
VIII. Bureaucracy

I: CHARACTERISTICS OF BUREAUCRACY

MODERN officialdom functions in the following specific manner:

I. There is the principle of fixed and official jurisdictional areas, which are generally ordered by rules, that is, by laws or administrative regulations.

1. The regular activities required for the purposes of the bureaucratically governed structure are distributed in a fixed way as official duties.

2. The authority to give the commands required for the discharge of these duties is distributed in a stable way and is strictly delimited by rules concerning the coercive means, physical, sacerdotal, or otherwise, which may be placed at the disposal of officials.

3. Methodical provision is made for the regular and continuous fulfilment of these duties and for the execution of the corresponding rights; only persons who have the generally regulated qualifications to serve are employed.

In public and lawful government these three elements constitute 'bureaucratic authority.' In private economic domination, they constitute bureaucratic 'management.' Bureaucracy, thus understood, is fully developed in political and ecclesiastical communities only in the modern state, and, in the private economy, only in the most advanced institutions of capitalism. Permanent and public office authority, with fixed jurisdiction, is not the historical rule but rather the exception. This is so even in large political structures such as those of the ancient Orient, the Germanic and Mongolian empires of conquest, or of many feudal structures of state. In all these cases, the ruler executes the most important measures through personal trustees, table-companions, or court-servants. Their

Wirtschaft und Gesellschaft, part III, chap. 6, pp. 650-78.

commissions and authority are not precisely delimited and are temporarily called into being for each case.

II. The principles of office hierarchy and of levels of graded authority mean a firmly ordered system of super- and subordination in which there is a supervision of the lower offices by the higher ones. Such a system offers the governed the possibility of appealing the decision of a lower office to its higher authority, in a definitely regulated manner. With the full development of the bureaucratic type, the office hierarchy is monocratically organized. The principle of hierarchical office authority is found in all bureaucratic structures: in state and ecclesiastical structures as well as in large party organizations and private enterprises. It does not matter for the character of bureaucracy whether its authority is called 'private' or 'public.'

When the principle of jurisdictional 'competency' is fully carried through, hierarchical subordination—at least in public office—does not mean that the 'higher' authority is simply authorized to take over the business of the 'lower.' Indeed, the opposite is the rule. Once established and having fulfilled its task, an office tends to continue in existence and be held by another incumbent.

III. The management of the modern office is based upon written documents ('the files'), which are preserved in their original or draught form. There is, therefore, a staff of subaltern officials and scribes of all sorts. The body of officials actively engaged in a 'public' office, along with the respective apparatus of material implements and the files, make up a 'bureau.' In private enterprise, 'the bureau' is often called 'the office.'

In principle, the modern organization of the civil service separates the bureau from the private domicile of the official, and, in general, bureaucracy segregates official activity as something distinct from the sphere of private life. Public monies and equipment are divorced from the private property of the official. This condition is everywhere the product of a long development. Nowadays, it is found in public as well as in private enterprises; in the latter, the principle extends even to the leading entrepreneur. In principle, the executive office is separated from the household, business from private correspondence, and business assets from private fortunes. The more consistently the modern type of business management has been carried through the more are these separations the case. The beginnings of this process are to be found as early as the Middle Ages.

It is the peculiarity of the modern entrepreneur that he conducts himself as the 'first official' of his enterprise, in the very same way in which the ruler of a specifically modern bureaucratic state spoke of himself as 'the first servant' of the state.¹ The idea that the bureau activities of the state are intrinsically different in character from the management of private economic offices is a continental European notion and, by way of contrast, is totally foreign to the American way.

IV. Office management, at least all specialized office management—and such management is distinctly modern—usually presupposes thorough and expert training. This increasingly holds for the modern executive and employee of private enterprises, in the same manner as it holds for the state official.

V. When the office is fully developed, official activity demands the full working capacity of the official, irrespective of the fact that his obligatory time in the bureau may be firmly delimited. In the normal case, this is only the product of a long development, in the public as well as in the private office. Formerly, in all cases, the normal state of affairs was reversed: official business was discharged as a secondary activity.

VI. The management of the office follows general rules, which are more or less stable, more or less exhaustive, and which can be learned. Knowledge of these rules represents a special technical learning which the officials possess. It involves jurisprudence, or administrative or business management.

The reduction of modern office management to rules is deeply embedded in its very nature. The theory of modern public administration, for instance, assumes that the authority to order certain matters by decree—which has been legally granted to public authorities—does not entitle the bureau to regulate the matter by commands given for each case, but only to regulate the matter abstractly. This stands in extreme contrast to the regulation of all relationships through individual privileges and bestowals of favor, which is absolutely dominant in patrimonialism, at least in so far as such relationships are not fixed by sacred tradition.

2: THE POSITION OF THE OFFICIAL

All this results in the following for the internal and external position of the official:

I. Office holding is a 'vocation.' This is shown, first, in the requirement of a firmly prescribed course of training, which demands the entire

capacity for work for a long period of time, and in the generally prescribed and special examinations which are prerequisites of employment. Furthermore, the position of the official is in the nature of a duty. This determines the internal structure of his relations, in the following manner: Legally and actually, office holding is not considered a source to be exploited for rents or emoluments, as was normally the case during the Middle Ages and frequently up to the threshold of recent times. Nor is office holding considered a usual exchange of services for equivalents, as is the case with free labor contracts. Entrance into an office, including one in the private economy, is considered an acceptance of a specific obligation of faithful management in return for a secure existence. It is decisive for the specific nature of modern loyalty to an office that, in the pure type, it does not establish a relationship to a *person*, like the vassal's or disciple's faith in feudal or in patrimonial relations of authority. Modern loyalty is devoted to impersonal and functional purposes. Behind the functional purposes, of course, 'ideas of culture-values' usually stand. These are *ersatz* for the earthly or supra-mundane personal master: ideas such as 'state,' 'church,' 'community,' 'party,' or 'enterprise' are thought of as being realized in a community; they provide an ideological halo for the master.

The political official—at least in the fully developed modern state—is not considered the personal servant of a ruler. Today, the bishop, the priest, and the preacher are in fact no longer, as in early Christian times, holders of purely personal charisma. The supra-mundane and sacred values which they offer are given to everybody who seems to be worthy of them and who asks for them. In former times, such leaders acted upon the personal command of their master; in principle, they were responsible only to him. Nowadays, in spite of the partial survival of the old theory, such religious leaders are officials in the service of a functional purpose, which in the present-day 'church' has become routinized and, in turn, ideologically hallowed.

II. The personal position of the official is patterned in the following way:

1. Whether he is in a private office or a public bureau, the modern official always strives and usually enjoys a distinct *social esteem* as compared with the governed. His social position is guaranteed by the prescriptive rules of rank order and, for the political official, by special definitions of the criminal code against 'insults of officials' and 'contempt' of state and church authorities.

The actual social position of the official is normally highest where, as in old civilized countries, the following conditions prevail: a strong demand for administration by trained experts; a strong and stable social differentiation, where the official predominantly derives from socially and economically privileged strata because of the social distribution of power; or where the costliness of the required training and status conventions are binding upon him. The possession of educational certificates—to be discussed elsewhere²—are usually linked with qualification for office. Naturally, such certificates or patents enhance the ‘status element’ in the social position of the official. For the rest this status factor in individual cases is explicitly and impassively acknowledged; for example, in the prescription that the acceptance or rejection of an aspirant to an official career depends upon the consent (‘election’) of the members of the official body. This is the case in the German army with the officer corps. Similar phenomena, which promote this guild-like closure of officialdom, are typically found in patrimonial and, particularly, in prebendal officialdoms of the past. The desire to resurrect such phenomena in changed forms is by no means infrequent among modern bureaucrats. For instance, they have played a role among the demands of the quite proletarian and expert officials (the *trętyj* element) during the Russian revolution.

Usually the social esteem of the officials as such is especially low where the demand for expert administration and the dominance of status conventions are weak. This is especially the case in the United States; it is often the case in new settlements by virtue of their wide fields for profit-making and the great instability of their social stratification.

2. The pure type of bureaucratic official is *appointed* by a superior authority. An official elected by the governed is not a purely bureaucratic figure. Of course, the formal existence of an election does not by itself mean that no appointment hides behind the election—in the state, especially, appointment by party chiefs. Whether or not this is the case does not depend upon legal statutes but upon the way in which the party mechanism functions. Once firmly organized, the parties can turn a formally free election into the mere acclamation of a candidate designated by the party chief. As a rule, however, a formally free election is turned into a fight, conducted according to definite rules, for votes in favor of one of two designated candidates.

In all circumstances, the designation of officials by means of an election among the governed modifies the strictness of hierarchical sub-

ordination. In principle, an official who is so elected has an autonomous position opposite the superordinate official. The elected official does not derive his position 'from above' but 'from below,' or at least not from a superior authority of the official hierarchy but from powerful party men ('bosses'), who also determine his further career. The career of the elected official is not, or at least not primarily, dependent upon his chief in the administration. The official who is not elected but appointed by a chief normally functions more exactly, from a technical point of view, because, all other circumstances being equal, it is more likely that purely functional points of consideration and qualities will determine his selection and career. As laymen, the governed can become acquainted with the extent to which a candidate is expertly qualified for office only in terms of experience, and hence only after his service. Moreover, in every sort of selection of officials by election, parties quite naturally give decisive weight not to expert considerations but to the services a follower renders to the party boss. This holds for all kinds of procurement of officials by elections, for the designation of formally free, elected officials by party bosses when they determine the slate of candidates, or the free appointment by a chief who has himself been elected. The contrast, however, is relative: substantially similar conditions hold where legitimate monarchs and their subordinates appoint officials, except that the influence of the followings are then less controllable.

Where the demand for administration by trained experts is considerable, and the party followings have to recognize an intellectually developed, educated, and freely moving 'public opinion,' the use of unqualified officials falls back upon the party in power at the next election. Naturally, this is more likely to happen when the officials are appointed by the chief. The demand for a trained administration now exists in the United States, but in the large cities, where immigrant votes are 'corraled,' there is, of course, no educated public opinion. Therefore, popular elections of the administrative chief and also of his subordinate officials usually endanger the expert qualification of the official as well as the precise functioning of the bureaucratic mechanism. It also weakens the dependence of the officials upon the hierarchy. This holds at least for the large administrative bodies that are difficult to supervise. The superior qualification and integrity of federal judges, appointed by the President, as over against elected judges in the United States is well known, although both types of officials have been selected primarily in terms of party considerations. The great changes in American metropoli-

tan administrations demanded by reformers have proceeded essentially from elected mayors working with an apparatus of officials who were appointed by them. These reforms have thus come about in a 'Caesarist' fashion. Viewed technically, as an organized form of authority, the efficiency of 'Caesarism,' which often grows out of democracy, rests in general upon the position of the 'Caesar' as a free trustee of the masses (of the army or of the citizenry), who is unfettered by tradition. The 'Caesar' is thus the unrestrained master of a body of highly qualified military officers and officials whom he selects freely and personally without regard to tradition or to any other considerations. This 'rule of the personal genius,' however, stands in contradiction to the formally 'democratic' principle of a universally elected officialdom.

3. Normally, the position of the official is held for life, at least in public bureaucracies; and this is increasingly the case for all similar structures. As a factual rule, *tenure for life* is presupposed, even where the giving of notice or periodic reappointment occurs. In contrast to the worker in a private enterprise, the official normally holds tenure. Legal or actual life-tenure, however, is not recognized as the official's right to the possession of office, as was the case with many structures of authority in the past. Where legal guarantees against arbitrary dismissal or transfer are developed, they merely serve to guarantee a strictly objective discharge of specific office duties free from all personal considerations. In Germany, this is the case for all juridical and, increasingly, for all administrative officials.

Within the bureaucracy, therefore, the measure of 'independence,' legally guaranteed by tenure, is not always a source of increased status for the official whose position is thus secured. Indeed, often the reverse holds, especially in old cultures and communities that are highly differentiated. In such communities, the stricter the subordination under the arbitrary rule of the master, the more it guarantees the maintenance of the conventional seigniorial style of living for the official. Because of the very absence of these legal guarantees of tenure, the conventional esteem for the official may rise in the same way as, during the Middle Ages, the esteem of the nobility of office³ rose at the expense of esteem for the freemen, and as the king's judge surpassed that of the people's judge. In Germany, the military officer or the administrative official can be removed from office at any time, or at least far more readily than the 'independent judge,' who never pays with loss of his office for even the grossest offense against the 'code of honor' or against social conven-

tions of the salon. For this very reason, if other things are equal, in the eyes of the master stratum the judge is considered less qualified for social intercourse than are officers and administrative officials, whose greater dependence on the master is a greater guarantee of their conformity with status conventions. Of course, the average official strives for a civil-service law, which would materially secure his old age and provide increased guarantees against his arbitrary removal from office. This striving, however, has its limits. A very strong development of the 'right to the office' naturally makes it more difficult to staff them with regard to technical efficiency, for such a development decreases the career-opportunities of ambitious candidates for office. This makes for the fact that officials, on the whole, do not feel their dependency upon those at the top. This lack of a feeling of dependency, however, rests primarily upon the inclination to depend upon one's equals rather than upon the socially inferior and governed strata. The present conservative movement among the Badenia clergy, occasioned by the anxiety of a presumably threatening separation of church and state, has been expressly determined by the desire not to be turned 'from a master into a servant of the parish.'⁴

4. The official receives the regular *pecuniary* compensation of a normally fixed *salary* and the old age security provided by a pension. The salary is not measured like a wage in terms of work done, but according to 'status,' that is, according to the kind of function (the 'rank') and, in addition, possibly, according to the length of service. The relatively great security of the official's income, as well as the rewards of social esteem, make the office a sought-after position, especially in countries which no longer provide opportunities for colonial profits. In such countries, this situation permits relatively low salaries for officials.

5. The official is set for a '*career*' within the hierarchical order of the public service. He moves from the lower, less important, and lower paid to the higher positions. The average official naturally desires a mechanical fixing of the conditions of promotion: if not of the offices, at least of the salary levels. He wants these conditions fixed in terms of 'seniority,' or possibly according to grades achieved in a developed system of expert examinations. Here and there, such examinations actually form a character *indelebilis* of the official and have lifelong effects on his career. To this is joined the desire to qualify the right to office and the increasing tendency toward status group closure and economic security. All of this makes for a tendency to consider the offices as 'prebends' of those who are

qualified by educational certificates. The necessity of taking general personal and intellectual qualifications into consideration, irrespective of the often subaltern character of the educational certificate, has led to a condition in which the highest political offices, especially the positions of 'ministers,' are principally filled without reference to such certificates.

~~3. THE PRESUPPOSITIONS AND CAUSES OF BUREAUCRACY~~

~~The social and economic presuppositions of the modern structure of the office are as follows:~~

~~The development of the *money economy*, in so far as a pecuniary compensation of the officials is concerned, is a presupposition of bureaucracy. Today it not only prevails but is predominant. This fact is of very great importance for the whole bearing of bureaucracy, yet by itself it is by no means decisive for the existence of bureaucracy.~~

~~Historical examples of rather distinctly developed and quantitatively large bureaucracies are: (a) Egypt, during the period of the new Empire which, however, contained strong patrimonial elements; (b) the later Roman Principate, and especially the Diocletian monarchy and the Byzantine polity which developed out of it and yet retained strong feudal and patrimonial elements; (c) the Roman Catholic Church, increasingly so since the end of the thirteenth century; (d) China, from the time of Shi Hwangti until the present, but with strong patrimonial and prebendal elements; (e) in ever purer forms, the modern European states and, increasingly, all public corporations since the time of princely absolutism; (f) the large modern capitalist enterprise, the more so as it becomes greater and more complicated.~~

~~To a very great extent, partly even predominantly, cases (a) to (d) have rested upon compensation of the officials in kind. Yet they have displayed many other traits and effects characteristic of bureaucracy. The historical model of all later bureaucracies—the new Empire of Egypt—is at the same time one of the most grandiose examples of an organized subsistence economy. Yet this coincidence of bureaucracy and subsistence economy is understandable in view of the quite unique conditions that existed in Egypt. And the reservations—and they are quite considerable—which one must make in classifying this Egyptian structure as a bureaucracy are conditioned by the subsistence economy. A certain measure of a developed money economy is the normal precondition~~

~~tors in the formation of the modern state. As we have already seen, this does not hold unconditionally for the past.~~

6: TECHNICAL ADVANTAGES OF BUREAUCRATIC ORGANIZATION

The decisive reason for the advance of bureaucratic organization has always been its purely technical superiority over any other form of organization. The fully developed bureaucratic mechanism compares with other organizations exactly as does the machine with the non-mechanical modes of production.

Precision, speed, unambiguity, knowledge of the files, continuity, discretion, unity, strict subordination, reduction of friction and of material and personal costs—these are raised to the optimum point in the strictly bureaucratic administration, and especially in its monocratic form. As compared with all collegiate, honorific, and avocational forms of administration, trained bureaucracy is superior on all these points. And as far as complicated tasks are concerned, paid bureaucratic work is not only more precise but, in the last analysis, it is often cheaper than even formally unremunerated honorific service.

Honorific arrangements make administrative work an avocation and, for this reason alone, honorific service normally functions more slowly; being less bound to schemata and being more formless. Hence it is less precise and less unified than bureaucratic work because it is less dependent upon superiors and because the establishment and exploitation of the apparatus of subordinate officials and filing services are almost unavoidably less economical. Honorific service is less continuous than bureaucratic and frequently quite expensive. This is especially the case if one thinks not only of the money costs to the public treasury—costs which bureaucratic administration, in comparison with administration by notables, usually substantially increases—but also of the frequent economic losses of the governed caused by delays and lack of precision. The possibility of administration by notables normally and permanently exists only where official management can be satisfactorily discharged as an avocation. With the qualitative increase of tasks the administration has to face, administration by notables reaches its limits—today, even in England. Work organized by collegiate bodies causes friction and delay and requires compromises between colliding interests and views. The administration, therefore, runs less precisely and is more independent of superiors; hence, it is less unified and slower. All advances of the Prus-

sian administrative organization have been and will in the future be advances of the bureaucratic, and especially of the monocratic, principle.

Today, it is primarily the capitalist market economy which demands that the official business of the administration be discharged precisely, unambiguously, continuously, and with as much speed as possible. Normally, the very large, modern capitalist enterprises are themselves unequalled models of strict bureaucratic organization. Business management throughout rests on increasing precision, steadiness, and, above all, the speed of operations. This, in turn, is determined by the peculiar nature of the modern means of communication, including, among other things, the news service of the press. The extraordinary increase in the speed by which public announcements, as well as economic and political facts, are transmitted exerts a steady and sharp pressure in the direction of speeding up the tempo of administrative reaction towards various situations. The optimum of such reaction time is normally attained only by a strictly bureaucratic organization.*

Bureaucratization offers above all the optimum possibility for carrying through the principle of specializing administrative functions according to purely objective considerations. Individual performances are allocated to functionaries who have specialized training and who by constant practice learn more and more. The 'objective' discharge of business primarily means a discharge of business according to *calculable rules* and 'without regard for persons.'

'Without regard for persons' is also the watchword of the 'market' and, in general, of all pursuits of naked economic interests. A consistent execution of bureaucratic domination means the leveling of status 'honor.' Hence, if the principle of the free-market is not at the same time restricted, it means the universal domination of the 'class situation.' That this consequence of bureaucratic domination has not set in everywhere, parallel to the extent of bureaucratization, is due to the differences among possible principles by which politics may meet their demands.

The second element mentioned, 'calculable rules,' also is of paramount importance for modern bureaucracy. The peculiarity of modern culture, and specifically of its technical and economic basis, demands this very 'calculability' of results. When fully developed, bureaucracy also stands, in a specific sense, under the principle of *sine ira ac studio*. Its specific

* Here we cannot discuss in detail how the bureaucratic apparatus may, and actually does, produce definite obstacles to the discharge of business in a manner suitable for the single case.

nature, which is welcomed by capitalism, develops the more perfectly the more the bureaucracy is 'dehumanized,' the more completely it succeeds in eliminating from official business love, hatred, and all purely personal, irrational, and emotional elements which escape calculation. This is the specific nature of bureaucracy and it is appraised as its special virtue.

The more complicated and specialized modern culture becomes, the more its external supporting apparatus demands the personally detached and strictly 'objective' *expert*, in lieu of the master of older social structures, who was moved by personal sympathy and favor, by grace and gratitude. Bureaucracy offers the attitudes demanded by the external apparatus of modern culture in the most favorable combination. As a rule, only bureaucracy has established the foundation for the administration of a rational law conceptually systematized on the basis of such enactments as the latter Roman imperial period first created with a high degree of technical perfection. During the Middle Ages, this law was received along with the bureaucratization of legal administration, that is to say, with the displacement of the old trial procedure which was bound to tradition or to irrational presuppositions, by the rationally trained and specialized expert.

~~7. BUREAUCRACY AND LAW~~

~~The 'rational' interpretation of law on the basis of strictly formal conceptions stands opposite the kind of adjudication that is primarily bound to sacred traditions. The single case that cannot be unambiguously decided by tradition is either settled by concrete 'revelation' (oracle, prophetic dicta, or ordeal—that is, by 'charismatic' justice) or—and only these cases interest us here—by informal judgments rendered in terms of concrete ethical or other practical valuations. This is 'Kadi-justice,' as R. Schmidt has fittingly called it. Or, formal judgments are rendered, though not by subsumption under rational concepts, but by drawing on 'analogies' and by depending upon and interpreting concrete 'precedents.' This is 'empirical justice.'~~

~~Kadi-justice knows no reasoned judgment whatever. Nor does empirical justice of the pure type give any reasons which in our sense could be called rational. The concrete valuational character of Kadi-justice can advance to a prophetic break with all tradition. Empirical justice, on the other hand, can be sublimated and rationalized into a 'technology.' All~~