Politics and Administration

Frank J. Goodnow

If we analyze the organization of any concrete government, we shall find that there are three kinds of authorities which are engaged in the execution of the state will. These are, in the first place, the authorities which apply the law in concrete cases where controversies arise owing to the failure of private individuals or public authorities to observe the rights of others. Such authorities are known as judicial authorities. They are, in the second place, the authorities which have the general supervision of the execution of the state will, and which are commonly referred to as executive authorities. They are, finally, the authorities which are attending to the scientific, technical, and, so to speak, commercial activities of the government, and which are in all countries, where such activities have attained prominence, known as administrative authorities.

As government becomes more complex these three authorities, all of which are engaged in the execution of the will of the state, tend to become more and more differentiated. The first to become so differentiated are the judicial authorities. Not only is this differentiation of the judicial authorities first in point of time, it is also the clearest. Indeed, it is so clear in some instances as to lead many students, as has been pointed out, to mark off the activity of the judicial authorities as a separate power or function of government.

Enough has been said, it is believed, to show that there are two distinct functions of government, and that their differentiation results in a differentiation, though less complete, of the organs of government provided by the formal governmental system. These two functions of government may for purposes of convenience be designated respectively as Politics and Administration. Politics has to do with policies or expressions of the state will. Administration has to do with the execution of these policies.

It is of course true that the meaning which is here given to the word "politics" is not the meaning which has been attributed to that word by most political writers. At the same time it is submitted that the sense in which politics is here used is the sense in which it is used by most people in ordinary affairs. Thus the Century Dictionary defines "politics":

In the narrower and more usual sense, the act or vocation of guiding or influencing the policy of a government through the organization of a party among its citizens—including, therefore, not only the ethics of government, but more especially, and often to the exclusion of ethical principles, the art of influencing public opinion, attracting and marshalling voters, and obtaining and distributing public patronage, so far as the possession of offices may depend upon the political opinions or political services of individuals.

An explanation of the word "administration" is not perhaps so necessary, since in scientific parlance it has not as yet acquired so fixed a meaning as has "politics." Block, in his Dictionnaire de l'administration française, defines "administration" as: "L'ensemble des services publics destinés à concourir à l'exécution de la pendue du gouvernement et à l'application des lois d'intérêt général." The Century Dictionary speaks of it as: "The duty or duties of the administrator; specifically, the executive functions of government, consisting in the exercise of all the powers and duties of government, both general and local, which are neither legislative nor judicial."
These definitions, it will be noticed, both lay stress upon the fact that politics has to do with the guiding or influencing of governmental policy, while administration has to do with the execution of that policy. It is these two functions which it is here desired to differentiate, and for which the words “politics” and “administration” have been chosen.

The use of the word “administration” in this connection is unfortunately somewhat misleading, for the word when accompanied by the definite article is also used to indicate a series of governmental authorities. “The administration” means popularly the most important executive or administrative authorities. “Administration,” therefore, when used as indicative of function, is apt to promote the idea that this function of government is to be found exclusively in the work of what are commonly referred to as executive or administrative authorities. These in their turn are apt to be regarded as confined to the discharge of the function of administration. Such, however, is rarely the case in any political system, and is particularly not the case in the American governmental system. The American legislature discharges very frequently the function of administration through its power of passing special acts. The American executive has an important influence on the discharge of the function of politics through the exercise of its veto power.

Further, in the United States, the words “administration” and “administrative,” as indicative of governmental function, are commonly used by the courts in a very loose way. The attempt was made at the time of the formation of our governmental system, as has been pointed out, to incorporate into it the principle of the separation of powers. What had been a somewhat nebulous theory of political science thus became a rigid legal doctrine. What had been a somewhat attractive political theory in its nebulous form became at once an unworkable and unapplicable rule of law.

To avoid the inconvenience resulting from the attempt made to apply it logically to our governmental system, the judges of the United States have been accustomed to call “administrative” any power which was not in their eyes exclusively and unqualified legislatively, executive, or judicial, and to permit such a power to be exercised by any authority.

While this habit on the part of the judges makes the selection of the word “administration” somewhat unfortunate; at the same time it is indicative of the fact to which attention has been more than once directed, that although the differentiation of two functions of government is clear, the assignment of such functions to separate authorities is impossible.

Finally, the different position assigned in different states to the organ to which most of the work of executing the will of the state has been intrusted, has resulted in quite different conceptions in different states of what has been usually called administration. For administration has been conceived of as the function of the executing, that is, the executive, authority. Recently, however, writers on administration have seen that, from the point of view both of theoretical speculation and of practical expediency, administration should not be regarded as merely a function of the executive authority, that is, the authority in the government which by the positive law is the executing authority. It has been seen that administration is, on the contrary, the function of executing the will of the state. It may be in some respects greater, and in other respects less in extent than the function of the executing authority as determined by the positive law.

There are, then, in all governmental systems two primary or ultimate functions of government, viz. the expression of the will of the state and the execution of that will. There are also in all states separate organs, each of which is mainly beset with the discharge of one of these functions. These functions are, respectively, Politics and Administration.

The Function of Politics

The function of politics, it has been shown, consists in the expression of the will of the state. Its discharge may not, however, be intrusted exclusively to any authority or any set of authorities in the government. Nor on the other hand may any authority or set of authorities be confined exclusively to its discharge. The principle of the separation of powers in its extreme form cannot, therefore, be made the basis of any concrete political organization. For this principle demands that there shall be separate authorities of the government, each of which shall be confined to the discharge of one of the functions of government which are differentiated. Actual political necessity however requires that there shall be harmony between the expression and execution of the state will.

Lack of harmony between the law and its execution results in political paralysis. A rule of conduct, i.e., an expression of the state will, practically amounts to nothing if it is not executed. It is a mere brutum fulmen. On the other hand the execution of a rule of conduct which is not the expression of the state will is really an exercise by the executing authority of the right to express the state will.

Now in order that this harmony between the expression and the execution of the state will may be obtained, the independence either of the body which expresses the state will or of the body which executes it must be sacrificed. Either the executing authority must be subordinated to the expressing authority, or the expressing authority must be subjected to the control of the executing authority. Only in this way will there be harmony in the government. Only in this way can the expression of the real state will become an actual rule of conduct generally observed.

Finally, popular government requires that it is the executing authority which shall be subordinated to the expressing authority, since the latter in the nature of things can be made much more representative of the people than can the executing authority.

In other words, practical political necessity makes impossible the consideration of the function of politics apart from that of administration. Politics must have a certain control over administration, using the words in the broad senses herefore attributed to them. That some such relation must exist between the two ultimate functions of government is seen when we examine the political development of any state.

If, in the hope of preventing politics from influencing administration in its details, the attempt is made to provide for the legal separation of the bodies in the government mainly charged with these two functions respectively, the tendency is for the necessary control to develop extra-legally. This is the case in the American political system.

The American political system is largely based on the fundamental principle of the separation of governmental powers. It has been impossible for the necessary control of politics over administration to develop within the formal governmental system on account of the independent position assigned by the constitutional law to executive and administrative officers. The control has therefore developed in the party system. The American political party system is itself as much with the election of administrative and executive officers as it does with the election of bodies recognized as distinctly political in character, as having to do with the expression of the state will. The party system thus secures that harmony between the functions of politics and administration which must exist if government is to be carried on successfully.

On the other hand, if no attempt is made in the governmental system to provide for the separation of politics and administration, and if the governmental institutions are not put into comparatively unyielding and inflexible form through the adoption of a written constitution, the control and superintendence of the function of administration tends to be assumed by the governmental body which discharges the political function.

Notes


2. Mr. H. J. Ford in his book entitled The Rise and Growth of American Politics, a most valuable and interesting work, is the first writer to call attention to the fact that this most important duty has been assumed by the political party in the American system of government.