Epilogue

The conviction that the bureaucratic form of organization is indispensable has long coexisted with doubts about its desirability.
—Gerald E. Frug, “Administrative Democracy: Alternatives to Bureaucratic Forms of Organization”

From the time the administrative state came to fruition in the 1930s, there have been questions about the legitimacy of its institutions and mode of governance. These questions have been voiced by a variety of critics, but among the most insightful have been those posed by the state’s liberal supporters. This is not to say that the political system as a whole has been under constant attack or that the fundamentals of American constitutional democracy have been seriously threatened. Rather, liberal concerns about the administrative state centered and continue to center on the accretion of power by the bureaucracy and the executive; the delegation, even abandonment, by Congress of much of its lawmaking authority, especially in emergency situations; and the threats to democratic consent that this more hierarchical, secretive, and contingent government has produced. That these debates continue to transpire, even witnessing a revival in recent years, demonstrates the uncertainties of the liberal state and the prescience of the early generations of liberal critics, who warned that the administrative state needed a justification for its rule beyond its ability to respond quickly and effectively in a crisis.

To this day, liberal intellectuals (and politicians) generally defend bureaucratic government uncritically or propose technocratic fixes that ignore the deeper structural and conceptual issues that encumber the liberal administrative state and test its legitimacy. For decades, students of public administration rationalized the dominant liberal view of bureaucracy as little more than the acceptance of its inevitability. They dismissed attacks