

The Administrative State: Features, Merits and Demerits in Modern Governance

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Abstract: *The evolution of the modern administrative state is neither accidental nor merely ideological—it is a practical response to the complexities of industrialized, urban societies. This article thoughtfully unpacks how the role of the state has expanded far beyond its traditional boundaries of law enforcement, now encompassing service provision, regulation, entrepreneurship, and governance. It is evident that what once was dismissed as a “necessary evil” has transformed into a vital mechanism for national development and public welfare. The discussion critically explores the roots of this transformation—from the Industrial Revolution’s ripple effects to the necessity of delegated legislation and administrative tribunals—highlighting how these forces gradually gave rise to a powerful and deeply embedded bureaucratic apparatus. While the administrative state offers efficiency, structure, and responsiveness, this paper does not shy away from drawing attention to its pitfalls, such as bureaucratic rigidity, declining citizen initiative, and the risk of executive overreach. This suggests that although the administrative state is indispensable in our time, it must be balanced with genuine democratic oversight and public engagement. Taken together, the article presents a nuanced analysis of state functions in the 21st century, where governance must navigate the thin line between service and control.*

Keywords: administrative state, bureaucracy, modern governance, delegated legislation, state functions

If we look around to have a birds eye view of functions of state, we find that the modern states are assuming more and more functions. Never in the recorded history of mankind the state had taken upon itself the responsibility for running so many services and exercising so much of regulatory power as is the case today. The governmental activities are growing fast and there is absolutely no likelihood of this tendency being reversed. This is a world - wide feature. Increase in population, industrialisation, technical innovations, and people's aspirations for higher standard of living may be said to be some of the factors responsible for it. Professor Friedman states that the government today performs fourfold functions. These are: -

- 1) As a provider of services
- 2) As a regulator
- 3) As an entrepreneur
- 4) As an umpire

Gone are the days when the state was regarded as a necessary evil, the freedom living people exercised their brains as to the ways and means to contain the powers and functions of State. We are now living in an era of administrative state. Now the progressive character or otherwise of the state is judged by the extent of Functions that a state performs. In the past, the people expected oppression at the hands of the state. Now they have learnt to expect many a service from the state. We lean heavily on the state in normal times as well under emergencies.

Not only the extent of state activities has increased, even their nature has undergone a change. It is different today than in the 18th Century. Earlier the state did little more than make a claim to power by issuing statutes, orders, proclamations and rules. Now, on the other hand, its professional servants calculate, control and apply their commands. Where formerly the state was satisfied by issuing a proclamation, now it deposes an officer to make the commands effective. Where

the state used to rule by punishing offenders after the law was broken, it now anticipates errors and omissions and seeks to prevent them by actions of its officials. Thus, the nature of state activity is more positive today than in the past.

Factors leading to the growth of Administrative State:

The following are some of the important factors leading to the growth of administrative state.

- 1) Industrial Revolution: - Industrial revolution created altogether new responsibilities for the state. Now big mechanised units came into being. The workers did not own the tools of production. Urbanisation, congestion, pollution, increase in crime rate, labour welfare, regulation of industry made their appearance on the scene.
- 2) Big Governments: - As a result of the factors let loose by industrial revolution state action on large scale became a necessity. The problems like urbanisation, congestion and pollution needed action at the state level. Individual initiative was unworkable here. Consequently, the state had to expand its activities, established new department and have employees many times more than what it used to do earlier. In other words, we might say that the industrial revolution made big governments inevitable.
- 3) In the post - industrial revolution era the state was obliged to under - take economic planning or regulate economic activities on an unprecedented scale. Raw materials had to be imported and their use regulated. If locally available it had to be consumed. The community was faced with the problem of putting its limited resources to the best possible use.
- 4) The industrial society needed a different type of legislation for which the legislators had neither the time nor the inclination. At such the legislators made laws in general terms. The gaps were to be filled in by the administration by means of delegated legislation.

- 5) Because of the growing technical and complex character of state activity, the jurisdiction of the ordinary courts had to be barred. Issue of licence or assessment of wealth are cases in point. In such cases the courts could not do much. As such, the powers had to be delegated to administrative tribunals. Furthermore, in certain other types of cases, the jurisdiction of the courts was barred and the decision of the department was made unappealable.

Main features of Administrative State:

The following may be said to be the main features of administrative state:

- 1) Administrative state has a much wider area of responsibility to take care of as compared to police or Laissez fair state. The main objective of the police state is to provide for law and order. All other functions undertaken by such a state are subservient to the primary objective. The administrative state, besides providing for law and order, provides for many other services also.
- 2) The Laissez faire state/functions under the shadows of a political philosophy which aims at keeping the state function at its minimum. Under such circumstances any suggestions for expansion of state function is frowned upon. The functions of the state must be maintained at the basic minimum. On the other hand, the administrative state functions on the assumption that large scale administrative action on part of the state is a must for the public good. The state is looked upon as a provider of services. In public interest it regulates social, economic and political life.
- 3) Administrative state is essentially a democratic state. The administration is carried on with the consent of the governed. The political parties and the elected legislators form the bridge between the people and the government. All possible efforts are made to make the people understand the point of view of the government. This is the basic purposes of most of the political speeches; and this is what keeps the publicity departments of the governments busy all the time. Likewise, elected legislators are supposed to tell the government what the people desire. As against this, in the police state, the subjects are forced to abide by the orders of the state., The state does not think it necessary to take the governed into confidence. The state views the populace with a sense of distrust. In the Laissez faire state, the people look upon the state with distrust. Though the necessity of state is recognised, its power, are a suspect in the eyes of the people. Administrative state enjoys the confidence of the people, and its programmes are more willingly received as compared to those of police or laissez faire state.
- 4) In the administrative state the executive plays a dominant part. The administrative responsibilities of big government require constant vigil and active participation on the part of the executive. In parliamentary forms of government, it provides leadership to the legislature and performs many a judicial functions too. In presidential forms of government, though the executive is not in a position to provide effective leadership, it enjoys the powers of delegated legislation and exercises extensive judicial authority.

- 5) The administrative state places too much reliance on the bureaucracy. The post- industrial revolution responsibilities of the state could not te properly taken care of by the unskilled, untrained and unpaid. employees made to work against their wishes. As such, the state developed a cadre of skilled, trained and paid employees. This body of employees carries out the wishes of the state under the supervision of its political bosses.
- 6) Because the responsibilities of the administration are constantly on the increase, their is a corresponding increase in the number of bureaucrats also. New departments are opened. New services are undertaken. All these increase the manpower requirements of the administrative state.
- 7) The nature of activities in an administrative state is more complex than either under police or Laissez faire states. Because of complex nature and technical involvements these are very often beyond the comprehension of the legislatures. Under such circumstances, they only provide some basic guidelines and leave the rest to the executive. Similarly, recent legislations have shown an increasing tendency to ear the jurisdiction of the courts. The departmental decisions. (howsoever these be described) are final and unappealable. Because of these developments in an administrative state, the executive evinces a tendency to emerge as the most powerful organ of the government.
- 8) In an administrative state the bureaucracy comes to enjoy considerable power. It has all the executive powers vested in it. The delegated legislations confer legislative powers. The parent legislation under which these delegated powers are conferred are also the work of the bureaucrats themselves. Since the jurisdiction of courts is barred in very many cases, the bureaucracy becomes a judge of its own actions. Thus, we find that the bureaucracy has all the three powers the legislative, the executive and the judicial concentrated into its own hands. The bureaucracy, in actual practice, in largely unrestring in exercise of its powers. The politicians, because of lack of experience and temporary nature of their assignments, fail to exercise effective control. They are essentially guided by the advice of the bureaucracy. Because of complexity and technical nature of problems the legislatures mostly set their seal of approval when these are placed before them for their consideration. As a matter of fact, the legislations have no option to act otherwise since these have already been approved by the ministers. It is obvious that under these circumstances there is no effective machinery to exercise control over bureaucracy.
- 9) Since the administrative state works through the Bureaucracy, the administration develops certain well marked characteristics. There is a clear - cut division of integrated activities. It works through a system of controls and sanctions. Assignment of roles takes place on the basis of technical competence. Such an administration is marked by technical efficiency, precision, speed and expert - control. The bureaucratic structure very nearly eliminates personalised relationship. The play of non - rational considerations like hostility, anxiety and affectual involvements is effectively curbed.

- 10) Such an administration avoids public discussion of its techniques. As such, an element of secrecy surrounds the administration. The worker is separated from the means of production. It suffers from inadequate flexibility. There is too much reliance on precedence, rules and regulations. Such a system may be allright to take care of routine nature problems, but fails to deal effectively if it has no precedence or rules to fall back upon. Bureaucracy develops a vested interest and it opposes innovations. As a matter of fact, it is a torch bearer of status quo.
- 11) The administrative state plays a more positive role in the life of the nation as compared to that of police state or a laissez faire state. The administrative state is marked by its positive and wholesale activity.
- 9) There is increasing specialisation of the functional aspects of administration. This make the administration more efficient.

Demerits of Administrative State:

The administrative state suffers rom certain drawback also. The following are some of the more significant draw - backs:

Merits of Administrative State:

The following are some of the more important merits of the administrative state:

- 1) The administrative state aims at the fullest possible development of its subjects. It caters to their needs at various stages of their lines. The state function with the moto of serving the subjects.
- 2) The administrative state is the only form of state which can under - take the task of social and economic recognition of the society. It has the necessary will power and the administrative machinery to do it.
- 3) This is only form of state which can meet the administrative requirements of the present day industrial society. The administrative requirements of the industrial society are different from those of the agricultural societies.
- 4) The administrative state makes constant e Torts to broad - base, its popular support. Voluntary organisations are involved in the governmental programmes of action. It is not possible either in the police or laissez faire state. Police state detests the people. Laissez faire state is regarded by the people as necessary avil. As such any question of cooperation between the people and the state does not arise.
- 5) Under the adminstrative state the executive wing of the government gets the importance that is its due. The administration becomes more and more professionalised. Its efficiency increases. It is properly supervised by competent persons As a result it can serve the people better.
- 6) Rule of thumb is replaced by the rule of law. Every decision is taken on the basis of rules and regulations. It is guided by precedence. Non - rational considerations are reduced to the minimum. As such, administration treats every body alike
- 7) In the administrative state the higher policies are determined by people acting through their duly elected representatives. The legislature mounts a constant watch over administration. On the other hand, the actual administration is in efficient hands selected on the basis of their competence. They are career civil servants. Because of long association they develop expertise. Thus, there is a judicious blend of popular control and efficient working.
- 8) Since the administration is in the hands of competent people, it is run economically and efficiently.
- 1) The administrative state takes upon its shoulders very many responsibilities. The state does not have expertise to handle such a large variety of activities. As such, a few of them are handled inefficiently.
- 2) Since the state caters to a large variety of needs of the people, they become much too dependent on the state. They expect every thing from the state. There is a lack of initiative on the part of the people.
- 3) Though the administrative state attempts to undertakes plans for social and economic reorgnisation on a massive scale, the administrative machinery bureaucracy through which it acts, is bound by rules, regulations and precedents. It is essentially prostatus quo. It is anybody's guess as to how the plans for social and economic reorganisation could be implemented under such circumstances.
- 4) People's co - operation is largely a myth. Most of the people have either the time nor the inclination to do anything to support govern - mental programmes. In effect, these are government sponsored and implemented programmes. Popular participation is rare and infrequent.
- 5) Executive wing of the government has a tendency to be excessively powerful at the cost of the legislature and the judiciary. The executive comes to enjoy considerable legislative powers through delegated legislation. Administrative adjudication ard barring of jurisdiction of the law courts confer substantial judicial powers too in the hands of the executive. Thus the executive seems to te developing into a 'new despotism'".
- 6) The professionalisation of administration has a tendency to make the bureaucrats aggressive. The administration loses its personal touch.
- 7) Since the every decision bas to be examined in the lights of precedents, rules and regulations it takes a lot of time. Added to it is the frequent reference made to other departments. All this leads to red - apism.
- 8) Administration lacks the necessary initiative and flexibility.
- 9) In theory, it is said that higher policies are determined by the representatives of the people. However, as a matter of fact, the representatives have little to do with it. The policies are suggested by the bureaucrats. The ministers approve them. The legislatures working under the leadership of the ministers set their seal of approval. Thus, the policy making and also its implementation is left to the administration.

The administrative state is an inescapable feature of modern times. It is the result of many things associated with industrialisation and urbanisation. The administrative responsibilities of industrialised urban societies are of a different nature as compared to agricultural societies.

Often the supporters of free enterprise have criticised the expanding state activity little realising that their activities make the expansion of governmental functions necessary.

Much of the criticism of the government seems to be politically biased. It is criticised for its capacity of enforcing change unwanted by the critic or of resisting change demanded by him.