Should we defend the administrative state?

ALADAIR ROBERTS
UNIVERSITY OF MASSACHUSETTS AMHERST
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Key points
• Conservative efforts to “deconstruct the administrative state” have triggered an academic “defense of the administrative state”
• But defending the administrative state is counter-productive
• The term is misused in scholarly research. We should distinguish:
  • The state
  • Administrative systems within the state
  • The administrative state as a historically contingent concept
• Also, it wasn’t Waldo’s idea.

Origin of the concept
• Common belief: Waldo coined the term in 1948
• Reality: Waldo’s book part of a wider debate
• No evidence that Waldo cared much for concept
• Original meaning: A type of state dominated by bureaucracy
• Tied to fears about the expansion of government
Shifts in meaning within academia:

(1): Timelessness?
- Initially, historically contingent: a type of state that emerged in 1930s-1940s
- Some more recent usages:
  - Modern administrative state
  - Ancient administrative states
  - Minimal administrative states
  - Third World administrative states
- A state with any administrative capabilities?
- A definitional shift? But then:
  - Redundancy: all states are administrative states
  - Value loading: still inherently problematic?

Shifts in meaning within academia:

(2): A type or part of a state?
- Initial conception: a type of state, with a bureaucratic “ruling class”
- More recent usages:
  - One “sphere of government”
  - One of several “governing institutions”
  - “the agencies, people and processes of the executive establishment” (Lewis)
- Definitional shift: part of a state
- Implications for value-loading: the administrative state is checked, even “besieged”

Shifts in meaning within academia:

(3): Its “home turf”?
- Before 1940s, scholars define their domain of research as administrative systems, administrative machinery, administrative branch . . .
- After 1940s, we often:
  - Define administrative state as the domain of study
  - Link vitality of field to vitality of administrative state
  - Perceive obligation to defend the administrative state
- Value-loading of concept is positive
  - “essential to civilized life”
- Has the administrative state become a mere synonym for the administrative branch?
Meanwhile, the popular understanding of concept remains unchanged

- Analysis of 26,073 original tweets mentioning “the administrative state” between 2016 and 2019
- Coding of tweets: perception of government overwhelmingly negative
- Top 15 adjectives associated with concept:
  - Modern, sprawling, intrusive, massive, federal, choking, American, malignant, unelected, unaccountable, growing, aggressive, deep, Progressive, corrupt

Danger of using loaded words

- Frank Luntz:
  - “It’s not what you say, it’s what they hear.”
  - Advice to conservatives: talk about “Washington” rather than “government”
- George Lakoff:
  - Words trigger mental frames
  - Progressives should avoid “the use of conservative language and the frames that the language activates.”

Remedy #1: More and better words

- Sometimes we are just talking about the state
  - Its political structure, functions and capabilities, strength and legitimacy
- Sometimes about the administrative apparatus of the state
  - Administrative system, administrative establishment, administrative estate, administrative capabilities, administrative capacities, administrative branch, administrative machinery
- Sometimes about a historically specific form of state
  - Initial conception of the administrative state

Remedy #2: In politics, choose words carefully

- Don’t use language that triggers unhelpful frames
- If we want do defend the public service or good government, do so in those terms.