Chapter V

WILSON'S IDEAS ON ADMINISTRATION
Of all his writings, Woodrow Wilson's work on administration was his most original. His *Study of Administration* was the first paper to treat administration as a distinct phase of government and a branch of political science. It was not the first work on the subject of administration. But this essay inaugurated the period in which public administration was considered as a distinct activity and subject of inquiry. Dwight Waldo considers Wilson's essay as the classic work on administration. (1)

Like his other political thought, Wilson's ideas on administration were based on his concept of government as an organic structure adapting its functions to the needs of a changing society. Since the organization of the government was becoming more and more complex, he recognized that it was becoming increasingly necessary to undertake a systematic study of administration. Wilson's thought on administration found expression in the *New Freedom's* legislative programmes for the control of trusts and monopolies.

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The "New Freedom's" programme was built around the concept of regulated competition in contrast to regulated monopolies. It proposed that competition be regulated in two ways—by the prevention of unfair competition and the prevention of business practices that might result in monopoly. The Clayton Act was designed to eliminate uncertainty in the antitrust laws by prohibiting specific practices. The Federal Trade Commission was designed as an administrative agency to help enforce the laws and thus maintain fair competition. Such regulatory agencies had been established prior to Wilson's administration and many have been established since. Their creation shifts the administration of regulatory programmes from the judiciary to the administrative bodies.

Comparatively simple in the past, administrative questions had now become one of the government's major problems. Wilson noted that with the growth of business and industry and increase in urban areas, the main problem of government ceased to be merely constitutional questions and became administrative questions. (2) Every duty of government was much more complex and difficult than in the past; the functions of government were, at the same time, rapidly increasing. (3) Wilson cited the creation of the Interstate

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(3) Ibid., 134.
Commerce Commission as an example of the expansion of governmental activities. Such expansion would continue to bring about more "cares and responsibilities which will require not a little wisdom, knowledge and experience." (4) In Wilson's opinion, what was needed was a "science" of administration—not an absolute science with universally applicable laws, but rather a systematic body of information and knowledge developed out of experience and observation in the field of public administration.

Once again, Wilson's approach was pragmatic. Instead of proceeding from abstract principles, he maintained that a science of administration must be based on a study of the history of various types of government. To some extent, he explained, the character of administration depends upon the nature and development of the state and so administrative systems are "national". Nevertheless, administrative problems, he argued, are also "universal and international." This argument is based on three major assumptions. Firstly that certain facts are constant and common. Secondly, that politics and administration can be two separate fields of study. Thirdly, that "efficiency" is as important to a democracy as it is to any other kind of government. Hence by scientific inquiry one can discover common facts relevant to a particular problem which could be applicable universally. All governments

(4) Ibid.
fulfil basically the same functions; if they are to be uniformly useful and efficient they must have a "structural likeness": (5)

A wide examination of governmental organs will discover not only the differences which may exist between government and government but likewise a general likeness between them. It is one of the main objects of comparative studies in administration to reveal and discover these two things—these individual differences and these common likenesses. (6)

Thus, Wilson argued, since "the legitimate ends of administration are the same" for all governments, the systems of other countries should be studied. (7)

To understand the weaknesses of the American system, Wilson suggested that it would be of special value to compare it with the German and French systems; the British system, he felt, was too much like the American to offer sufficient contrast. He did not see any danger in borrowing administrative ideas from other countries because he thought there was a distinction between politics and administration. In his opinion, it is possible to adopt certain administrative practices of other countries without adopting their political system.

(5) Ibid., 154.


(7) PPWI: College and State, I, 154.
Wilson thought, therefore, that by studying the way governments have functioned it would be possible "to discover first, what governments can properly and successfully do, and secondly, how it can do these proper things with the utmost possible efficiency and at the least possible cost either of money or energy." (8) Although he did not clarify precisely what "efficiency" implied, he considered it the central objective of administrative study. This idea evolves from the two assumptions he made; namely, that administrative study can be made a "science" if properly applied; and secondly, that there is a difference between goals that human beings seek to realize and the methods which they use to realize these goals. Wilson felt that though the goals determine the direction of administrative endeavour, they are not a part of the study of administration. Administrative study should try to develop administrative machinery that would enable an organization to realize its goals efficiently.

Wilson's thoughts on administration were developed more fully by many other writers. P. J. Goodnow has further expanded Wilson's ideas on administrative methods, the significance of administration and the relation of administration to political science.

To him the study of administration was the study of organization, of effective means for the accomplishment of

(8) Ibid., 130.
practical ends. It may and should be made to answer the question, what is feasible?" (9) What activities the government can successfully carry on, he pointed out, will depend upon the "general political development and experience of the people." (10) Such administrative studies must be directed toward effecting the basic objective of government: the creation of "a systematic balance between private right and public power." (11) Those studies must find the most effective ways by which government can stimulate individual initiative. They must find the mean between too little and too much government assistance. If the government, wrote Wilson, "energizes the people by the measure of assistance which it affords, it is good; if it decreases the energy and healthful independence of individual initiative, it is bad--bad just to the extent it does this." (12)

Since the time Wilson emphasized the point of "efficiency", no concept has been more central and important in the American study of Administration. He was fully aware that the forms and ethics of democracy imposed limitations upon the administrative process and make efficiency difficult.

(9) "Notes on Field of Administration," File III-C, Wilson Papers.
(10) "Notes on Administration," Ibid.
(11) "Notes on Field of Administration," Ibid.
(12) "Notes on Administration," Ibid.
Hence he felt the need to reconcile efficiency and democracy because "the question of efficiency is the same . . . as for any other kind of polity. . . ." (13)

In Wilson's opinion, it is very important for a government to undertake "administrative studies" in order "to adjust governmental functions both to historical conditions and to liberty." (14) This statement was of special significance then as it is today. The complexity of society correspondingly enhances the importance of the administrative process. Like all organisms, Wilson asserted, society also grows to varying degrees of complexity and therefore there is a continuous need to provide for a focus of direction and coordination. He found this possible in administrative studies which would act as a creating force in securing efficiency, individualism and voluntarism within the framework of governmental functions and institutions. Administration determines what kind of common life a people can have and how many freedoms one is able to enjoy along with efficiency.

Administrative study, therefore, is an integral part of the political process and of political science. Hence Wilson rightly asserted as early as 1887 that the "success or failure

(13) PPWU College and State, I, 410.
of a government" depends upon a serious undertaking of administrative studies. By administrative studies Wilson meant studies concerning what people want through government and how they go about getting it. Here administration and political science overlap. However, in addition, administrative studies emphasize the methods and procedures of government—how government does what it does.

Administration is the practical side of government which involves personnel and expenditures of government, most of the planning and most of the leadership. So Wilson was concerned with the relationship of governmental functions to individual liberty. He was aware of the need to reconcile the rival claims of efficient administration on the one hand and freedom of the citizen on the other. To him the major problem was to make popular government sufficiently competent through proper management to survive the complexities and challenges of a changing society. Government succeeds only as administration succeeds in discharging the duties of government competently with a minimum of confusion and the least possible restraint on the liberty of the citizen.

While Wilson held that administration should be a subject of study in its own right, he also was concerned that it should not be divorced from "its intimate connection with the other branches of public law." If so it would be "distorted
and robbed of its true significance." (15) Since public law is concerned with the rights between state and subject, Wilson felt that the related field of constitutional law, administrative law, criminal law and criminal procedure are closely connected to public law.

Because he considered the government an organic structure, with each of its parts dependent upon the others, he maintained that "no topic in the study of government can stand by itself--least of all, perhaps, administration..." (16)

In his own courses in administration at Johns Hopkins and Princeton he included the study of political theory, public law, and comparative government. (17) Thus he placed the study of Public Administration in its proper academic setting as a branch of political science. As a branch of political science it would also be one of the social sciences and hence could not but draw heavily upon all other social sciences. Such a comprehensive study, he thought, would help in understanding how institutions function, the motivations and human relations that are needed in an administrative setting and especially in the government.

Although Wilson believed the study of administration should be concerned with specific problems of organization as

(15) Ibid.
(16) Ibid.
(17) "Course syllabus," Ibid.
well as broad principles, he limited his own writing largely to a consideration of the legal and institutional aspects of administration. In using the term administration Wilson was referring to what is usually called the executive branch of the government. He defined it as:

... the continuous and systematic carrying out in practice of all the tasks which devolve upon the state; and those tasks the state has laid upon it by reason of its history, through law, which is the product of what it has learned regarding liberty and authority, regarding right and obligation. (18)

He also called it "the most obvious part of the government... it is government in action... it is the executive, the operative, the most visible side of government." (19) Public administration, he said, "is detailed and systematic execution of public law. Every particular application of general law is an act of administration." (20)

Wilson did not minimize the importance of the legislative branch of the government. Its role had a significant bearing on administration. He pointed out that the reconciliation of diverse interests in the public interest was a joint undertaking by both the legislative and executive branches. The crystallization occurs when a law is passed giving formal expression to a particular aspect of public policy. When the

(18) "Notes on Administration," Ibid.
(19) PPW7 College and State, I, 131.
(20) Ibid., 147.
law is executed it is the public administrator who is involved and again helps to guide policy since legislation cannot be sufficiently detailed to cover every contingency. Hence government officials will have to exert a considerable discretion not only in execution of a law but also in its interpretation.

To Wilson, one of the major problems in the study of administration was defining its role and function in relation to politics. Administration, he asserted:

... lies outside the proper sphere of politics. Administrative questions are not political questions. Although politics sets the tasks for administration, it should not be suffered to manipulate its offices. (21)

Broad governmental policies are determined by political officials and they are executed by administrative officials. Wilson emphasized the importance of insulating the latter from the "hurry and strife of politics." He saw administration as "part of political life only ... as machinery is part of the manufactured product." (22) Wilson was convinced that "administration is a field of business," (23) in the sense that it should be efficient and practical as commercial business administration. Doing a field of business, it should be a realm from which politics is excluded. Acceptance of

(21) Ibid., 145.
(22) Ibid., 144.
(23) Ibid.
business values, organization, and techniques, Wilson felt, was not only inevitable because of historical circumstances but also desirable because business organizations had been uniquely successful. Wilson did not, however, underestimate the difficulty of making the distinction between administration and politics in actual practice. Fully aware that administrative and political functions sometimes merge in the conduct of government, he stated:

One cannot easily make clear to everyone just where administration resides in the various departments of any practicable government without entering upon particulars so numerous as to confuse and distinctions so minute as to distract. No lines of demarcation, setting apart administrative from non-administrative functions, can be run between this and that department of government without being run up hill and down dale, over dizzy heights of distinction and through dense jungles of statutory enactment. . . . (24)

Another relationship Wilson thought it essential to define is that of administration to public and constitutional law. His definition of administration as the carrying out of the tasks which devolve upon the state through law indicated his view that the administration is the executive body, deriving its functions from the constitution and from public statutes. "Public administration," he explained, "is detailed and systematic execution of public law. Every particular application of general law is an act of administration." (25)

(24) Ibid., 146.
(25) Ibid., 147.
A major problem, however, is whether or not administrative activities should be restricted to the carrying out of specific legislative provisions. It is conceivable that administrative action could be circumscribed by law. Wilson posed the issue as follows: "Is the sphere of administrative action as wide as the sphere in which it may move without infringing the laws; or is it only as extensive as specific legislative provision makes it . . .?" (26) The answer to this question, Wilson observed, depends entirely upon the nature of the state. In the United States the constitution had adopted the theory of a state governed by laws rather than by men. Wilson pointed out that this theory had usually been interpreted to mean that the administration can only carry out those functions specifically prescribed by law. He could not wholly accept this interpretation for, he asserted, "... the life of the state cannot be summed up and exhausted in its laws." (27) Many administrative functions of the government, he pointed out, have not been specifically enjoined by law, but they are accepted as a normal part of the governmental task:

Besides the duty of executing positive law, there rests upon the administrative organs of every state those duties of provident protection and cooperation and assistance which, though nowadays generally explicitly enjoined by


(27) Ibid.
enactment, would be—as they have always been—part of the state's normal and essential function whether so enjoined or not. (28)

Moreover, he observed, the constitution defines the structure of the government only in the broadest terms, leaving ample scope for a flexible organization:

Constitutions ... properly concern themselves only with those instrumentalities of government which are to control general law. Our federal Constitution observed this principle in saying nothing of even the greatest of the purely executive offices. (29)

The United States Constitution enumerates the duties of only the President, Congress, and Judicial officials. Wilson maintained that it was important to preserve the flexibility created by the constitution, and to avoid too detailed legislative enactments.

Thus, Wilson observed that on the one hand, the administration was performing many functions that had not been specified by law, and on the other hand, that the constitution itself had created a flexible organizational structure. To him, this flexibility was a great advantage. He saw that officials working in a department have more intimate contact with people and with specific problems of administration than do legislators in Congress. For this reason he favoured a broad view of the scope of administrative power and action.

(28) Ibid.

(29) PFWW: College and State, I, 147.
In his view, administrative officials should be allowed the power to use their discretion and conduct their departments as they see fit, as long as they do not violate statutory or common law. Wilson, therefore, went beyond the traditionally accepted idea that the legislature makes laws, the executive executes them, and the judiciary interprets them, concluding that:

... the sphere of administrative authority is as wide as the sphere in which it may move without infringing the laws, statutory or customary, either in their letter or in their reasonable inferential meaning. (30)

Leaving the administration power to use its discretion, Wilson maintained, would free us from the idea that checks and balances are to be carried down through all stages of organization. (31)

Within the administration itself Wilson made a distinction between "administrative" and "executive" functions. At first, the distinction may appear to be only a verbal quibble, but it serves to clarify the thinking on which he based his concepts of government and executive leadership:

Administration and executive are not one and the same thing. Administration means a determination of what the executive officers shall do and how they shall do it. The


(31) Ibid.
methods and purposes shall fall within the duties of the administrative body. (32)

Wilson did not draw a precise line between administrative and executive officials. The above statement, however, indicates that he held that officials who have discretionary powers must be classified as administrative, and those who merely carry out orders should be termed executive. In other words, those who plan matters of policy and exercise a general control over policy application are administrative officials, while those who are in direct charge of putting policy into execution are executive officials.

Basically, this distinction between administration and executive implies Wilson's whole criticism of the theory of separation of powers. As he pointed out, this theory had divided the government into three branches, taking "for granted the existence of a corresponding division of functions." The use of the term "executive" for one of the three major branches of government implies that:

... the administrative organs of the government (for such is their proper designation) are simply agents of the law-making organ, [in] that they simply execute its will. As a matter of fact, the administrative power is considerably wider and much more inclusive than the "executive" power of that theory. (33)

In Wilson's opinion, the administration—that is, the executive branch—should not be confined to the mere executive

(32) Ibid.
(33) Ibid.
the importance of clearly defining authority and responsibility. Wilson suggested that the administration should be organized in a hierarchy of authority. In this way the top officials would be responsible for the conduct of the department. They would make policies and interpret the function of the department, ensuring, by supervision and control, that whatever the subordinate officials did would be in accordance with the law.

Because the organization of government departments had become highly complex Wilson saw that it had become necessary to leave a great many decisions in the hands of subordinate officials. But problems arose when the legality of a subordinate’s action was questioned. If his action was approved by the head official, the latter clearly had the responsibility. But what should be done, Wilson asked, if there is disagreement between higher and subordinate officials? He observed that some countries—France and Germany for example—handled such problems through special administrative courts. If such a system of courts were established, he asked further, what would be the nature of the relationship between the courts and permanent civil service? (37) In some cases, he observed, it is possible for the regular judiciary to handle questions of the legality of administrative decisions. This method is limited, however, only to cases where it is

possible to indict an official for crimes or sue him for civil damages. (38) In this case he is prosecuted as a private individual. "The theory of our law," wrote Wilson, "is that an officer is an officer only so long as he acts within his powers; that when he transcends his authority he ceases to be an officer and is only a private individual, subject to be sued and punished for his offence." (39)

But an even larger question is: What should be done in case the top administrative official is accused of mismanagement or negligence? In a parliamentary system, Wilson pointed out, the legislature can effectively control the actions of the administrative officers for the ministers who are the heads of executive departments are also the leaders of the majority party in parliament. As such they can easily be questioned on the floor of the legislature. Since the heads of executive departments in the United States are not members of the legislature, they cannot be questioned in Congress. Nevertheless, Congress can exercise a certain amount of control over administrative actions. By organizing investigating committees to go into the activities of the administrative departments, it can bring the top officials to charge for any negligence in performing their duties. (40) Finally, Wilson concluded,

(38) Ibid.
(40) "Notes on Administration," File III-C, Wilson Papers.
the most serviceable method of checking the actions of administrative officials is making them responsible to the political officials who, in turn, must be vigilantly controlled by public opinion. The duty of administrative officials, he declared, is to give "steady healthy allegiance to the policy of the government;" that policy must not be "the creation of permanent officials, but of statesmen whose responsibility to public opinion would be direct and inevitable." (41)

Although Wilson was primarily concerned with defining how administration should function within the limits of the law, he also recognized that administration is a source of law. "Law is always the summing up of the past . . . administration, on the other hand, is always in contact with the present, it is the state's experiencing organ. It is thus that it becomes a source of law." (42) Since the administration carries out the statutes passed by legislators, it is in a position to give advice on their workability and efficiency. Moreover, the administration is able to speak of the needs of the people and help to determine what functions government can reasonably undertake at that time. (43)

(41) PPPL: College and State, I, 152.
(43) Ibid.
Thus, there is a constant "action and reaction of law-making and administration." (44)

In the British parliamentary system, he saw, it was more possible for administration to become a direct source of law because ministers are members of the legislature and can directly initiate legislation. On the other hand, in a government where administrative officials do not possess seats in the legislature, they become an indirect source of law by giving suggestions and information. Just as generally accepted practices and traditions become common law, so, Wilson maintained, could traditionally administrative practices become a source of law. (45)

Wilson's belief that administration is a source of law indicates how far he went beyond the then generally accepted interpretation of administration's role. He rejected the easy distinction between the legislative, executive, and judicial branches of the government. He was one of the first to recognize that the executive, meaning the administrative branch, needs to be a flexible organization with broad power to determine the means by which the government can adapt its functions to the changing needs of society. He is rightly considered by scholars in the field to be an "academic

(44) Ibid.
(45) Ibid.
pioneer in the field of public administration," (46) because he saw the "trends in public administration, . . . and the importance that administration was destined to have." (47)


(47) Ibid., 10.