
UNIT 8 ROLE OF BUREAUCRACY

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8.0 OBJECTIVES

After reading this Unit, you should be able to :

- understand the meaning of the term bureaucracy;
- highlight the different characteristics of bureaucracy;
- discuss the importance of bureaucracy in policy making;
- explain the role of bureaucracy in formulation of policies; and
- discuss the role of bureaucracy in delegated legislation.

8.1 INTRODUCTION

The emergence of the bureaucratic type of organisation in modern governments has laid the formation for a body of civil servants who work for the government as a life-time career. The very presence of such a professional body of trained persons is expected to exert a rational influence on the entire process of policy making. In the last Unit, we read about the role of political executive in policy formulation. This Unit will try to establish the fact that the political executive is to a large extent dependent on bureaucracy for making the policies. We shall discuss the meaning of the term 'bureaucracy', its different roles, characteristics and importance in policy making. The role of bureaucracy in delegated legislation will also be dealt with in some detail.

8.2 MEANING OF BUREAUCRACY

Before dealing with the role of bureaucracy in policy making, it is very essential to be clear about what is exactly the meaning of 'bureaucracy'. According to Max Weber, "Bureaucracy is universal social phenomenon and the means of carrying community action to rationally ordered societal action." In the words of Marshall E. Dimock, "Bureaucracy is the state of the society in which institutions overshadow individuals and simple family relationships, stage of development in which division of labour, specialisation, organisation, hierarchy, planning and regimentation of large groups of individuals either by voluntary or unvoluntary methods, are the order of the day."

Bureaucracy is said to be the product of a large size of organisations in public or private service. The bureaucratic administration breaks the absolute power of elected leadership or monarchy due to its systematised administration. As a system, it has to

practice autonomy and independence in giving its opinion to political leaders and has to faithfully execute the formulated policies. Hans Rosenberg has observed that "...an essential part of the present structure of governance consists of its far-flung system of professionalised administration and its hierarchy of appointed officials upon whom the society is thoroughly dependent. Whether we live under the most totalitarian despotism or in the most liberal democracy, we are governed to a considerable extent by a bureaucracy of some kind."

Herman Finer says that bureaucracy is a "professional body of officials, permanent, paid and skilled." Arthur K. Davis looked at bureaucracy from the structural point of view. To him, bureaucracy is "an integrated hierarchy of specialised offices defined by systematic rules, an impersonal, routinised structure wherein legitimised authority rests in the office and not in the person of the incumbent". Bureaucracy is a system of administration under which all the employees are organised into a hierarchy of offices, each with well-defined spheres of duties and responsibilities. The meaning of 'bureaucracy' will become further clear by briefly discussing its major characteristics.

Major Characteristics of Bureaucracy

Hierarchy : In a bureaucracy, activities based on specialisation are assigned to specific positions. There is a clear-cut division of work, competence, authority, responsibility and other job components. Each lower office is under the control and supervision of the higher office. Officials are accountable to their superiors for their official actions.

Professional Qualities : All officials possess professional qualities on the basis of which they are selected for appointment. Their merit for selection is determined on the basis of objective criteria. They deal in an impersonal and formalistic manner in their relations with others and also in the execution of their official duties. They enjoy a permanent career with reasonable opportunities of advancement with sufficient security of service.

Rules and Procedures : In bureaucracy, decisions are governed by a consistent system of abstract rules, regulations and procedures. Official behaviour is to follow definite rules of conduct and discipline. The use of authority has to be in accordance with the regulations of the organisation, which are written and tend to be rational and impersonal.

Specialisation : Official tasks are organised on a continuous regulated basis. These tasks are subdivided into functionally distinct spheres, each furnished with the requisite authority and sanctions. This functional specificity leads to specialisation of tasks.

Organisational Resources : The resources of the organisation are quite distinct from those of the members who are private individuals. It means that officials do not own resources necessary for performing the official duties, but they are accountable for the use of official resources. Official revenue and private incomes are strictly separated.

8.3 THE CHANGING NATURE OF BUREAUCRACY

Sir Warren Fisher, a noted civil servant in Britain, delineated the minister-civil service relationship, in the following words. "Determination of policy is the function of ministers, and once a policy is determined it is the unquestioned and unquestionable business of the civil servant to strive to carry out that policy with precisely the same energy and goodwill, whether he agrees with it or not. That is axiomatic and will never be in dispute. At the same time, it is the traditional duty of civil servants while decisions are being formulated to make available to their political chief all the information and experience at their disposal, and to do this without fear or favour, irrespective of whether the advice thus tendered may accord or not with the minister's initial view. The preservation of integrity, fearlessness, and the independence of thought and utterance in their private commission with ministers or

the experienced officials, selected to fill the top posts in the service of an essential principle in enlightened government." This view underlines the relationship between bureaucracy and political executive.

Bureaucracy has touched new heights in modern democracies. Its size and functions have increased enormously. Emergence of the Welfare State has added new dimensions to the expansion of bureaucracy. The nature of the role of bureaucracy in policy making is, thus, changing gradually. The concept of neutrality of bureaucracy has also lost significance. Political neutrality means not only the absence of political activity or bias on the part of the individual member of the bureaucracy but also that bureaucracy has to respond to the will of the political executive, no matter what its political complexion may be. Now the term 'committed bureaucracy' does not connote that the civil servants are loyal to a particular individual, political person or leader. Commitment connotes commitment to the objectives, ideals, institutions and modalities contained in the Constitution, the policies and programmes of the government, and the laws, regulations and rules issued by the political executive.

In the Indian context, the divergence of view between the ruling parties have become narrow and the division between the functions of politicians and bureaucracy in terms of policy making and implementation has ceased to be rigid. The processes of policy making are no longer confined to the political executive, they spread over the entire fabric of the government, resulting in inescapable delegation and zones of such policy, where the political executive does not come into the picture at all. The leadership role of public bureaucracy has become explicit in all political systems. Now it is very difficult to escape commitment of some sort or another to the State's goals and objectives, and certain degree of subjective bias cannot be eliminated.

8.4 ROLE OF BUREAUCRACY IN POLICY MAKING

Bureaucracy plays its role in policy making in various ways. It helps the executive in identifying major policy areas, preparing major policy proposals, analysing various alternatives and solutions to societal problems requiring urgent attention, dividing the major policies into sub-policies, determining programmes of action and suggesting modification in the existing policy on the basis of its experience on the implementation front. Their role can be categorised into three broad activities, informative, suggestive and analytical. Let us discuss them briefly.

Informative : A major part of the spade work of public policy making is done by the bureaucracy. For identifying policy issues and giving them a shape of policy proposals requires a systematic analysis of the existing problems. The bureaucracy engages itself in collection of relevant data and information in order to identify the crux of the problem. It has to determine what type of information is required, to what extent the information is substantive and how the information acquired can be put to the best use for framing a policy proposal. As we read in the previous Unit, the government has to substantiate its policy proposal in order to get public support, the bureaucracy provides the relevant data for substantiating policy proposals. For instance, if the bureaucracy has to help in formulation of a policy proposal for agricultural development, it has to collect and filter information regarding total cultivable land available in the country, types and quality of land available, types of crops that can be gainfully sown, agricultural requirements of the country, varieties of fertilisers to be used and their availability, irrigational facilities available, conditions for marketing agricultural produce, levels of consumption within the country, possible chances of export, etc. In other words the informative role of the bureaucracy in policy making relates to laying down of an objective base for systematic framing of policy proposals and providing the needed data for substantiating the proposals.

Suggestive : As the bureaucracy is constantly engaged in the task of substantiating policy proposals and collecting relevant data, it becomes closely acquainted with various problems and issues facing the country. Bureaucracy, specially at the secretariat level, is considered as the 'think-tank' of the government. In this context

it is always thinking about the various political, social and economic problems. Due to this the bureaucracy plays a very important suggestive role in policy making. It helps the political executive in identifying policy issues by suggesting about the nature of problems and the need for taking up a certain issue for consideration. It tries to frame its ideas in such a manner that they act as suggestions to the political executive. These suggestions are based on the administrative expertise and capability of the bureaucracy. It is not necessary that policy initiative must always come from the political executive, at many occasions, it is the bureaucracy which suggests the policy issues to the political executive. The suggestive role of the bureaucracy is also related to the submission of several alternative solutions to a given problem to the political executive. It is then up to the executive to accept or reject them.

Analytical : As already stated, public policy making is a complex process. Bureaucracy plays a very significant analytical role in policy formulation. After the crucial issues requiring urgent attention are identified, it has to be ascertained whether such issues could make viable policies or not. The bureaucracy engages itself in analysing the pros and cons of the issue that is taken up for policy formulation, it frames and reframes policy proposals keeping in view its viability, future prospects, resources available, acceptability, etc. Moreover, it is the responsibility of the bureaucracy to analyse policy proposals in relation to the provisions of the Constitution, the laws framed by the Parliament, and other existing rules and regulations. In this way the bureaucracy helps in framing sound and effective policies.

Check Your Progress 1

- Note : i) Use the space given below for your answers.
 ii) Check your answers with those given at the end of the Unit.

1) What is meant by the term 'bureaucracy'?

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2) Discuss the major characteristics of bureaucracy.

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3) The nature of bureaucracy is changing with time. Comment.

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4) Highlight the different roles of bureaucracy.

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8.5 DELEGATED LEGISLATION AND BUREAUCRACY

As we read in the previous Unit, legislation or rule making is basically a major function of the political executive. However, in modern democracies the functions of the government have become complex and multidimensional. There has also been enormous increase in the spheres of the government activity. Legislatures and political executive cannot cope with the increased legislative functions and, hence, the concept of the delegated legislation has been put into practice in almost every country. The concept has obliged the legislature to delegate some of the legislative power to the executive organs of the government, to be more specific, to the bureaucracy.

Before discussing the role of bureaucracy in delegated legislation, it would be better to familiarise ourselves with the meaning of the term 'delegated legislation'. Delegated legislation has been defined, "as the exercise of minor legislative power by subordinate authorities and bodies in pursuance of statutory authority given by the Parliament itself." It is, thus, the law-making power conferred by the Parliament on the executive. The executive does not enjoy any original power of making laws, and the delegated legislation is strictly subordinate to the terms of the statutes under which it is made. The power of the delegated legislation is given to highly responsible authorities and it cannot be further sub-delegated to other subordinates. The delegated legislation is subject to judicial review like any other legislation. It means that it can be declared as void if it is inconsistent with the statute or is in excess of the power granted by the Parliament.

The Need for Delegated Legislation

The practice of delegating legislative power to bureaucracy has been on the increase. There are various factors responsible for this. A brief discussion on the importance of delegated legislation will also be made in our Unit on 'Interaction among various Organs'.

Increase in the volume of work : The legislative work has expanded to such an extent that it has become almost impossible for the legislature to frame laws on each and every aspect of the work it is engaged in. Moreover, the tasks confronting the legislature have become so varied and technical in nature that the legislature does not have the skills and aptitude to carry them on. The need for specialised expertise of bureaucracy is constantly felt.

Lack of Time : The ever-increasing functions of the legislature do not leave enough time for the formulation of laws on varied issues and problems. The enormous volume of the legislative business renders it imperative that the Parliament should enact laws, embodying broad principles, leaving details to be supplied by the executive departments.

Scientific and Technical Character of the Subject Matter : The political executive comprise laypersons, who do not have the experience to formulate laws in the areas which require technical and scientific knowledge and skill, thus they have to consult the bureaucracy.

Need to Provide for Unforeseen Contingencies : Delay is something which can be very dangerous in coping with emergencies like war, economic crises, etc. Thus, the political executive needs to take the help of the bureaucracy in order to formulate policies without unnecessary delay.

Types of Delegated Legislation : The delegated legislation can be classified into three categories contingent, supplementary and interpretative.

Contingent Delegated Legislation : This type of delegation takes place where the legislature makes the application of the main or the enabling Act dependent on the existence of certain facts or conditions and, accordingly, authorises the administrative agency, that is, the bureaucracy. It means that the bureaucracy has to formulate policy, keeping in view the facts and conditions laid down by the legislature.

Supplementary Delegated Legislation : Sometimes the legislature passes laws in only a skeleton form, i.e., it only lays down certain general principles or standards under which the laws have to be framed, everything else is left to the bureaucracy. The bureaucracy works out the details by collecting relevant information and fills up the skeleton laws. In India, the Municipal Acts, fall into this category.

Interpretative Delegated Legislation : After the formulation of the laws, the bureaucracy is authorised to explain and clarify the provisions of the law. The bureaucratic power to interpret the law makes legislation clear and explicit.

Thus bureaucracy plays a very important role in the area of delegated legislation. It has to take care of the fact that the rules to be framed under a particular law do not clash with the existing rules made under a different law. Moreover, it has to see that the real spirit of the law is actually met with while framing the rules. Rules under the delegated legislation have to be precise and comprehensive. The language used has to be unambiguous and simple. People should be clearly able to understand these rules. The bureaucracy has to ensure that the delegated legislation so framed will stand the test of the time, if challenged in a court of law. Further, the bureaucracy has to review the various provisions contained in the delegated legislation from time to time to bring them in tune with the fast changing socio-economic scenario of the country. The bureaucracy though its authority of delegated legislation helps the government in experimentation in various spheres of socio-economic development. The suggestive and analytical role of the bureaucracy is of great relevance in delegated legislation. It is here that the bureaucracy can exercise authority independently with minimal political interference.

8.6 THE GROWING IMPORTANCE OF BUREAUCRACY

It is clear from the Unit that the importance of the bureaucracy in policy making is increasing day by day. It is often said that it is for the political executive to lay down policy, and for the permanent executive that is the bureaucracy to carry it out. However, this distinction between the roles is fast diminishing. The bureaucracy does contribute towards policy formulation and the legislature and the political executive do take interest in the implementation of policy. The nature of their contributions may differ. The bureaucratic influence on policy making is two-fold. Firstly, the members of the bureaucracy can give shape to stated policies through the exercise of choice and judgement in administering them and, secondly, they engage in policy formulation through their suggestive, analytical and interpretative roles.

Bureaucracy, it has been observed is a congregating place for individuals concerned with the same objects. Some of these interested individuals become members of the administrative agencies while others join groups which look to that organisation as a rallying point, and the agency takes a leading part in representing their interests. In this representative process perhaps the bureaucracy's most important function is to promote the idea that its special area of concern is important, be it education, air, power, or mental health. The bureaucracy also promotes special solutions to policy problems in this area. Finally, it promotes objectives which are of particular interest to its members as bureaucrats. These are matters such as their working conditions, status and compensation, as well as, the maintenance and survival of their organisation.

One of the major tasks of administration is the formulation of policy proposals for consideration by the political executive. The capacity of the administrative agencies to perform rationally and in a responsible manner the task of formulating the policy alternative for politically responsible superiors is the major criterion of efficiency. Thus, a major part of policy making is done by the bureaucracy. The minister

receives his/her final advice through the permanent secretary, who has an overall view of the organisation.

S.R. Maheshwari observes, "Public policy cannot be made by one or few individuals, however, exalted be their situation. Nor can it be separated from administration. Public policy necessarily involves a large number of persons and institutions operating in hierarchical order or otherwise such as ministers, civil servants, parliamentarians, public pressure groups, professionals, etc... In the central government, the principal policy making functionaries are the Prime Minister and his office including his advisers, ministers and secretaries... ." Bureaucracy even gains expertise by working on International Fora/Organisations. In order to be an agent of change, the bureaucracy must have the capacity (a) to forecast, project and understand the direction and tempo of major or significant changes in its environment; (b) to plan for necessary or desirable changes; (c) to adopt itself to changes demanded or planned by the political system or to other unforeseen changes; and, (d) to innovate on its own.

Check Your Progress 2

Note : i) Use the space given below for your answers.

ii) Check your answers with those given at the end of the Unit.

1) Discuss the role of bureaucracy in delegated legislation.

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2) Highlight the different types of the delegated legislation.

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3) Discuss the growing importance of bureaucracy.

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8.7 LET US SUM UP

Bureaucracy, thus, plays a very crucial role in policy formulation. Its suggestive, informative and analytical roles have made the political executive and the legislature fully dependent on it. Bureaucracy's role in delegated legislation can in no way be undermined. This Unit gave us an idea about bureaucracy's role in policy making and its growing importance. The need for delegated legislation was discussed in detail and the meaning and changing nature of bureaucracy was also highlighted.

8.8 KEY WORDS

Committed Bureaucracy : It connotes that civil servants are committed to the objectives, ideals, institutions and modalities contained in the Constitution, they do not owe loyalty to particular individual person or leader or political party.

Neutrality of Bureaucracy : A bureaucracy is not supposed to commit itself to any political values. They are expected to cooperate and assist any party in power irrespective of their political preferences.

Sarkaria Commission : It was set up in June 1983 under the chairmanship of Justice R.S. Sarkaria. It presented its report in January, 1988. The Commission was set up to suggest reforms for an equitable distribution of powers between the centre and the states.

8.9 REFERENCES AND FURTHER READINGS

Avasthi A. and Maheshwari S.R. 1987. *Public Administration*, Laxmi Narain Agarwal, Agra.

Jain R.B. 1976. *Contemporary Issues in Public Administration*, Vishal, New Delhi.

Maheshwari, S.R. 1986. *Indian Administration*, Orient Longman, New Delhi.

8.10 ANSWERS TO CHECK YOUR PROGRESS EXERCISES

Check Your Progress 1

- 1) Your answer should include the following points :
 - it is the means of carrying community action to rationally ordered societal action
 - it is the product of a large size of organisations in public or private service
 - it is a body of officials permanent, paid and skilled
 - it is a system of administration under which all the employees are organised into a hierarchy of offices, each with well-defined spheres of duties and responsibilities.
- 2) Your answer should include the following points :
 - Hierarchy
 - Professional Qualities
 - Rules and Procedures
 - Specialisation
 - Organisational Resources
- 3) Your answer should include the following points :
 - emergence of the Welfare State
 - size and functions of bureaucracy have increased
 - concept of neutrality of bureaucracy has also lost significance
 - commitment now connotes commitment to the objectives, ideals, institutions and modalities contained in the Constitution
 - divergence of views between the ruling parties have become narrow
 - division between the functions of the politicians and bureaucracy in terms of policy making and implementation has ceased to be rigid.

- the leadership role of bureaucracy has become explicit in all political systems.
- 4) Your answer should include the following points :
- Informative
 - Suggestive
 - Analytical

Check Your Progress 2

- 1) Your answer should include the following points :
- there has been enormous increase in the spheres of government activity.
 - legislature and political executive cannot cope with the increased legislative functions and hence the concept of delegated legislation has been put into practice in almost every country.
 - the executive organ has thus got delegated legislative power to formulate policies.
 - the executive does not enjoy any original power of making laws.
 - the practice of delegating legislative power to bureaucracy has been on the increase.
 - increase in the volume of work, lack of time, scientific and technical character of the subject-matter, need to provide for unforeseen contingencies has led to increase in delegated legislation.
- 2) Your answer should include the following points :
- supplementary delegated legislation
 - interpretative delegated legislation
 - contingent delegated legislation
- 3) Your answer should include the following points :
- the distinction between policy formulation and implementation is getting blurred.
 - the members of bureaucracy can give shape to stated policies through the exercise of choice and judgement.
 - they engage in policy formulation through their suggestive, analytical and interpretative roles.
 - bureaucracy promotes special solutions to policy problems.
 - the major tasks of administration is the formulation of policy proposals for consideration by the political executive.
 - the bureaucracy must have the capacity to forecast, project and understand the direction and the tempo of major or significant changes in its environment.
 - it should plan for necessary or desirable changes.
 - it should adapt itself to changes demanded or planned by the political system.