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On the Ethical Basis of Bureaucratic Action: Democracy, Rationalization, and Communicative Competence

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In this paper I analyze and evaluate three models of administrative action: Weber’s rationalized bureaucracy, Long’s democratic bureaucracy, and Habermas’s interactive bureaucracy. All three of these approaches claim to provide a normative foundation for bureaucratic activity. Of the three, however, only Habermas’s model, based on the theory of communicative competence, actually provides an adequate ethical framework for bureaucratic action.

Rationalization and Bureaucratic Action

Based on a reading of Max Weber’s analysis of bureaucracy, one might conclude that “bureaucratic ethics” is a self-contradictory concept. In his famous distinction between the official and the politician, Weber maintains that the official, unlike the politician, engages in impartial administration. The official’s sole responsibility is to be the executor of the will of the superior authority.

The honor of the civil servant is vested in his ability to execute conscientiously the order of the superior authorities, exactly as if the order agreed with his own conviction. This holds even if the order appears wrong to him and if, despite the civil servant’s remonstrances, the authority insists on the order. Without this moral discipline and self-denial, in the highest sense, the whole apparatus would fall to pieces. This exhausts the moral obligation of the official: to do as he is told. The official, unlike the politician, has no personal responsibility for what is done.

For Weber, bureaucracy itself is an attempt to rationalize governmental activity in accordance with the distinction between politics and administration. The politician is concerned with values, with setting the goals of government. The bureaucrat is concerned with administering the programs set up to achieve the goals selected by the politician. The activity of the bureaucrat, then, is legitimately judged in terms of economy and efficiency rather than in terms of the rightness or wrongness of actions taken.

This view is not merely of historical interest, however, for there are those who hold variations of Weber’s position today. This is the general view, for example, for Victor Thompson. According to Thompson, the modern public organization is “a machine-like instrument or tool. It is an artificial system of prescribed roles and rules.” The organization does not care, nor does it feel. It acts “without sympathy or enthusiasm” to carry out efficiently the “externally defined goal” set by its owner.

If this understanding is correct, then the proper response to the question “Who acts in bureaucratic action?” is that no one acts. It is not a who
that acts, but a what—an organization, an agency, a bureau, or an office. Thompson, of course, recognizes that there are individuals in organizations. In fact, individuals may even be a key element in organizations, for "human institutions are shaped by the kind of human material available to them."3

The fact that persons people organizations creates a problem for Thompson, for these persons may attempt to act in ways which are not conducive to, or which are even contrary to, the goal of the organization as set by the organization's owner. Control, therefore, becomes the guiding principle for an organization's structure and operation.

To ensure that the owner's goals are achieved, the individuals who work in the bureaucracy (the "human material") must be "neutralized," or at least their personal goals and desires must be neutralized, so that they can efficiently and rationally carry out their orders. These neutralized individuals become "functionaries" who do their duty, apply their skills, and perform their practical routine, regardless of what or whose goal is involved.4

The purpose of this neutralizing of the individuals who work for the bureaucracy is to ensure that when they act, they act as a part of the organization. The organization, which Thompson has already indicated cannot feel or care, cannot type either. A functionary is therefore needed to do the typing. The same is true for making phone calls, for reviewing applications, for sorting applications into categories, and for saying yes or no in the case of each request. All of these activities are carried on by functionaries. These functionaries are the organization in action.

If this view is correct, then "bureaucratic ethics" is a simple matter involving mere obedience to orders. There are, however, at least two difficulties with this view. First, this view presents an unrealistic picture of the way organizations actually function. Second, this view is an unacceptable guide to the way in which organizations should function, for it leads to irresponsible action.

It is now widely accepted that the politics/administration dichotomy introduced by Weber is not as clear-cut as he may have thought.5 Observation of the operations of bureaucracy in the United States tends to support Norton Long's claim that "the bureaucracy is in policy, and major policy, to stay."6 This is true, not only for career civil servants who have worked their way to the top of the bureaucratic structure, but for agency employees at all levels. This is not simply because of a desire on the part of civil servants to usurp the legitimate authority of political leaders. On a day-to-day basis, administrative decisions routinely involve considerations which require an interpretation and application of policy. These "ends" issues cannot be separated from the "means" issues left to bureaucrats in the rational model.7

Paralleling the claim that organizations do not and cannot function on the basis of a division between politics and administration is the claim that organizations should not attempt to function on the basis of such a divorce.
The separation of politics from administration will lead to irresponsible action, and will foster the fiction that "the system" alone is responsible for what happens. For Weber, "the honor of the political leader . . . lies precisely in an exclusive personal responsibility for what he does, a responsibility he cannot and must not reject or transfer." Weber is here contrasting the politician with the official, who has no personal responsibility for what he does.

This understanding allows for the evaporation of responsibility in at least two ways. First, it leads to what Orion White has called "apparent action," action taken by institutions. This appearance of "institutional action" is made possible by the specialization and compartmentalization of modern organizations. The functionary who gives an order is not the individual who carries out the order, and thus there is a separation of will from action. The functionary who executes the order does so without thinking (or in spite of thinking), and thus there is a separation of action from reason. This distance separating the functionary from the action he has ordered makes it appear that the organization is acting, rather than the functionary. Institutions or organizations cannot act, any more than they can type. Only the individuals who make up the organization can act. The functionary, not the organization, acts. Neither functionary, however, is responsible for the action taken according to this view. Externally, it appears that "the system," rather than the "human material," is responsible. But this, in fact, means that responsibility cannot be placed anywhere.

Second, this view inhibits those within the organization from understanding that they (rather than "the organization") are acting. The fiction that the acts of the functionary are in reality the acts of the organization separates the actor from understanding his own action as his action. This can be seen in the claim that one is not responsible because he was "only following orders." Even in simply "following the rules," however the official is acting. The functionary sees his own action as the organization's action. By filling a role in the organization, he is not himself doing anything, the organizational role is. In his "role" as a human being, with opinions concerning justice and injustice, he maintains his freedom to choose between right and wrong. But these two roles do not mix. At home in the evening, the human being may disapprove of what the functionary was called upon to do at work, but he is certainly not responsible for what the functionary may have done.

In addition to the problem of responsibility, the use of rationalization as a guide to action provides no standard for conduct in individual cases in which the bureaucrat is required to deal with an individual. While "universal" standards require that all likes be treated alike, no guidance in terms of treatment is provided. While the rational mode of calculation may be able to tell one the most efficient way to route mail or build a bridge, it does not provide guidance for the way to deal with other people. It is this very inability which Thompson seeks to cover by speaking of "roles" rather than individuals.
Democracy and Bureaucratic Action

The "rational" understanding of bureaucratic action has been attacked by those who see the bureaucracy as inextricably entangled in the making of "value decisions" (policy making). Since the separation of politics and administration is a fiction, it is no longer possible to accept purposive rationality as the basis for bureaucratic action. In the "democratic" view of bureaucratic activity, attention shifts from control of functionaries to concern for "the people," the "owners" of the organization. The democratic critics of rational administration agree with Thompson that "the people" is the owner, but they disagree over how the will of the owner is to be determined.

The standard answer to the question of the will of the people (and the answer given by many "rationalists") is that the will of the people is embodied in the laws of the land. That is, the legislature represents the will of the people, and the bureaucracy should simply execute the law. If the law is unclear, then the bureaucracy should follow the lead of the legislature.

Norton Long argues that this matter is not quite so simple, however. In a system with a two-house legislature, which house is to be treated as authoritative in identifying the will of the people? To further complicate matters, the executive is also elected, is ultimately responsible for the activity of the bureaucracy, and can claim to represent the will of the people. In such circumstances, who actually does represent the will of the people?

The answer given by the "democrats" is that the bureaucracy looks to neither legislature nor executive, but settles for itself what the law means and how it shall be carried out. This is the case not only at the "policy-making" level of the bureaucracy, but also lower in the organizational structure, because policy as set by administrative order is not necessarily any more comprehensive or understandable than that enacted in law.

Long's solution to the problem of bureaucratic action is "representative bureaucracy." By representative bureaucracy Long means that the makeup of the bureaucracy reflects the makeup of the nation at large. Long argues that there are key elements of society which are "unrepresented, underrepresented, or malrepresented in Congress," but which are represented adequately in the bureaucracy. In fact, according to Long, if one rejects the view that election is the sine qua non of representation, the bureaucracy now has a very real claim to be considered much more representative of the American people in its composition than the Congress. This is not merely the case with respect to the class structure of the country but, equally significantly, with respect to the learned groups, skills, economic interests, races, nationalities, and religions. The rich diversity that makes up the United States is better represented in its civil service than anywhere else.
Assuming for a moment that there is a “class interest” based on sex, race, religion, age, and education, does a demographically representative bureaucracy ensure that these interests will be represented? Subramaniam argues that bureaucrats drawn from these particular types of groups tend to deviate from the norms of those groups. But even if there is an identifiable class interest, and even if the members of these groups remain faithful to class norms, how do the democrats want these norms to affect the activity of these “representative bureaucrats”?

Long does not answer this question directly, but approaches it obliquely through what he calls the “ethical constitution of bureaucracy.” Long unfortunately treats this issue by stating merely that the bureaucracy is at least as concerned with constitutional government as in the Congress. Paul Van Riper, however, formalizes this aspect of the problem in his definition of representative bureaucracy. According to Van Riper, a representative bureaucracy is one which has a reasonable cross section of members from the various groups of society, and which is in general tune with the ethos and attitudes of society. It is this second requirement which is essential if representative bureaucracy is to represent the will of the people.

Does this notion of representative bureaucracy provide a standard from which to judge and on which to base bureaucratic action? Does representative bureaucracy provide for responsible action? The answer to both of these questions is no.

The notion of representative bureaucracy changes the “rational” question of “what does the politician want me to do?” to “what do ‘the people’ want me to do?” In making this transition, the question becomes almost impossible to answer. The will of one man, at least, can be determined with some confidence. Determining “the will of the people” is very difficult indeed, and for the same reasons which Long himself has enumerated. Perhaps Long wants to maintain that it is somehow easier for bureaucrats to identify or embody the will of the people than it is for legislators. The danger of this approach, especially if these representative bureaucrats are motivated by their class interest, is that they will tend to identify a select group as “the people.” This notion provides no guidance in determining the proper choices in individual cases.

An even greater difficulty than this, however, is found in the irresponsible nature of bureaucratic action under such a scheme. “The people” replaces “the politician,” but the divorce of will from action, and action from reason, will be at least as great under representative bureaucracy as under rational bureaucracy. Further, the blindness of the actor will be at least as great also. Instead of confusing oneself with the “organization,” the bureaucrat will confuse his action with the action of “the people.”

The democratic model of bureaucratic action thus faces the same problems faced by the rational model. First, there is no way to translate “the will of the people” into guidance for individual actions. Second, the responsibility of the actor (the bureaucrat) is obscured by the fiction that it is the people, rather than the individual, who is acting.
Communicative Competence and Bureaucratic Action

In this section I present the theory of communicative competence as an alternative understanding of bureaucracy which does provide an ethical foundation for bureaucratic action. When Victor Thompson speaks of the organization as a system of rules and roles, he reifies what is actually a pattern of interaction between individuals (or groups of individuals). In so doing, he abstracts the most important element from consideration: people. Organizations are people, acting in more or less stable ways over a period of time. The major problem with both the rational and the democratic approaches to bureaucratic action is the assumption both make that the organization is established by an external force, which sets the agenda for the organization. As a result of this assumption, and the attendant distinction between owner and organization, the separation of will and reason from action occurs.

Rather than speaking of rules and roles in the abstract, it is more accurate to say, as does Herbert Storing, that "the civil servant is full of procedures, rules, and regulations." 21 This places the acting individual at the core of bureaucratic activity. We can go even farther than this, however. The rules, regulations, and procedures which the bureaucrat is full of, are not simply imposed on him by a higher authority, but are developed through the mutual action, interaction, and reaction, of superiors, subordinates, and extra-organizational third parties who are involved with the organization. The bureaucrat doing his job is not simply dropped into an artificial system which is already established, but he himself helps to create and recreate the system as he engages in activity. The rules, regulations, and norms which are codified in writings on bureaucracy are snapshots which show as immobile what in reality is in motion.

Speech Acts and Bureaucratic Actions

The use of the theory of communicative competence to analyze and evaluate bureaucratic action is not simply arbitrary, but grows out of the nature of bureaucratic activity. When we examine bureaucratic action, what we are examining in most cases is communicative action: the establishment and interpretation of rules, the issuance of directives, the rejection or approval of various types of requests. What the bureaucrat spends his time doing is communicating, either through speaking or writing.

A distinction borrowed from linguistic analysis will help to clarify the nature of bureaucratic action. The elementary unit of speech is the speech act, "the smallest (verbal) utterance which is comprehensible and acceptable to at least one other competent actor within a communication context." 22 This speech act, according to Jurgen Haberman, has a double structure, which may be seen by dividing the speech act into its two components. 23

The dominant component of the speech act, the performative component, provides the pragmatic context of speech through the establishment of
interpersonal relationships. These relationships form the basis for inter-subjectivity and allow for mutual understanding. This development of intersubjectivity is the first level of communication.

The dependent component of the speech act is the proposition, which provides the content of speech. The proposition establishes the connection of the speech act with the world of events and objects. This disclosure of the world (objectivity) is the second level of communication.

A successful speech act requires that the participant speaker-hearers communicate on both levels simultaneously and that the double structure of speech be fulfilled. This means that, in the speech act, both the objective world (of propositions) and the intersubjective world (of mutual subjective understanding) are posited simultaneously.

The main features of this analysis of the speech act can be applied to the analysis of bureaucratic action. The elementary unit of bureaucratic activity is "the bureaucratic act," which has a double structure. The objective component of the bureaucratic act is "the decision," which is comparable to the proposition of the speech act. The decisional component of the bureaucratic act is the output of bureaucratic activity, the "yes" or "no" in response to a particular request.

The second component of the bureaucratic act is its performative dimension, which provides the pragmatic context for action. This component of the bureaucratic act establishes the internal context of action through the relationships between co-workers, between supervisors and subordinates, and between unit heads and employees. This component also establishes the external context of action through relationships between the staffs of different agencies, between political agents and staff, and between clients or adversaries (the public) and the office staff.

It is this distinction which allows one to speak of the ethical basis of bureaucratic action without becoming totally entangled in the policy dimension of bureaucratic activity. The performative component of action can be evaluated apart from the policy or decision component of that action.

This distinction also allows for the solution of the problem that motivated Thompson's attack on sympathy and enthusiasm. For Thompson, "sympathy" (any non-rationalized consideration affecting organizational operations) necessarily leads to "stealing" from the organization's owners. It is possible, however, to reconcile "sympathy" (the recognition of the intersubjective dimensions of organizational activity) with the public good if the distinction between performance and decision is maintained. While there is undoubtedly a connection between the propositional and the performative components of bureaucratic action, the treatment of clients in "human" rather than "rationalized" terms does not mean that the bureaucrat will simply give in to the illegitimate demands of potential clients.
The Validity Claims of Speech and Bureaucratic Ethics

With the parallel between the speech act and bureaucratic action established, I turn to the ethical foundation of speech and its relationship to bureaucratic ethics. Every speech act raises simultaneously four validity claims: truth, legitimacy, sincerity, and comprehensibility. In normal communication these four claims stand as the tacit background consensus for ongoing communicative action, but any or all of these claims may be challenged and thus become the object of investigation.24

The claim to comprehensibility is settled by the very act of communicating. According to Habermas, clarity is a prerequisite for all communication, and its claim is satisfied so long as communication is actually taking place. If clarity is lacking, then the utterances of one or both parties are unintelligible, and communication will stop until a language of mutual understanding is found.

The claim to sincerity can be satisfied only through interaction over a period of time. Satisfaction of this claim is based on the coincidence of the speaker’s actual behavior with the intentions he has imputed to himself.

While the first two validity claims may be settled empirically, the claims to truth and to legitimacy can be settled only through free and open discussion, or discourse. In discourse the only force which may influence a decision or agreement is the force of the better argument. To ensure that no other force interferes in the free development of consensus, discourse posits the equality and freedom of all speakers to participate in the ongoing discussion.25 While these conditions may not actually be fulfilled in any real setting, every communication “anticipates” these conditions (which are identified by Habermas as the “ideal speech situation”).30

The nature of language then provides us with the standard by which to judge its use. But beyond a standard for the explicit use of language, the nature of language also provides us with a standard from which to judge all human action, which ultimately is communicative action.31

The natural standards of speech therefore provide the ethical foundation for bureaucratic action. Bureaucratic action may be judged in terms of its truth, its clarity, its sincerity, and its legitimacy. To be more specific and accurate, the action of bureaucrats may be judged in these terms. To adhere to the distinction made earlier, truth and legitimacy are the validity claims which underlie the “propositional component” of bureaucratic activity (the policy, the decision), while clarity and sincerity underlie the establishment of the intersubjective context of bureaucratic activity (the “performative component” of bureaucratic action).

Just as truth and legitimacy are discursively determined, so the propositional component is judged in terms of the “critical interaction” underlying its acceptance and implementation.32 Such critical interaction approximates the ideal speech situation by allowing political and technical personnel to discuss the policy issues involved in bureaucratic action in a
setting in which all concerns—technical, scientists and component of
bureaucratic action, the performative component, ties the actor directly to
his action. In this scheme the bureaucrat is responsible both for the action
itself and for the contest of the action.

The performative component of bureaucratic action is judged by the
actual degree of clarity and openness on the part of the bureaucrat, just as
clarity and sincerity claims are settled empirically. My argument is that
these notions can provide us with a critical standard from which to judge
day-to-day routines of bureaucratic activity. These standards can also pro-
vide us with a critique of our own actions as we operate within a
bureaucratic framework. In dealing with intra-organizational associates,
clarity and sincerity will allow the organization to know what it itself is do-
ing. In dealing with extra-organizational parties, clarity, and openness will
allow for the critical interaction of these parties in organizational activities.

I conclude with two observations. First, the distinction between policy
and day-to-day activity is artificial. The standards of day-to-day activity
will impinge on policy questions, as will policy standards (truth and
legitimacy) impinge on day-to-day activities. The approximation of clarity
and sincerity may well entail certain policy consequences, and thus provides
an example of the "anticipation" of the ideal speech situation.

Second, Habermas claims that if clarity is not achieved, communica-
tion breaks down.34 In the case of bureaucratic activity, however, com-
munication continues and even accelerates in the face of incomprehensibility.
While one may not find communication is such situations, one does find
"psuedo-communication."35 This may be either accidental or intentional,
for incomprehensibility may be used as a weapon either in internal struggles
or against outside parties. Incomprehensibility, in fact, is an especially ef-
fective weapon if it is tied to the tools of political violence, such as the en-
forcement powers accorded to an agency. When instrumental action, and
thus control, becomes the guiding principle of bureaucratic organization,
we should perhaps expect this to be the case, for confusion facilitates control.36

It very well may be that the apparently insurmountable lack of clarity
found in bureaucratic pronouncements, regulations, and guidelines, and the
obvious lack of interest or concern on the part of bureaucrats before the
public eye, are at the heart of the intuitive understanding that "bureaucratic
ethics" are non-existent. If this is the case, then we can see the primary im-
portance of the performative aspect of bureaucratic action. Regardless of
the policy orientation of the bureaucracy, until it is perceived to be
operating in a clear and truthful (sincere) manner, it will be perceived to be
operating in an ethical vacuum. Until the bureaucrat speaks and acts clearly
and sincerely, he is acting unethically.
reasonableness in the face of democratic passion ("The Problem of Big Government," when it should resist or "refine" that will (see Robert A. Goldwin, editor, Bureaucracy in a Democracy, Chicago: Rand McNally, 1963), pp. 82-83.


Thompson, p. 87.

Thompson, pp. 8-10. Thompson’s work is an example of the leap from “isn’t’’ to “ought.” While he speaks of “modern administrative morals” (p. 51), he does not provide the foundation for these norms of “universalism, achievement, impersonality, equality before the law, strict fiscal accountability.” My hunch is that he has simply converted the characteristics of Weber’s ideal type of bureaucracy (Weber, pp. 196-198) into moral principles.

For an early statement of this understanding, see Paul Appleby, Policy and Administration (University, Alabama: University of Alabama Press, 1949), especially pp. 15-22. Also see the studies by Norton Long and Orion White cited below, and Morrow, pp. 1-8, 69-76, and passim.


Weber, p. 95.


See, for example, John Rohr, Ethics for Bureaucrats (New York: Marcel Dekker, 1978), which urges bureaucrats to look to the Constitution for guidance, and Charles Hyman, Bureaucracy in a Democracy (New York: Harper and Brothers, 1950), especially pp. 30-32 and 52-53.


Long, p. 68.

Long, pp. 71-72.


For a critique of this point of view from the perspective of the American founding, see The Federalist (New York: Modern Library, n.d.), pp. 212-215 (paper number 35).

Long, pp. 74-75.


Cf. Herbert Storing, “Political Parties and the Bureaucracy,” in Robert A. Goldwin, editor, Political Parties U.S.A. (Chicago: Rand McNally, 1964), p. 147. The democratic model is directly concerned with the relationship of administration to public policy, and is in fact an attempt to justify bureaucratic involvement in policy issues. It tends to assume that the bureaucracy should carry out the “will of the people” without asking if there may be occasions when it should resist or “refine” that will (see The Federalist, number 10). Storing has suggested that the bureaucracy today embodies the “senatorial qualities” of detachment and reasonableness in the face of democratic passion (“The Problem of Big Government,” in Robert A. Goldwin, editor, A Nation of States [Chicago: Rand McNally, 1963], pp. 82-83;
also see his "Political Parties and Bureaucracy," pp. 147-151). The discussion by the democrats also generally ignores the importance of "the public good" in administrative policy making (see Storing, "The Crucial Link: Public Administration, Responsibility, and the Public Interest," Public Administration Review 24 [1964]: 39-46, and Frederick C. Mosher, Democracy and the Public Service [New York: Oxford University Press, 1968], pp. 210ff.


23. Habermas, Communication and Evolution, pp. 41-44.


30. The crucial place that speech and its natural standards holds for Habermas can be seen in his understanding of society: "society is a system of action by human beings, who communicate through speech and thus must realize social intercourse within the context of conscious communication" (Theory and Practice, p. 255).

31. Habermas discusses three models of the relations between politics and technical experts. The first, "the decisionistic model," posits a separation of politics and administration with the superiority of the politician. The "technocratic model" is also based on the distinction between administration and politics, but the dependence of the administrator on the politician has reversed itself. Both of these models build upon Weber's notion of purposive-rational action. The third model, "the pragmatistic model," is based on the notion of institutional rationalization, and posits the critical interaction of politician and expert. See Habermas, Theory and Practice, pp. 265-268, Toward a Rational Society, trans. Jeremy J. Shapiro (Boston: Beacon Press, 1970), pp. 91-92, 63-64.

32. Habermas, Toward a Rational Society, p. 58. Habermas deals with this public mediation in terms of an expanded notion of democracy. He defines democratic decision making as "rationalizing decisions in such a way that they can be made dependent on a consensus arrived at through discussion free from domination" (Toward a Rational Society, p. 10; cf. p. 57).


35. Cf. Hummel, pp. 143-148, and Murray Edelman, Political Language (New York: Academic Press, 1987), pp. 96-101. This consideration ties these reflections on communicative competence to Habermas's discussion of the types of human interest underlying knowledge and action. "Technical interest" leads to control, "practical interest" to intersubjective understanding, and the "emancipatory interest" leads toward self-reflection and thus the release from "false consciousness" (see Knowledge and Human Interests, pp. 308-311).