allies) for control of major IGR program directions. A third, broader theme focuses on the tensions between forces promoting greater centralization in the general governmental system and those favoring decentralization (including a lessening of national government regulation of state and local government activity). Nowhere is that issue more crucial than in the federalism/IGR realm, since a prime purpose of federalism is to prevent
excessive centralization of governmental authority. Deliberate efforts both to centralize and to decentralize government programs have been numerous. Calls for downsizing, decentralization, and deregulation have been gaining ground in the past thirty years, and reinventing government implicitly (if not explicitly) puts considerable emphasis on decentralizing government functions in order to put them within easier reach of popular control. All these themes have fiscal, administrative, and political dimensions.

**Intergovernmental Fiscal Relations**

Intergovernmental fiscal relations, also referred to as fiscal federalism, have been central to contemporary IGR for some time. Although there have been some forms of financial aid from one governmental level to another throughout U.S. history, the scope of such transactions has expanded dramatically since 1961. This applies to national government aid to states and localities and, to a lesser extent, to state aid to local governments.

Intergovernmental aid has taken on greater importance for a relatively simple reason. Traditionally, many state and local governments have had weaker economic bases and less productive systems of taxation than the national government has. Yet the former provide the great bulk of public services in health, education, welfare, housing, highway construction, law enforcement, police protection, parks and recreation, conservation, and agricultural services. The national government, with far stronger fiscal resources and revenue-generating capacity, directly delivers relatively few public services. These include Social Security benefits, postal services, federal law enforcement, veterans’ payments, and farm subsidies. In essence, the national government, with the greatest tax resources, delivers the fewest direct services; local governments, with the narrowest and weakest tax bases, are frequently the most heavily laden with costly service obligations (police, emergency management, fire, streets and roads, sewage and sanitation, water, and utilities); the states fall between them on that spectrum. (It should be noted that the national government—through mandated grants, contracts, loans, regulations, and the like—now has many avenues of indirect service provision.)

There are two basic reasons for the revenue-raising disparity among different governmental levels. First, local and state governments have limited geographic areas—often dependent on one or two products or services—from which to extract revenues (for instance, tourism in Florida and coal in West Virginia). A more diversified economy is a more stable and productive source of government income, and only the national government has access to the nation’s full range of economic resources.

Second, different types of taxes yield different amounts of revenue from the same income base. The most responsive, or elastic, tax (a tax that shows the greatest increase in revenue for a given rise in taxable income) is the
graduated income tax (so called because the tax rate rises as income increases). Somewhat less elastic is the sales tax, which levies a flat percentage rate on the price of purchased goods; some sales taxes are general and allow few exemptions, while others are selective and apply only to certain items. Least elastic is the personal property tax, which is levied on real estate and other personal belongings. The national government is the principal user of the graduated income tax. States rely heavily on sales and other excise taxes (though increasingly, state revenues are also derived from nongraduated or “flat-rate” income taxes). Local governments, including special districts, depend most heavily on personal property taxes (though sales and wage taxes have come into increasing use by many local governments).18

Thus, the government with the broadest tax base (the national government) also uses the most efficient generator of revenue, while the governments with the narrowest and least diversified tax base (local governments) employ the least elastic tax, with the states again falling between the two. The result is a “fiscal mismatch” between the service needs and fiscal capacities of different levels of government, and among different governments at the same level in terms of their varying abilities to pay for needed public services (for example, wealthy school districts versus less affluent ones). Rising service demands on government at all levels have placed a particular strain on those governments least able to expand their tax revenues rapidly, that is, local units. The consequence of all this has been increasing demand for aid from higher levels of government to help pay for government services.

**Grants-in-Aid**

The growing needs of state and local government during the first half of the twentieth century coincided with rising congressional and executive-branch interest in expanding and upgrading available public services at all levels of government. By the 1960s, the stage was set for the national government (and some state governments) to utilize financial assistance on a much larger scale than before as a means to expand public services. The principal device adopted to bring all this about was the grant-in-aid, which had been an established mechanism for thirty years and was now to be given a substantially enlarged role.

**Grants-in-aid** are money payments furnished by a higher to a lower level of government to be used for specified purposes and subject to conditions spelled out in law or administrative regulation. Cash transfers are used most widely by the national government, although states also make some use of them. When John F. Kennedy was inaugurated in 1961, only 45 separate grant authorizations (statutes) existed. (Under each authorization, multiple allocations of funds can be made.) But in the period 1965–1966, when Lyndon B. Johnson commanded decisive Democratic majorities in both chambers of Congress, he took advantage of the opportunity to legislate a host of new federally directed grant programs as he pursued his vision of the “Great Society.” By the time Richard
Nixon entered the White House (only eight years after the start of Kennedy’s term), the number of grants had mushroomed to about 400. Using the criterion of separate authorizations, the U.S. Advisory Commission on Intergovernmental Relations (ACIR) estimated that almost 540 grant programs existed in fiscal year (FY) 1981. During the Reagan administration, the number of grants dropped to about 400 by FY 1985, with significant adverse implications for state and local delivery of many public services and for the fiscal well-being of many state and local jurisdictions. The number increased again, however, to 478 grant programs in FY 1989 and to upwards of 600 such programs in FY 2008. Grants have financed state and local programs in virtually every major domestic policy area—urban renewal, highway construction and maintenance, mass transit, education, criminal justice, recreation, public health, and so on.

Equally dramatic is the increase in dollar amounts appropriated under national grant programs. In FY 1960, the figure was about $7 billion; by 1970, it had risen to $24 billion; five years later, it was almost $50 billion; by FY 1981, it was just under $95 billion; by FY 1990, it had reached $135 billion; in FY 2001, it was approximately $317 billion; and beginning in FY 2005, funding leveled off, reaching approximately $454 billion in FY 2008. Despite the Reagan administration’s success in slowing the rate of growth in spending for grants, under Presidents George H. W. Bush and Bill Clinton, the number of grant programs increased, along with the funds appropriated for them (see Figure 3–2)—though there may be some changes ahead as federal debt and deficits combine to slow growth in assistance to states and local governments.

National grants-in-aid were originally enacted to achieve certain broad purposes. These included (1) establishing minimum nationwide standards for programs operating in all parts of the country, (2) equalizing resources among the states by redistributing proportionately more money to poorer states, (3) improving state and local program delivery, (4) concentrating research resources on problems that cross government boundary lines (such as air and water pollution) or that attract interest from numerous governments, and (5) increasing public services without enlarging the scope of the national government or its apparent role in domestic politics. Other purposes have included improving the structure and operation of state and local agencies (such as merit personnel practices or better planning), demonstration and experimentation in national policy, encouragement of general social objectives (such as nondiscrimination in hiring), and provision of services to otherwise underserved portions of the population.

In the 1970s and 1980s, federal grants-in-aid loomed large in the total picture of all government domestic programs (including those at state and local levels). During those two decades, these grants provided about one-fourth of state-local revenues each fiscal year, while at the same time comprising between 12% and 17% of all national government outlays. Those proportions began to decline in the early 1980s, following Ronald Reagan’s election to the presidency, and continued at a reduced level (especially the proportion of federal outlays)
during the elder George Bush’s administration. Between fiscal years 1982 and 1991, the proportion of total federal outlays devoted to grant programs hovered in the range of 11 to 12% before beginning to rise again after the election of Bill Clinton in 1992. The proportion remained between 14 and 16% of outlays for the rest of the decade (even after the Republican takeover of Congress in the 1994 elections), and increased slightly, during the second Bush presidency, to around 17% in 2005—1½% higher than the proportion that existed in fiscal year 1980 (see Figure 3–3). At the same time, however, state and local governments became more active in raising their “own-source” revenues (taxes and other revenue generators that they establish by law); even though grants-in-aid as a percentage of federal domestic programs have declined since 2005, federal agencies still provide about 25% of all state-local revenues.

The advantages attributed to grant-in-aid programs are numerous. First, the national government affords a single focal point for bringing about a greater degree of concerted action on a policy problem. Second, political minorities in states and localities, such African–Americans and Hispanics, have an opportunity to seek some measure of national support for their policy demands. Third, grants-in-aid are an appropriate way to deal with nationwide
problems; many policy questions are interrelated in terms of their impact, such as those linking highways, urban transportation, and air pollution or education, unemployment, poverty, and welfare. Although a fully coordinated attack on such sets of problems has yet to be mounted (and is not likely to be), a greater degree of consistency is possible at the national level than among fifty separate states and 88,000 local governments.

Finally, and perhaps most important, it has been suggested that national funds assist states and localities with programs and projects that benefit citizens outside the borders of the recipient government. These so-called ripple effects—more formally known as externalities—justify national monetary support for state or local efforts because of the wider benefits realized from them. Three examples illustrate the point: (1) a state job-training center, whose graduates may find employment in other states; (2) a state park system (such as Kentucky’s, one of the best in the nation) that attracts tourists and vacationers from a much wider geographic area; and (3) local education systems that, in a mobile society such as ours, are undoubtedly investing in the future productivity and contributions of persons who will reap the benefits of their education elsewhere. Because the nation as a whole gains from such
investments of state and local funds, it is agreed that there is good reason to
add grant funding from the national treasury.

Grants-in-aid have taken several forms; we “can usefully categorize
grant programs along two dimensions”\textsuperscript{20}: (1) the degree of discretion
national government administrative officials possess in distributing funds,
and (2) the “degree of restriction imposed on the use of [national govern-
ment] funds.”\textsuperscript{21} Administrative discretion in distributing funds is small-
est under \textbf{formula grants}, which are created by legislation that clearly
specifies the criteria (standards) for determining eligibility to receive the
funds. Depending on the purpose of a grant, these criteria might include
population, unemployment rates, or the percentage of the population living
in poverty. Administrative discretion is much greater in the case of \textbf{project
grants}; with these, agency officials have wide latitude in deciding which
states or local governments will receive funding and how much each will
get. Formula and project grants are subtypes of \textbf{categorical grants}—the
most commonly used kind of national government assistance programs to
state and local governments. Of the approximately six hundred categori-
cals in existence, three-fourths are project grants, available by application;
the remaining one-fourth are formula grants, for purposes such as aid to
the blind and disabled (an ongoing concern common to many government
jurisdictions). On the other hand, although individual project grants out-
number formula grants, the dollar amounts available under formula grants
exceed those of project grants.

Grants also can be distinguished with regard to how freely recipient
governments can use national government funds. Under categorical grants,
states and local governments can spend the money only for certain clearly des-
ignated “categories” of expenditure, leaving very little room for adjustments
on the part of a recipient government. The extreme specificity of categorical
grants has been described as “hardening of the categories,” which
created such proliferation of minutely targeted grants that . . . a local government
wishing to improve its recreational amenities ha[s] to make separate applications
to several different agencies if its total program include[s] buying land for park
purposes; building a swimming pool on it; operating an activity center for sen-
or citizens; putting in trees and shrubbery; and purchasing sports equipment.
In the area of urban transportation, there are [or have been] separate categorical
grant programs covering car pool demonstration projects; urban transportation
planning; urban area traffic operations improvement; urban mass transpor-
tation basic grants (based on a formula for fund distribution); and mass transit
grants (on a project application basis).\textsuperscript{22}

With about six hundred such grants operative at the present time, the
categorical grant business has become immensely complicated, and is difficult
for even experienced professionals to comprehend at times. (See Table 3–1 for
comparison of the scope of categorical grant assistance.)

\begin{table}[h]
\centering
\caption{Comparison of Categorical Grant Assistance}  
\begin{tabular}{|l|l|}
\hline
\textbf{Category} & \textbf{Example} \\
\hline
Aid to the blind & State aid to the blind program \\
Aid to the elderly & Senior citizen services program \\
Traffic operations & Urban area traffic improvement grants \\
Transportation planning & Urban transportation planning grants \\
Mass transit & Urban mass transit grants \\
\hline
\end{tabular}
\end{table}
### TABLE 3-1 The Scope of National Aid Increased Dramatically

<table>
<thead>
<tr>
<th>Prior to 1960 — Few and Far Between</th>
<th>1993 — Categorical Grants for Everything</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Budget Subfunction</strong></td>
<td><strong>Number of Programs</strong></td>
<td><strong>1993</strong></td>
</tr>
<tr>
<td>1787 Education land grants</td>
<td>National defense</td>
<td>6</td>
</tr>
<tr>
<td>1862 Agricultural education (land grant colleges)</td>
<td>General science, space, and technology</td>
<td>1</td>
</tr>
<tr>
<td>1914 Agricultural extension</td>
<td>Energy</td>
<td>13</td>
</tr>
<tr>
<td>■ 50-50 matching</td>
<td>Water resources</td>
<td>2</td>
</tr>
<tr>
<td>■ state plan approved</td>
<td>Conservation and land management</td>
<td>13</td>
</tr>
<tr>
<td>■ first modern conditional money grant</td>
<td>Recreational resources</td>
<td>10</td>
</tr>
<tr>
<td>1916 Federal aid for highways</td>
<td>Pollution control and abatement</td>
<td>29</td>
</tr>
<tr>
<td>1917 Vocational education</td>
<td>Other natural resources</td>
<td>19</td>
</tr>
<tr>
<td>1921 Public health assistance</td>
<td>Farm income stabilization</td>
<td>2</td>
</tr>
<tr>
<td>1935 Social Security</td>
<td>Agricultural research and services</td>
<td>11</td>
</tr>
<tr>
<td>1935 Public assistance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1937 Housing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1946 Airport aid</td>
<td>Mortgage credit and deposit insurance</td>
<td>1</td>
</tr>
<tr>
<td>1946 Hospital and medical facilities</td>
<td>Other advancement of commerce</td>
<td>7</td>
</tr>
<tr>
<td>1948 Water pollution control</td>
<td>Ground transportation</td>
<td>26</td>
</tr>
<tr>
<td>1949 Urban renewal</td>
<td>Air transportation</td>
<td>1</td>
</tr>
<tr>
<td>1950 Federal impact school aid</td>
<td>Water transportation</td>
<td>2</td>
</tr>
<tr>
<td>1954 State and local planning assistance</td>
<td>Other transportation</td>
<td>4</td>
</tr>
<tr>
<td>1954 Small watershed protection</td>
<td>Community development</td>
<td>7</td>
</tr>
<tr>
<td>1955 Air pollution control</td>
<td>Area and regional development</td>
<td>22</td>
</tr>
<tr>
<td>1956 Library aid</td>
<td>Disaster relief and insurance</td>
<td>8</td>
</tr>
<tr>
<td>1958 College student aid</td>
<td>Elementary, secondary, and vocational education</td>
<td>84</td>
</tr>
<tr>
<td></td>
<td>Higher education</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Research and general education aids</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Training and employment</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Other labor services</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Social services</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>Health</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Income security</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>Veterans benefits and services</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>General management, multiple functions, and other</td>
<td>55</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>578</td>
</tr>
</tbody>
</table>

With grants-in-aid of all types, the proportion of total expenditures paid by the national government varies considerably. Congress defines some grants as representing important nationwide initiatives and sets the national government share at 100%. Other grants require dollar-for-dollar matching funds by the state/local government, which doubles the total amount of money available. Some other grant allocations require recipients to share the burden to some extent but not fifty-fifty (sometimes as little as 1% of the total). The national share for all types of grants-in-aid, then, is at least one-half and can cover the total.

One other observation should be made with reference to federal grants and grant-funded state/local programs. Throughout the 1990s a mere twenty-one categorical grant programs accounted for 80% of total spending for categoricals, and an additional two dozen programs accounted for another 10% of spending. These included, among others, the Medicaid program (with 55 million poor and disabled recipients), child nutrition grants, wastewater treatment plant construction, Aid to Families with Dependent Children (AFDC), training and employment programs, low-rent public housing, and community development programs. (Under the Welfare Reform Act of 1996, the old AFDC programs—now known as Temporary Assistance to Needy Families [TANF] were to be administered as formula grants by the states, with federal standards.) Still, nearly 90% of the funds allocated for categoricals were taken by the largest forty-five programs (fewer than 10% of the total number of programs).

Expansion of grants-in-aid was accompanied by qualitative and administrative changes: (1) there were increasing numbers of project grants, and an increased variety of matching-grant formulas; (2) Congress broadened the eligibility of grant recipients and increased joint-recipient possibilities; (3) aid was concentrated in large urban areas and directed to the urban poor in numerous new ventures; (4) there was increased national aid not only to governments but also to private institutions, including corporations, universities, and nonprofit organizations; and (5) the national government made funding available specifically to assist state and local jurisdictions in improving both their planning capabilities and their actual planning activities. All these changes grew out of an expanding emphasis on achieving national goals under the direction of the national government.23

Prior to the 1960s, aid had been used primarily to supplement the policy actions of states and localities. Under Kennedy and then Johnson, however, presidential and congressional initiatives were couched more in terms of national purposes. Given this emphasis, it was deemed entirely appropriate to write into grant legislation substantive and procedural requirements (mandates) that would promote those purposes.24 Administration of these programs remained predominantly in the hands of state and local governments, but the national role in defining the uses of grant funds was clearly becoming decisive in determining general policy directions and many specific state and local program activities. Between FY 1990 and FY 2000, funding for...
grants-in-aid increased from 11% to 16% of total federal spending; federal grants to state and local governments constituted just over 17% of total outlays in FY 2005, before falling to 16% again in FY 2006 and 2007, and to 15.6% in FY 2008.\textsuperscript{25}

While major changes were unfolding in national categorical programs, state aid to local governments continued to expand assistance programs as well. Not only were states contributing increasing amounts to local government functions (especially to school districts and to the growing suburbs), but they also were making much of the funding available in the form of revenue sharing, that is, funds drawn from the respective state treasuries and allocated to local governments with few if any “strings” attached. Many states also established the practice (still in use across the country) of returning to each local government a portion of state sales-tax revenues, in proportion to the amount of sales-tax revenue collected within each locality. Thus, from the local perspective, state and national governments, in their differing methods of organizing fiscal assistance to local governments, have moved in somewhat opposite directions during the past forty years. This is not to say, however, that states have given their local governments free rein to allocate funds—far from it. Nevertheless, key features of state aid, especially categorical grants, differ in significant respects from those of national aid.

\textbf{CATEGORICAL GRANTS AND ADMINISTRATIVE COMPLEXITY}

In the preceding discussion of grants-in-aid, we noted a number of administrative dimensions, including the objectives of providing more and better public services, with growing emphasis recently on efficiency and effectiveness—both squarely in our administrative traditions; establishing minimum uniform programmatic standards nationwide; enhancing both the procedure and the substance of state and local programs; and strengthening the planning function. How all of this should be accomplished, however, was and still is a serious question. The use of categorical grants rather than some other instrument of assistance contributed directly to increased interdependence, reliance on political bargaining, and the rise of administrative complexity. This is so because of historical patterns in grants management that are worth reviewing.

Today, states receive more than two-thirds of all formula grants and act as conduits for the majority of project grants to local governments. As Congress deliberated over expansion of successive aid programs, a principal concern was ensuring that the national purposes of programs were not lost by dividing up administrative responsibility among fragmented state agencies. One way to prevent such jurisdictional jostling would have been through the assertion of strong \textit{gubernatorial} prerogatives, whereby the appropriate state agencies were designated to receive given grant funds and to administer program
activities under congressional authorization. Most governors, however, were ill-equipped to serve that function, especially in the early years of grant activity, when the operations of state executive branches often lacked unified direction and were hampered by partisan politics and administrative chaos.

One response from the national level was the **single state agency requirement**. Only one agency is designated to administer national grants and to establish direct relationships with its counterpart in the national government bureaucracy. This provision first appeared in the 1916 Highway Act and was duplicated the following year in the Vocational Education Act. Currently applicable laws either name a specific state agency or call for one to be designated in policy areas such as child welfare, library services, urban planning, water pollution control, civil defense, and law enforcement assistance. Thus, for most of the twentieth century (and continuing into the twenty-first), the administration of grant funds was largely in the hands of professional administrative personnel in individual agencies.

As the grant-in-aid system grew more specialized, national agency personnel came to work even more closely with their state and local counterparts. Partly as a result of national grant policies, the latter were now much more professionalized than they had been in the past, operating under state merit systems that had created a contingent of administrators whose backgrounds, interests, and professional competencies were similar to those of national government administrators. Parallel relationships were formed between officials of the Bureau of Public Roads and state and local highway department personnel; national educational administrators and their counterparts in state departments of education and officials in local school districts; and Agriculture Department staff with state and, especially, county agricultural officials (among many other examples). This process of strengthening intergovernmental administrative linkages led to a situation largely invisible to the general public but fraught with consequences for the governmental process. Political scientists Harold Seidman and Robert Gilmour, among others, have suggested that what we have in a number of important functional areas are “largely self-governing professional guilds” composed of bureaucrats at all levels with common programmatic concerns. The ACIR, describing the same phenomenon, coined the term **vertical functional autocracies**, the autocracy label signifying not only the agencies’ operating autonomy from chief executives and legislators but also the extent of agency control over essential program decisions.

The development of intergovernmental administrative ties gave rise to a new label for the federal system. Previously, dual federalism was likened to a layer cake, with different levels of government clearly distinguished from one another; and growing cooperation was likened to a marble cake, with functions of different levels of government intermingled. The new vertical administrative patterns gave rise to the term **picket-fence federalism**, illustrated in Figure 3–4.
Former North Carolina Governor (and later U.S. Senator) Terry Sanford provided this definition:

The lines of authority, the concerns and interests, the flow of money, and the direction of programs run straight down like a number of pickets stuck into the ground. There is, as in a picket fence, a connecting cross slat, but that does little to support anything. In this metaphor it stands for the governments. It holds the pickets in line; it does not bring them together. The picket-like programs are not connected at the bottom.28

Bureaucratic officials within each of these pickets, together with their clientele groups at all levels, do not always agree, of course, on the substance and procedures of programs they administer. But the responsibility for formulating many basic policies and for resolving many of the conflicts that arise rests largely—and often exclusively—within the discretion of these functional groupings. How that situation can be reconciled with democratic values of public accountability and control is an important question and one not easily answered. One hopeful sign, however, has been noted: The pickets may

*Each picket represents the political and administrative ties among specialists in each policy area at all three levels of government.

have already been somewhat altered. Only ten years after Sanford used the picket-fence label for the first time, David Walker of the now-defunct ACIR suggested a variation, namely, *bamboo-fence federalism*. Walker asserted that this new label more accurately “captures the vertical functionalism, continuing professionalism, [and] greater flexibility and realism” of contemporary public administrators, even though most still give primary emphasis to their functional concerns, including the protection of programmatic interests as a high priority.29

**CATEGORICAL GRANTS: GROWING DISSATISFACTION**

The tremendous proliferation of grants, the rise of vertical functional autocracies, picket- or bamboo-fence federalism, and particularly the duplicative and overlapping nature of so many available grants soon led to a growing chorus of concern about management of grants and about the impacts they were having on recipient governments. (See Box 3–2, “Categorical Grants: The Most Common Criticisms.”)

These criticisms suggest several dimensions of the politics of grants.30 One is provision of essential public services, and equality or inequality among (and sometimes within) jurisdictions in the levels of those services. Another concerns tensions among different levels and units of government over setting program priorities, and program management. A third dimension is the procedural pitfalls that can hamper applicant governments in their efforts to obtain grant assistance. Many state and local officials tell horror stories about rejection of applications on seemingly narrow technical grounds, about having to resubmit applications because a relatively minor section was improperly filled out, and so forth. Underlying all such concerns, however, is a common theme: considerable conflict between elected state and local officials (“generalists”) and the specialists of their own bureaucracies as well as those in the national government’s administrative agencies (see Figure 3–4). Much of the criticism came from state and local chief executives and legislators and was directed explicitly toward the greater control that bureaucrats at all levels were coming to have over government aid programs. As the criticisms grew in intensity and became a partisan issue dividing Democrats and Republicans, the critics increasingly gained the attention of the Congress and, significantly, the president.

Increasing attention was also given to the problem of grant coordination that resulted from the sheer number of grants and the variety of grant sources within the national bureaucracy. The availability of urban transportation grants from different national agencies for similar, often overlapping, purposes made it difficult to select the most appropriate grant program. Also, many general development projects in states and communities had component parts funded independently by separate national agencies. As a result, a grant applicant was faced with applying separately for each part of the overall project,
thereby running the risk of applications being approved for some portions of the project but not for others.

Furthermore, most national aid-granting agencies did not have much (if any) knowledge of what other programs were being funded by other agencies; at the other end of the aid pipeline, most recipient governments knew or cared...
little about what funds other governments were receiving, or even applying for. Grant applications were being reviewed and approved or rejected by national agencies with no means of keeping track of which states and localities were asking for aid, for what purposes it was requested, and how much aid was distributed. Nor were there any provisions for systematically monitoring which agencies were responsible for programs with similar purposes or for determining the actual results, if any, of grant funds. Meanwhile, state and local officials were chafing under what many considered unreasonable guidelines for spending grant money, as well as the problems they encountered in obtaining funding in the first place.

The problems of coordination have been compounded at the recipient end of the aid pipeline by growing intergovernmental administrative linkages in horizontal as well as vertical dimensions. Various types of contracting arrangements, consortia, cooperative agreements, regional interagency councils, commissions, multijurisdictional functional agencies, ad hoc planning groups, temporary clearinghouses, and a multitude of other intergovernmental structures have been created to administer federal programs. Interstate compacts, such as the Port Authority of New York and New Jersey, have come into greater prominence; other regional bodies crossing state lines, created by either state or national governments, have also been established.

Likewise, there has been an increase in the phenomenon of substate regionalism. Special districts of all kinds (excepting school districts) have proliferated in recent years—many in response to national government encouragement—for a variety of purposes, such as planning, review of grant applications, economic development, public health, and provision of care for the aging. Here, again, the picket-fence analogy is evident because national, state, and local administrative officials all have active roles in substate regional functions. The formation of these nearly independent federal-local government systems poses considerable administrative difficulties because it frees districts to compete (often successfully) for grant monies available to all other types of local government. Thus, these systems are also woven into the pattern of functionally organized administrative relationships but, at the same time, they are among the most invisible and least accountable of all forms of government.

**Grant Reform: Multiple Efforts, More Complexity**

By the late 1970s, pressures were mounting for changes in the grant-in-aid system, particularly in grants management. Although various concepts and options had been explored from time to time, few actions had been taken. The changes that followed, and that have continued up to the present, have emphasized efforts to reduce the programmatic influence of the national
government, through both fiscal and administrative reform. We will consider these, and their major components, in turn.

**Fiscal Reform: General Revenue Sharing**

During the late 1960s, political reaction mounted to the strings (conditions and specifications) attached to grant-in-aid funding. Increasingly, state and local elected officials sought financial assistance that would permit them greater discretion in spending decisions. The Nixon proposal for general revenue sharing (GRS) appeared to meet such demands. General revenue sharing de-emphasized concern for national policies, goals, and standards; defined state and local rather than national majorities as the key decision makers about program spending; and built into the intergovernmental fiscal system greater discretion for state and local elected officials. But, despite attracting quite a following among state and local officials, GRS never lived up to its advance billing.

The principle behind revenue sharing was a simple one: A portion of tax revenues would be returned to states and to general-purpose local governments according to a prescribed formula defined by Congress and automatically followed each year. Revenue-sharing funds would be allocated with no strings attached, and recipient governments could use the money for almost any purpose. There would also be no need for a state or locality to apply for the funds; once the formula was determined, the funds would be available with no uncertainty and no delay. Such an arrangement seemed to respond directly to the sharpest criticisms of the grant-in-aid system. In particular, revenue sharing seemed to represent a way for local political majorities, through their elected officials, to reassert their priorities in local and state spending and not to be bound to grant programs with which they increasingly disagreed on both policy and procedural grounds.

One of the reasons, of course, for its appeal was precisely that GRS would allow officials of recipient governments to exercise wide latitude in deciding how to spend the funds; however, some of those officials proved wiser than others. For example, some communities applied GRS monies to special projects, usually construction projects of limited scope or duration, while others, often out of necessity, incorporated GRS funds into their operating budgets. Those who confined their funding to capital improvement turned out to be better off when the flow of funds stopped in 1986.32

Even when GRS was most strongly supported at the White House, it represented only a small proportion of total spending for intergovernmental aid (less than 5%). Ronald Reagan, however, opposed extending revenue sharing, and Congress did not renew the program. Reagan’s willingness to allow general revenue sharing to lapse was apparently due to two policy preferences: (1) an overriding interest in reducing national government spending and growing annual budget deficits; and (2) a commitment to another alternative to categoricals, namely, block grants.
FISCAL REFORM: BLOCK GRANTS

If general revenue sharing represented a departure from existing categorical aid and its attendant problems, block grants were a more modest attempt (at least initially) to “decategorize” federal grants and “devolve” authority to states and localities. Block grants, while also given out for use in a specific policy area (such as community development, public assistance, or health care), leave much more discretion and flexibility in the use of such funds in the hands of recipient governments. They represent a middle way between the alleged restrictiveness of categorical grants and the elimination of all national-level influence and responsibility in intergovernmental aid.

In general, block grants have the following features: (1) recipient jurisdictions have fairly wide discretion within the designated program area; (2) administration, reporting, planning, and other program features are designed to minimize grantor supervision and control; (3) most allocation provisions are based on a formula, which is also intended to limit grantor discretion as well as to decrease fiscal uncertainty for the grantees; (4) eligibility provisions are fairly precise, tending to favor general local governments as opposed to special districts, and generalist officials over program specialists; and (5) matching-fund requirements are usually relatively low.

The original block grant concept retained the notion that national goals were to be pursued in a program area through expenditure of allocated funds; the ACIR noted that block grants “do not imply a hands-off [national] role, nor one confined to purely procedural matters.” These observations were clearly descriptive of the block grants of the 1960s and 1970s.

The Reagan administration’s block grants, however, differed from the earlier ones in several important respects. One obvious difference was the increase from five such grants in FY 1981 to twelve in FY 1984. More important was the explicit link between establishment of block grants and elimination of categoricals. Creation of block grants was accompanied by a reduction in the number of categorical programs from 534 in FY 1981 to 404 in FY 1984—a decrease of about 24%.

A third difference was that these block grants were accompanied by a decline not only in the number of categoricals but also in total spending for intergovernmental assistance. In its efforts to slow the growth of national government spending, the Reagan administration made many of its early spending cuts in intergovernmental aid—although aid levels increased slowly after the first wave of reductions. Moreover, there is evidence that the block grant strategy was used implicitly to cut spending and not simply to alter the degree of program control exercised by government administrators through categorical grants. None of Reagan’s successors, however, adopted that course of action, at least to the same extent. Block grants have been allowed to operate as more of a “freestanding” form of fiscal assistance—although reliance on such grants signals an implicit change in federalism-related aid strategy.
A fourth difference was the contractual nature of the new block grants, involving contracts between national and state governments. The use of state-national contracts reflects a prevailing emphasis on increasing the states’ role within a broader vision of a “revitalized” (and considerably revamped) federal system. This emphasis suggests yet another difference between “old” and “new” block grants: the implicit subordination of national purposes to those of the states, if not outright abandonment (at least in the Reagan years) of national control over program spending under block grants.

Under the administration of the first President Bush, the shifts (both ideological and administrative) toward a stronger state role were reaffirmed and consolidated—although, significantly, not expanded. In FY 1991, for example, Bush proposed increasing block grant funding by the modest sum of $15 million, with the explicit proviso that state governors be given exclusive responsibility for deciding how the funds would be used. This proposal typified the overall approach of the Bush administration toward intergovernmental change: the allocation of generally small amounts of money to these programs in a manner consistent with the philosophical directions defined in the previous administration. The total amounts appropriated for both categoricals and block grants increased somewhat but with more attention to budgetary constraints than to explicitly intergovernmental concerns.

Likewise, Bill Clinton (at least until the late 1990s) had to grapple with budgetary concerns and seemingly tried to do so with only minimal attention to IGR. Early in his first term of office, Clinton advocated terminating or consolidating some one hundred and fifty existing grant programs (a somewhat unusual step for a Democratic president). In the FY 1995 budget, however, the president proposed a combination of programs in selected programmatic areas that represented some expansion of funding to state and local governments. These included assistance for education, job training, and public works. Interestingly, during George W. Bush’s first term, the administration presided over a fairly significant increase in intergovernmental funding, with FY 2004 budget documents showing continued upward trends in both total dollars allocated and the proportion of total federal outlays going to state and local governments (it should be noted that the majority of the funding was in the form of payments to individuals for Social Security or to institutions, such as hospitals, for medical expenses). That trend was not sustained entirely, however, in budget proposals for FY 2005 through 2008. While total dollars allocated were projected to increase, intergovernmental aid as a proportion of total federal outlays was projected to level off or to decrease somewhat, as already noted.

**Fiscal Reform: Impacts of Change**

Both general revenue sharing and block grants were introduced on the national political scene amid considerable fanfare; both were advanced as important solutions to major problems associated with the existing grants
system, such as confusion, overlapping, red tape, inequities, and rigidity. With four decades of experience behind us (including a number of evaluations of both approaches), it is useful to assess the pros and cons in more substantive terms in order to measure just how close the rhetoric came to the realities. It is also useful to consider some consequences that few observers forecast.

Various studies of GRS and block grants suggested the following patterns of use: (1) more funding was allocated to existing operating programs than to new ones; (2) the largest category of use in smaller communities was capital expenditures—for new municipal buildings, waterworks, even public golf courses; (3) keeping tax rates stable in inflationary times was a major concern of many local decision makers in considering how to use these funds; (4) local political majorities became, if anything, stronger and more entrenched; and (5) alleviating poverty in larger cities (a major aim of many categoricals in the 1960s) was not a primary purpose of either GRS or block grants. A major consequence of the shift to this form of aid was a decline in public-policy concern for needy minorities, many of whose members were concentrated in the poorest central cities. The distinction between local political majorities and minorities as primary beneficiaries of GRS/block grants and categorical grants, respectively, was a significant one; the effects of the grants on each of these recipients form a crucial corollary to debates over types of national government assistance. The politics of fiscal federalism overlaps such policy fields as urban policy and civil rights. To “increase the flexibility of state and local governments” (meaning their elected officials) is to de-emphasize the policy concerns (much more prevalent in the 1960s than now) with problems of urban minority groups and, more generally, with problems of poverty.37

In addition to these general impacts, neither generation of block grants operated precisely in the manner predicted by their strongest advocates. Soon after being enacted, the early block grants showed signs of what some called “creeping categorization”—a pattern of various abuses discovered in the course of grant implementation, followed by the gradual reassertion of national agency control in order to prevent further abuse.38

During the second Bush administration, some patterns of policy and management evident in previous years began to reassert themselves. For example, George W. Bush (like President Reagan) used spending reductions in intergovernmental programs as part of a larger strategy of budget reductions. However, President Bush differed from President Reagan in at least three respects. First, he targeted particular intergovernmental funding for reductions, rather than attempting across-the-board cuts (in intergovernmental programs only). Secondly, particularly with respect to funding for national government antipoverty efforts, he “pushed for increased funding for religion-based groups while proposing deep cuts for many traditional anti-poverty programs.”39 And finally, the president experienced some significant failures in his efforts; one notable example came in the spring of 2005, when the U.S. Senate voted by 68–31 to restore “funds the White House wanted to eliminate for Community
Development Block Grants (CDBG) (a favorite of local officials ever since their inception in the mid-1970s). Even that vote, however, does not change the fact that “[w]hen adjusted for inflation, spending on CDBG is at its lowest point ever, less than half the fiscal 1978 funding level.”

Thus, echoing patterns of the 1980s, it is possible to suggest that some of the current debates over federalism and IGR (at least with respect to intergovernmental aid) are essentially debates about government budgets and spending reductions. It can be said with more certainty that national budget considerations have played a role in shaping the course of funding for states and localities—and to that extent have influenced the relationship of the national government to states and localities.

Both general revenue sharing and block grants achieved, at least in part, what their proponents intended for them: to loosen the conditions attached to aid from Washington. However, powerful forces will continue to support increases in categorical aid. This fact is reflected in the perpetuation of nearly six hundred such programs; together, they still make up about 75% of all intergovernmental funding by the national government. This reflects congressional interest in defining and targeting national aid in ways favored by members of Congress, even though their decisions may or may not match the preferences of state and local elected officials, or even those of the public at large. Thus, the debate is likely to continue for some time over the direction of intergovernmental aid.

**Administrative Reform: Participation and Coordination**

Other efforts to reduce national government influence have taken two directions. The first of these, chronologically, was the movement for citizen participation in administrative decision making, especially where decisions on expenditures of grant funds were concerned. By incorporating such requirements into a large number of grant authorizations, Congress was responding to substantial pressures from previously underrepresented constituencies, notably poorer urban minority groups (see Chapter 2). The underlying assumption was that government officials had been insensitive to the needs of aid recipients in the past and that, as aid categories multiplied, it would be necessary to expand clientele representation. Thus, in many grants as well as GRS, provision was made for public hearings, and sometimes for more formalized participation, at crucial points in the decision-making process. The promise of citizen participation may well have been greater than the realization of it, not least because some administrators may have succeeded in co-opting potential adversaries from citizen groups.

Another approach to bringing the grants system (and functional specialists) under better control centered on achieving better coordination among proliferating aid programs. The earliest efforts focused on coordination among aid
applicants and stressed regionwide coordinative mechanisms. A number of efforts were made to promote better communication among aid applicants (especially at the local level). Despite some protests, these efforts were deemed necessary by many in Congress and federal agencies because of widespread local and state unwillingness to consider the effects of their own programs and planning on those of neighboring jurisdictions. Improving coordination through better communication was a consistent theme in the IGR arena (see Chapter 4 for a general discussion of the importance of coordination).

Emphasis has also been placed on more information and training. Information resources currently available to grant seekers include the “bible” of grantsmanship, the Catalog of Federal Domestic Assistance (CFDA), published by the national government, containing descriptions of 1,400 separate assistance programs administered by fifty-seven federal agencies and available online at http://www.cfda.gov; a computerized information system based largely on the CFDA, known as the Federal Awards Assistance Data System (FAADS); and publications of the Grants Management Advisory Service in Washington and the Grantsmanship Center in Los Angeles.

**Administrative Reform: Change and Continuity**

More than any other president, Ronald Reagan actively sought to change the way national government agencies conducted their intergovernmental activities. By making frequent use of presidential executive orders, he attempted to alter many features of national-state and national-local relations that existed when he first took office. During his second term (1985–1989), President Reagan took more explicit steps to promote his conception of “New Federalism”—a view of the federal system that, if fully adopted, would limit executive agency activities in contemporary IGR and instead return to a position that favored heightened state government activity and influence. National government departments and agencies were told to consider the effects of their regulatory and legislative policies on state and local governments in an effort to improve the management of state-administered federal programs. During the presidency of the first George Bush, executive-branch agencies were advised to pursue further . . . relief to State and local governments by providing administrative flexibility, promoting efficiency through Governmentwide common rulemaking, cutting . . . red tape, decentralizing the decision-making process, and seeking State and local government views in the development of [national government agency] rules.42

In all these formulations, there is the clear assumption that national programs and procedures have had generally adverse effects on state and local governments, and that both states and localities should be in the forefront of planning and managing future intergovernmental programs.43
The Clinton administration came to office in 1993 without the same ideological commitment to state and local government predominance that the two previous administrations had, but Clinton (like Reagan, a former governor) was eager to apply to the national government many lessons learned during his experience with state government. In addition, President Clinton (in part from budget/deficit concerns) exhibited some of the same inclinations as Reagan and Bush did toward downsizing, and devolving functions from the national government. Nevertheless, President Clinton strengthened some national government initiatives for funding intergovernmental activities, especially in policy areas such as education, environmental protection, transportation, and infrastructure improvements. Significantly, however, the Clinton administration spoke consistently of moving decision authority “closer to the people” by allowing state and local governments greater flexibility in managing their programs.

The Bush Administration and Contemporary Federalism

George W. Bush came to the presidency articulating a program of “compassionate conservatism”—clearly representing the desire of millions of Americans to lessen the tax burden, reduce national government spending, and favor actions by state and local governments over those of “Washington.” By the early years of his second term, however, it was obvious that President Bush’s federalism-related record was a mixed one. On the one hand, the president succeeded in reducing national government revenues through lower taxation; he also made considerable headway in redirecting many national government efforts in more philosophically (and programmatically) conservative directions. On the other hand, there is some concern—particularly, and perhaps ironically, among many conservative supporters of the president—that in pursuit of some conservative policy objectives, the president expanded the role of the national government—contrary to long-standing conservative inclinations “to downsize government and devolve power to the states….44 The concern, on the part of “Republicans inside and outside the White House,” was that the president was “fostering what amounts to an era of new federalism in which the national government shapes, not shrinks, programs and institutions to comport with various conservative ideals.”45

It is possible to argue that these steps represent simply an extension of actions taken in President Bush’s first term, when the president’s No Child Left Behind (NCLB) education law greatly expanded the national government’s role in the education system (for implementation details, see Chapter 9). That statute, with its imposition of new, tougher testing standards as well as requirements for accountability on the states, involved “a huge increase in
education spending and expanded the [national] government’s power to police schools.” (As of early 2008, Congress had yet to take action reauthorizing NCLB, due to continuing disagreements within Congress itself and with the Bush administration over key provisions of the Act.) And dramatic expansion of the government’s role in protecting homeland security—perhaps inevitably, but nonetheless unmistakably—came just months into Bush’s first term in office.

During the Bush administration, the national government moved into more of a predominant position in many aspects of our lives—albeit in a more philosophically (especially socially) conservative direction. One example was the Bush effort to achieve enactment of a constitutional amendment banning gay marriage. Although this effort is supported by many social conservatives, regulations concerning marriage and divorce traditionally are state, not national, government matters. Another example (somewhat more obscure, perhaps) was the proposal—supported by the president and many other Republicans—for the national government to place a cap on punitive damages in medical liability cases. This proposal, if enacted, would have achieved a long-sought policy objective—but in the process, would also usurp some state government powers (for example, significant regulation of both the medical profession and the insurance industry). The problem for the president, and others, is that many proposals would “require conservatives to sacrifice one principle to accomplish another”—never an easy dilemma for any government official, of any persuasion or philosophy, to resolve.

The cuts to the CDBG program, referred to earlier, were yet another example of dilemmas faced by the Bush administration, because of the strong resistance encountered from local elected officials—many of whom were Republicans! And their resistance made it more difficult to accomplish something more fundamental that the president wanted to do. At least one observer, writing about national support for local economic development and referring specifically to the CDBG program, notes:

The Bush proposal [to reduce CDBG funding] is more than a simple consolidation or cost-cutting move. The administration aims to fundamentally change the direction of urban and rural anti-poverty policy by more directly focusing [national] efforts on boosting private enterprise and away from the diffuse aid programs that currently serve low-income people and communities.48

One other Bush administration initiative should be noted—an initiative with major implications for increased national government spending. In December 2005, Congress passed by a slim margin the controversial, budget-busting Medicare Prescription Drug Act. Creation of a prescription drug benefit under the Medicare program was the first new federal “entitlement” program since the 1960s; the drug benefit (Part D of the Medicare program)
went into effect in January 2006 (http://www.medicare.gov). (An “entitlement” is a government program under which total spending is heavily influenced by the total number of eligible individuals who take advantage of the program, with no fixed ceiling established by law on the overall dollar amounts available to support the program.) The federal government, late in 2005, estimated that the total costs of the drug benefit in the first ten years would be $725 billion—a substantial spending commitment, especially for an administration publicly committed to limiting government spending (for details, see Chapter 8).

Another dimension of contemporary federalism under George W. Bush was the emergence of a new activism at the state and local levels. Although this is hardly the first time in our history that state and local governments have assumed an activist role, the reasons for that happening in the past twenty years are complex. They included, among other things, national government budget deficits in the mid- and late 1980s (and larger deficits again in recent years), combined with reductions in aid to states and localities—what one observer has labeled “fend-for-yourself federalism.” Another reason, in the early twenty-first century, is the greatly increased level of state and local responsibilities in the wake of the September 11, 2001, attacks—especially under tighter budget constraints. Finally, many state and local officials began to react against a deliberate policy—under Presidents Clinton and Bush—of shifting more responsibilities away from the national government and onto states and localities (see the discussion of devolution later in this chapter).

For whatever combination of reasons, in the past few years officials at the state and local levels have been unmistakably more active, even assertive, relative to the national government—including many in states that strongly supported the Bush–Cheney ticket in both 2000 and 2004. Examples include the following:

- **Item:** In the spring of 2005, the Utah legislature voted “basically to opt out of NCLB by requiring that state standards take precedence over federal requirements, even if it meant forfeiting $76 million in [national government] money.” Utah was one of a number of states where resistance to NCLB has been building; Illinois, Connecticut, and Vermont have opted out, but no money was at stake; Connecticut filed suit in federal court in August 2005, in support of full funding of NCLB by Congress and the president, arguing that federal testing requirements without funds to pay for the tests is a violation of the Unfunded Mandates Act; even the State of Texas was fined nearly half a million dollars in April 2005 for disregarding legal requirements pertaining to students with learning disabilities.

- **Item:** At the summer meeting of the nation’s governors in 2005, governors of both parties were displeased at a law enacted in June of 2005, “requiring that states verify [drivers’] license applicants are American citizens or legal
residents.” One Republican governor described this step as “essentially asking the front-line clerks at the [Department of Motor Vehicles] to become an [immigration] agent and a law-enforcement agent,” and a Democratic governor noted that this would “drive the cost of driver's licenses . . . through the roof.” Nonetheless, in 2008, the U.S. Supreme Court upheld the constitutionality of Indiana's requirement for voters to present a picture identification before being allowed to vote.

- **Item:** A number of state attorneys general and other state regulators “are bringing legal action and launching investigations” in regulatory matters such as investment securities, consumer protection, and the environment “where they say [national government] regulators have fallen down on the job.”

- **Item:** Frustrated by what they see as insufficient action by state and federal governments, municipalities around the country are offering financial incentives to get people to go green. Many states already offer similar rebates and incentives through tax breaks, loans, and perks such as allowing hybrid-car drivers to use car pool lanes. And utilities have long provided incentives to buy energy-efficient appliances, solar panels, and toilets that use less water. The federal government, too, offers tax incentives for purchases of many hybrid vehicles and energy-saving products. Still, for many cities, it’s just not enough. “In terms of waiting for the federal government, we’ve waited a long time, and frankly, we haven’t gotten very much,” said Jared Blumenfeld, director of San Francisco’s Department of Environment. Starting in 2008, San Francisco offered homeowners rebates of up to $5,000 for installing solar panels if they use a local contractor. Coupled with state and federal incentives, that could cut in half the $21,000 cost for an average household, Blumenfeld said. The city will also cover up to 90% of the costs of making apartment buildings more energy-efficient, and will pay residents $150 to replace old appliances. The neighboring city of Berkeley is financing the cost of solar panels for homeowners who agree to pay the money back through a 20-year property tax assessment. And nearby Marin County offers a $500 rebate to homeowners who install solar systems.

- **Item:** In Parkland, Florida, where the motto is “Environmentally Proud,” the city began in 2008 to dispense cash rebates to its 25,000 residents for being more environmentally friendly. The city of Baltimore offers at least $2,000 toward closing costs for people who buy new homes close to where they work. Residents of Albuquerque, New Mexico, get fast-track building permits and other perks if they agree to make their homes more energy-efficient. And in Arizona, many cities pay residents to replace grass with artificial turf or plants that use less water. Scottsdale, outside Phoenix, will pay up to $1,500. “We’re in the middle of a desert, and water is absolutely the most precious resource we have,” said city spokesman Mike Phillips.
Item: Some states have considered enacting (and others have enacted) statutes that permit pharmacists to refuse to fill prescriptions (for example, birth control and “morning-after” pills) that they believe violate their personal, moral, or religious beliefs.54

Item: In an unprecedented cooperative effort dating back to 2002, state governments have established a multistate agreement that—for the first time since the early 1960s—will simplify the nation’s sales tax policy. A particular focus of this effort is making it possible for states to collect sales taxes, which already are authorized in statutory form, on Internet transactions. (The states’ inability to collect such taxes, while highly advantageous to consumers, has contributed significantly to fiscal distress for state governments; see the discussion, later in this chapter, of the newly emerging fiscal “crunch” evident in about half of the states.) A 1992 U.S. Supreme Court decision required the states to simplify the existing “patchwork” of taxing jurisdictions across the country before they would be allowed to collect sales taxes on Internet sales. When fully implemented, the Streamlined Sales and Use Tax Agreement (SSUTA)—supported at least in principle by more than forty states as of early 2008—will enable the states and many local governments to begin collecting sales taxes on Internet sales. (For further information, go to http://www.streamlinedsalesstax.org; the website of the National Governors Association, http://www.nga.org; and the website of the National Conference of State Legislatures, http://www.ncsl.org.)

Item: In 2006, Great Britain and the state of California announced plans to sidestep the Bush administration and fight global warming together by creating a joint market for greenhouse gases. Such a move could help California cut carbon dioxide and other heat-trapping gases scientists blame for warming the planet. The idea is to fix a price on carbon pollution, by setting overall caps for carbon and rewarding businesses that find a profitable way to minimize their carbon emissions, thereby encouraging new, greener technologies. A main target of the agreement between Britain and California is the carbon from cars, trucks, and other modes of transportation. Transportation accounts for an estimated 41% of California’s greenhouse gas emissions and 28% of Britain’s.55

Item: Few episodes in recent U.S. history have profoundly demonstrated the importance of federalism, broadly defined, as the difficult and emotional case centering around the late Terry Schiavo. What began as a private, family-centered medical disagreement about removing, or not removing, a feeding tube from Mrs. Schiavo ultimately led to powerful efforts to influence the decision by the president, Congress, the governor of Florida, that state’s legislature, and both national and state courts (not to mention thousands of private citizens supporting different points of view). Although federalism was not at the center of public attention, it was in fact very much at the center of the process by which the decision(s) involved eventually were made.56
All of this, of course, is in addition to state activism in a variety of other policy areas, in recent years—for example, state attorneys general who pursued, and won, a major settlement from tobacco companies; a few governors (and some others in state government) who have actively sought to import less expensive pharmaceuticals (especially from Canada) in defiance of both Congress and the Food and Drug Administration (FDA); and, in a few states such as California, initiatives to permit—even encourage—stem-cell research to an extent well beyond that allowed by the Bush administration. Small wonder that, over the years, many observers have described the states as “laboratories” of government. And plainly, those “laboratories” have been playing an increasing role in the overall governmental scheme of things.

Prospects and Issues in IGR: A Look Ahead

Any attempt to forecast even the near future in IGR is a highly speculative venture. But there are already certain indications. One issue that has been addressed by both academics and politicians is the extent to which intergovernmental regulation has become part of IGR. Intergovernmental regulations, which have become far more numerous since the 1960s, have been enacted as part of national government bureaucracies’ efforts to direct implementation of categorical grant assistance programs. In most instances, the regulations are designed to implement other national government legislation aimed at achieving wide-ranging social and economic objectives (see Table 3–2).

Political scientist Donald Kettl explains the rise of regulatory federalism:

The [national] government cannot constitutionally order state and local governments to examine the environmental impact of projects they propose or to keep their financial records in specified ways. The . . . government can, however, set those standards as conditions for [both categorical and block] grants. Literally hundreds of such regulations now exist. An examination of a small sampling of them may help to convey the scope of this regulation. Under statutory authority from Congress, for example, the Environmental Protection Agency (EPA) may prescribe the treatment local governments must give to their drinking water, as well as the inspections some states must conduct on automobile emission controls. Health care regulations govern the operation of Medicaid programs run by state governments with shared funding by the national government. National mine-safety regulations set standards for the operation of state and local gravel pits. One reason for the creation of new special-purpose local “quasi governments” (such as regional health planning organizations) was a regulatory requirement imposed by agency officials.
who distrusted—and therefore wanted to bypass—traditional local political institutions. Professor Kettl summarizes the consequences:

In all of these areas, the [national] government has spun out elaborate requirements about who can make decisions, who must be consulted, and even how records of performance must be filed. Rules stipulate who must benefit from [nationally] aided programs, and how state and local governments must administer those benefits. These regulations have created a wide channel of [national] influence over the most intimate details of state and local operations. They have also made state and local governments front-line administrators for numerous national programs.61

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<tr>
<th>Title</th>
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<tr>
<td>Age Discrimination in Employment Act (1974)</td>
<td>Prevent discrimination on the basis of age in state and local government employment</td>
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<td>Americans with Disabilities Act (1990)</td>
<td>Comprehensive civil rights law to provide access to public accommodations and facilities for physically disabled persons</td>
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<td>Civil Rights Act of 1964 (Title VI)</td>
<td>Prevent discrimination on the basis of race, color, or national origin in nationally assisted programs</td>
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<td>Clean Air Act Amendments of 1970</td>
<td>Establish nationwide air quality and emissions standards</td>
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<td>Davis–Bacon Act (1931)</td>
<td>Ensure that locally prevailing wages are paid to construction workers employed under national government contracts and financial assistance programs</td>
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<tr>
<td>Equal Employment Opportunity Act of 1972</td>
<td>Prevent discrimination on the basis of race, color, religion, sex, or national origin in state and local government employment</td>
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<tr>
<td>Family and Medical Leave Act (1993)</td>
<td>Offer twelve weeks of unpaid leave within a twelve-month period, with job protection and continued health care coverage in certain situations</td>
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<tr>
<td>Federal Water Pollution Control Act Amendments of 1972</td>
<td>Establish national government effluent limitations to control the discharge of pollutants</td>
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<tr>
<td>Homeland Security Act of 2001</td>
<td>Authorized formation of Department of Homeland Security by restructuring 22 other federal agencies; coordinates antiterrorism efforts; regulated compliance with federal regulations</td>
</tr>
<tr>
<td>National Environmental Policy Act of 1969</td>
<td>Ensure consideration of the environmental impact of major national government actions</td>
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<tr>
<td>No Child Left Behind Act of 2002</td>
<td>Established national testing requirements as a condition of receiving federal funds</td>
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The point has been made, however, that such regulations often have positive substantive aspects as well; the experience of numerous states has "indicated how important—and useful—[national] requirements [turn] out to be." The central challenge for reforming IGR is to reduce the number of so-called unproductive regulations without abolishing those serving important national (and sometimes state) purposes.

Two varieties of regulations have developed: (1) so-called crosscutting rules, which apply across the board to many national aid programs, and (2) program-based rules, which apply to individual programs. Some rules, such as the 1931 Davis–Bacon Act, govern administrative and fiscal policy; other rules, such as those accompanying the 1990 Americans with Disabilities Act, the 1993 Family and Medical Leave Act, and the No Child Left Behind Act of 2002, impact social and economic policy.

Two particular aspects of regulatory federalism deserve mention. One is the concern that many mandated activities are costly—for example, paying prevailing wages (determined by the U.S. Labor Department) on construction projects receiving national government funds, or providing "reasonable accommodation" for access by the physically handicapped—and that governments imposing such mandates have not been supplying necessary funding. This has placed numerous local governments and private organizations in increasingly difficult financial positions because the intergovernmental aid they receive is not sufficient to pay for mandated activities. The federal government has little systematic data concerning the cumulative costs it imposes on state and local governments. A study by the U.S. Conference of Mayors, published in the 1990s, claimed that an average of 12% of all municipal budgets is devoted to meeting the financial obligations associated with mandates. As mentioned earlier, these unfunded mandates (legal requirements that states and local governments must undertake a specific activity or provide a service meeting minimum national standards) cover a very wide range of public-policy areas, including community development, environmental pollution, transportation, public health and safety, and public housing.

The reaction to mandates among state and local officials began to heat up in the early 1990s, to such a point that President Clinton issued an executive order in late 1993 calling for a slowdown in the issuance of new mandates. The administration also intensified "mandate relief efforts" in early 1994 by announcing a series of steps designed to further ease pressures. Many state and local officials, however, wanted even more action. Congress responded with the passage of the Unfunded Mandates Reform Act of 1995 (P.L. 104-4) making it more difficult for Congress to impose new laws, rules, or regulations that would add significantly to state or local government costs.

The other aspect of the mandating question, however, is the widely shared impression that national government mandates have been the hardest to bear. Though there is obvious variety among the fifty states, a study commissioned by one state legislature and intended to highlight the extent of federal
mandates on local governments found instead that four-fifths of the burden (in this case, in the education field) was imposed by state rather than national government law. This does not downgrade the significance of the mandating issue in general; it does, however, suggest that grouping national and state mandates together may foster false impressions about some aspects of the extent of the problem. Since the 1990s, increased attention has been paid to such problems of intergovernmental regulation, and steps have been taken to ease the burden—especially that on local governments. A major effort begun under the first Bush administration that was maintained and expanded under the administrations of both Bill Clinton and George W. Bush is the elimination of many of the more detailed (and, many say, more burdensome) regulations. Government regulatory agencies have been directed to cut obsolete regulations and to act like partners with affected businesses, states, and local governments. While not all of these regulations affected local government directly, the fact that the effort was made sent a clear signal to state and local officials that attempts at reform were under way. It is unlikely that a president in the near future, of either party, will find it acceptable to reimpose major new regulations on local governments and their officials.

Another issue area affecting IGR is the phenomenon known as devolution—referring to shifts of governmental authority from the national government to state governments (and possibly from states to localities as well). In the 1980s and especially the 1990s, many advocates joined in promoting devolution, contending that it would “provide: (1) more efficient provision and production of public services, (2) better alignment of the costs and benefits of government for a diverse citizenry, (3) better fits between public goods and their spatial characteristics, (4) increased competition, experimentation, and innovation in the public sector, (5) greater responsiveness to citizen preferences, and (6) more transparent accountability in policymaking.”65 The time appeared ripe for substantial change in the distribution of authority from the national to the state level: seemingly strong public support, Republican control of Congress, a former governor (Clinton) in the White House who had undertaken several companion initiatives (such as mandate reform), and a Supreme Court inclined (as noted earlier) toward rulings favoring greater state authority.66 With the passage in 1996 of a major welfare reform bill that clearly expanded state discretion in important respects, devolution seemed on its way to becoming a fixture in U.S. federalism.

There is evidence, however, that devolution has not “taken hold” as its supporters hoped it would. “Analysts seeking evidence of the impact of devolution have not been able to uncover much.”67 In the late 1990s and the early twenty-first century, new federal mandates were imposed; at least one survey of city officials found strong feelings that very little devolution had taken place; and as noted above, federal intergovernmental aid expenditures rose, rather than fell, for a time—not what one might expect to find in an era of devolution.68 “The devolution that has occurred has tended to be of
an administrative variety (for example, the federal government’s granting of a waiver to a state implementing a federal statute); meaningful substantive devolution is notably absent. . . .”69 Regardless of the future of devolution, these and similar issues concerning the nature of federalism will almost certainly continue to be debated. For example, improving the capacity of state and local governments to provide greater homeland security already has prompted significant changes in IGR. These include, among other things, increased financial, legal, operational, and political resources for national, state, and local agencies, and new methods of interaction involving those agencies, many of which are less familiar with horizontal coordination than with vertical communication.70

For further information about the evolution (and devolution) of federalism, contact the American Council on Intergovernmental Relations, a nonprofit organization established in 1996 by former staff members of the U.S. Advisory Commission on Intergovernmental Relations as a successor to that agency, a clearinghouse on federalism, and nonpartisan policy and research forum with links to European Union federalism projects (http://www.library.unt.edu/amcouncil/). The Urban Institute’s state-by-state multiyear research project, Assessing the New Federalism, at http://www.newfederalism.urban.org/ provides public access to over 5,000 indicators of policies to analyze the devolution of responsibility for social programs from the federal government to the states, focusing primarily on health care, income security, job training, and social services. The Center for the Study of Federalism (Temple University) is an interdisciplinary research and educational institute committed to the study of federal principles, institutions, and processes as practical ways to organize political power (http://www.temple.edu/federalism). The Council of State Governments (CSG) at http://www.csg.org/, presents extensive links to state and local government websites. There are also links to databases, regional offices of the CSG, and information about policy areas.

### Intergovernmental Relations and Public Administration

The diffuse nature of federalism (which is perhaps not as diffuse now as it was in the past) has combined with growing intergovernmental ties in all directions to create an unquestionably complex situation. Public administration has been altered, perhaps permanently, by rapid changes in intergovernmental relations.

For example, it is clear that the patterns of political influence termed subsystem politics in the national government (see Chapter 2) have been extended into intergovernmental politics. Despite recent efforts to gain greater control of their bureaucracies, most chief executives have failed to stem the growth of vertical functional bureaucratic linkages—the picket-fence “autocracies”
originally referred to by ACIR. One reason for the inability of a president or governor to overcome the institutional strength of multilevel bureaucracies is precisely that the latter can call on political support from at least one other level or unit of government much more easily than a chief executive can. Intergovernmental administrative relations, in other words, have served to strengthen existing bureaucratic autonomy at every level of government. (Whether that general pattern will continue without change—or without external efforts to impose change—is an important and intriguing question.)

A second area of serious concern for public administration is fiscal relations, especially the financial difficulties of some American governments. State governments, after several years of seeming fiscal stability, appear to be coming upon financial “hard times.” According to a summer, 2008 report by the Center on Budget and Policy Priorities, 29 states faced projected annual budget deficits for FY 2009, totaling a combined $48 billion (http://www.cbpp.org/). Two other states anticipate budget problems developing the same fiscal year or the following year. These challenges are the result of weaknesses in the housing market, state tax cuts, and structural budget imbalances resulting from revenue growth that is chronically slower than increases in the costs of services those states must provide. Also, problems like those experienced at various times in New York City, Miami, Detroit, Cleveland, and Orange County and Vallejo, California, as well as other major cities and counties (and some smaller ones), may come to hound political leaders, administrators, and citizens in other communities as they struggle to avoid fiscal chaos caused by antitax sentiments among voters, declining property-tax bases, and escalating service costs. Although intergovernmental aid can do much to bail out a city here and a suburb there, a real question exists as to whether costs imposed by inflation, tax limitation movements, and rising service needs can, in fact, be met over the long term by infusions of aid. At the core of the problem is the fact that recipient governments can easily develop a continuing dependency on such aid (whether from national or state sources), which may not always be available. Programs funded in whole or in part through intergovernmental aid face more sharp cuts or even curtailment as funding declines or ceases; and in states facing their own increasing fiscal stress, that possibility is growing stronger. Program cuts, efficiency, priority setting, strategic planning, and “entrepreneurial thinking” are relatively new concerns in public administration—in degree, at least—arising out of the very real fiscal crunch enveloping all levels of government.

A third area of concern is control over grants-in-aid and other funding. A stark reality of intergovernmental relations is the existence of bureaucratic—and “interbureaucratic”—controls on much of the money flowing from one level to another. These controls raise questions about public accountability and about the ability of chief executives to coordinate spending effectively. Public administrators have considerable discretionary authority over public spending; this authority has affected the age-old issue of fiscal responsibility
and accountability. A related concern is that, until the last decade, some government institutions (such as state legislatures) have lacked any real access to key decision makers or any impact on decisions regarding intergovernmental funding. For the most part, bureaucrats are in the driver’s seat when it comes to categorical grant funding, still by far the largest part of intergovernmental aid. Whether the situation will stay that way is unclear, given new pressures on both intergovernmental aid and the administrators in charge of intergovernmental programs.

Other emerging patterns in contemporary IGR include some decline in the relative prominence of fiscal and grant-related issues and a corresponding rise in the importance of intergovernmental regulatory issues (among others), and the key role of the courts in settling federalism-related questions. There is also growing recognition of a disturbing possibility that increased coordination among local governments—a worthwhile objective—may prove to be elusive in the long run. Finally, scholars in the field of federalism will, in all likelihood, continue their efforts to bring some intellectual order out of the seeming chaos that has occurred in IGR just in the last fifty years. For example, there have been spirited debates about the degree of centralization appropriate as a remedy for bureaucratic control of categorical grants; also at issue is the question of just how functional or dysfunctional contemporary IGR has become. It is no exaggeration to suggest that few areas of governance in this country are as complex or as challenging as this one has proved to be.

**Summary**

Federalism, in its original meaning, defined an arrangement of governments in which a central government and regional units each had some independent standing in the governmental system. Federalism has important constitutional, political, fiscal, and administrative dimensions. Our federal system has evolved through a variety of choices and changes, and today, intergovernmental relations (IGR) is predominant on the federal scene.

In the past fifty years, contemporary IGR has become highly complex. Contributing to the complexity are the present grants system, functional alliances among program administrators, and continuing tensions between political executives and functional specialists (and their respective clienteles). Bureaucratic activity at all levels is central to IGR and to fiscal federalism. Categorical grants are the most widely used form of fiscal assistance. Besides being used to achieve a wide range of programmatic purposes, these grants also have served to encourage a number of changes in the behavior of recipient governments (such as upgrading personnel systems, fostering planning, and promoting nondiscrimination). From the early 1960s to the late 1990s, categorical grants of both project and formula types were increasingly used to promote explicitly national purposes.
That led to considerable administrative complexity. Political and administrative choices made early in the history of cash grants set a precedent for single state agency relationships with national agencies in charge of a given grant program. A sequence of events was thus set in motion that led to the creation of self-governing guilds (also called vertical functional autocracies) and picket-or bamboo-fence federalism. These allied interests gradually consolidated control over grant programs, causing a political reaction that sparked a continuing search for ways to control those guilds. Coordination is increasingly difficult to achieve, however, given the proliferation of politically potent government units and of both horizontal and vertical linkages among them.

Grant reform has occurred in several ways. Fiscal reforms included the use of general revenue sharing and block grants (though neither has ever approached categorical grants in scope or funding). Since the presidency of Ronald Reagan, block grants have assumed new importance. Administrative reforms have taken the form of either decentralization (in particular, through increased citizen participation) or efforts to improve coordination and management of the grants system. Improved information and communication have also been stressed. In recent years, state authority clearly has grown, due both to many favorable decisions of the U.S. Supreme Court and to an emerging state-level activism that frequently leaves at least some states at odds with the national government in important policy areas.

Issues to be dealt with in the immediate future include the continuing and perplexing problem of unfunded mandates, prospects for further reductions in both national and state aid, and changes in the extent of bureaucratic autonomy at all levels of government. Also important will be questions of continuing fiscal constraints facing government across the board, IGR-related policy directions of the current administration, and the challenge of maintaining governmental accountability in the federal system. Continued complexity in intergovernmental relations is a certainty.

**DISCUSSION QUESTIONS**

1. In defining the scope of national government authority, especially regarding conflict and overlap with state authority, what issues have had to be resolved—in our early history, and in more recent decades?
2. Identify the key features of intergovernmental relations in contemporary American politics and discuss their significance. What major themes may be said to exist in contemporary intergovernmental relations?
3. Do you agree or disagree with the following statement? Why? Defend your answer with examples, if possible. “In the American partnership of governments, the national government is truly the ‘senior partner,’ and it can make the state and local governments do just about anything it wants them to do.”
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4. What “fiscal mismatch” exists in modern federalism? Why does it exist? What solution(s) is(are) currently implemented? Does the “mismatch” need to be “solved”? Are there better solutions? If so, suggest what one or more might be.

5. What are the major arguments for and against grants-in-aid from the national to lower levels of government?

6. As trust in the national government declines, will trust in local governments increase? Why or why not?

7. What role has the Supreme Court played in defining contemporary intergovernmental relations?

8. How did the proliferation of categorical grants lead to administrative complexity?

9. What administrative and fiscal problems arise from problems associated with lack of grant coordination? What steps have been taken to prevent such problems from occurring and to deal with them when they do arise?

10. Compare and contrast general revenue sharing, block grants, categorical grants, project grants, and formula grants. What are they and what are the political consequences of each (referring to questions of political and administrative control, and different patterns of programmatic benefit and lack of benefit for each type of program)?

11. How have unfunded mandates impacted IGR? What roles have “vertical functional autocracies” played in the issuances of such mandates?

12. Discuss the promulgation of regulations by administrative agencies as a vehicle for intergovernmental control and how changes in administrative autonomy at all levels of government affect intergovernmental relations.

13. In what ways are these political and administrative patterns similar to those evident under previous presidents such as Reagan and Clinton? In what ways are they different?

14. What political and administrative patterns in federalism/intergovernmental relations were associated with the presidency of George W. Bush?

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**KEY TERMS AND CONCEPTS**

- federalism
- intergovernmental relations (IGR)
- unfunded mandates
- No Child Left Behind Act (NCLB)
- preemptions
- eminent domain
- fiscal federalism
- fiscal mismatch
- grants-in-aid
- externalities
- formula grants
- project grants
SUGGESTED READINGS


