

Tocqueville versus Weber

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Ajay Mehrotra has afforded us an opportunity to better appreciate and understand the development of state capacity in modern U.S. history. With detailed research findings and a well-organized narrative, he focuses on the elaboration of revenue generation and management systems appropriate and adequate to the growing responsibilities and commitments of the national government in the early twentieth century. It is the burden of Mehrotra's argument that "bureaucratic professionals" were as important a part of the "fiscal revolution" in modern U.S. politics as were changing governmental structures and evolving events and contingencies. Using World War I as his case study, Mehrotra seeks to refine and extend the narrative of organizational change and the rise of the modern state in the United States.

There is much to commend in this contribution. Well written and wholly engaged with a wide array of significant secondary literature on its subject, "Lawyers, Guns, and Public Moneys," mobilizes a considerable amount of

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research in primary resources. By highlighting the role of attorneys in the history of the modern fiscal state, Mehrotra builds strongly upon extant work on the influential practices of business leaders, economists, and financiers. He situates his findings within a broad historiographic context—noting that the development of new tax systems in the early twentieth century not only allowed the United States to participate meaningfully in world affairs on an unprecedented scale (by, e.g., entering World War I) but also firmly established patterns of financing that would in subsequent decades define the reformist political economy of the interwar and the postwar United States. I would also add that Mehrotra's detailed examination of taxation methods, along with his notion that success in the refinement of those techniques actually gave the United States a "comparative advantage" in war-making and public finance, are exceedingly welcome additions to a literature that has too often grown thin on specifics and detail in the analysis of policy practice in history.

The core of Mehrotra's contribution lies in his assessment of the "Treasury Lawyers" who were "central to the project of building the administrative capacity of the new fiscal state." He adroitly notes that his article demonstrates how these administrators literally helped to create "the positive rights associated with U.S. new liberalism." In his words, these men and women were part of the construction of both a "civil society separate from the modern state" and a "fiscal polity intertwined with U.S. public life." Mehrotra lists four major ways by which this was achieved. Attorneys in service to the growing American state of the early twentieth century utilized their professional skills to establish firmly the administrative authority of the department of the Treasury; they participated in the fashioning and deployment of war financing practices; they mobilized their own educational, professional, and social networks to populate and sustain the growing offices of a rapidly growing federal apparatus; and they mediated (and thus lessened) "social forces and ideological tensions." It is Mehrotra's most challenging claim that these attorneys served as "classic, Tocquevillian arbitrators of conflicting social interests," who could "mediate between populist leaders who wanted to use the war crisis to radically reconstruct the U.S. political economy and more conservative forces that wanted to retain or extend the regressive prewar system of tariffs and consumption taxes."

As much as I admire and value Mehrotra's article, and despite my respect for his scholarship and erudition, it is this latter claim regarding the political and ideological role of the Treasury lawyers that strikes me as at best overdrawn, at worst misleading. To be sure, the modern U.S. (professional) middle class was remarkably proficient and capable in the early twentieth century. Its concrete achievements—in finance and

banking, in business and investment leadership, in higher education, in medicine and law—were a considerable part of the foundation of the twentieth-century American state—a mix of geopolitical, economic, ideological, and cultural practices that ultimately imagined and established the “Pax Americana” of the “American Century.” It would be unfair and foolhardy to suggest otherwise. But the growing power and efficacy of the U.S. government in the 1900s also had much to do with a unique array of material, economic, technological, and resource-based circumstances, all of which privileged the United States in altogether novel ways. A physical environment in which were to be found vast and economical stores of petroleum and other strategic materials and the ingredients of an unparalleled agricultural virtuosity, a fluid and “soft” labor market repeatedly transformed by waves of immigration that brought young men and women of prime earning years across national borders, a natural and constructed transportation network that transformed a nation of economic regions into a vast and dynamic national marketplace, and a technological framework driven by crafts workers and petty entrepreneurs on the make who embraced a strategy of “learning by doing” with an unparalleled drive—all these were crucial components of the growth of U.S. power, an expansion and elaboration of capacity that would have made any professional elite look good.¹ After all, several cadres of professionals in other national settings were rarely able to capitalize on their learning and skills in a manner like the Treasury lawyers of the early twentieth-century United States.

To be sure, Mehrotra acknowledges some of the material ingredients of the fiscal successes he narrates. The watershed of World War I and its dramatic impact on all aspects of the American state fall well within his analytical gaze. It strikes me, nonetheless, that his contribution would have been enhanced by a more resolute appreciation of the ironies of the history he assays. When Mehrotra argues that, during World War I, “Treasury officials faced [a] . . . daunting task . . . assuring the public that the costs and sacrifices of underwriting a global conflict were being shared equitably,” and when he stipulates that “build[ing] public trust by projecting the image of a rational executive agency” was part of the core mission of attorneys serving in the Treasury at the time, he betrays a reliance on “Whig” themes in the description of the rise of the modern administrative state that are outmoded. Obviously, professional expertise had a key role to play in the rise of the

1. See Gavin Wright, “The Origins of American Industrial Success, 1879–1940,” *American Economic Review* 80 (September 1990), 651–68; Stanley Lebergott, *Manpower in Economic Growth: The American Record Since 1800* (New York: McGraw-Hill, 1964); and Stanley L. Engerman and Robert E. Gallman, eds., *Long-Term Factors in American Economic Growth* (Chicago: University of Chicago Press, 1986).

modern American state. Attorneys at Treasury, and elsewhere in the federal apparatus, clearly enjoyed many successes under very challenging circumstances whereby their skills, loyalty, and discipline wrought great benefits for the government and its constituencies. There is no disputing such realities of the historical record. And I would add, somewhat ruefully, that the wisdom of U.S. fiscal practice during both world wars stands in sharp contrast with the distorted and ultimately quite damaging financial decisions made during the Vietnam War and the succession of wars in the Persian Gulf and South Asia. All that being the case, it is nevertheless true that the mobilization of professional expertise in the service of the state is a process fraught with conflict and contradiction—political and social antinomies that Mehrotra’s celebratory narrative obscures.

I acknowledge that Mehrotra notes that Treasury lawyers “were not simply passive scientific entrepreneurs;” they were, as he so ably puts it, “political entrepreneurs” as well. He discusses the harsh reality of Washington infighting that often muddled professional agendas. Treasury lawyers were not the first elite professionals to find some of their best recommendations spurned or, worse, distorted by the machinations of hucksters, the conniving manipulations of candidates for public office, and the hardheaded calculations of electoral results made by party whips and presidential advisers. But rather than appreciate these circumstances as being the result of conflict between the self-promoting practices of professional elites and forces of power and political change, Mehrotra reduces them to patterns of interference with the optimal utilization of expert skills. He concludes, in fact, that the Treasury lawyers were key instruments in the marshaling of the wartime exchequer “between the extremes of radical change and conservative inertia.” This is an unfortunate characterization that suggests that professional expertise is itself somehow independent of politics and ideology. In point of fact, expert knowledge and its utilization are immensely complicated historical problems—puzzles that require a great deal of analysis to appreciate the manner in which appeals to “expertness” are often overt efforts to eliminate certain points of view from debate in matters of profound policy significance. When experts claim that some step, some policy, is “necessary,” they may in fact simply be revealing their own prejudices and assumptions. Far from the rigorous deployment of scientific “proof,” claims of “necessity” in the policy sciences often show themselves to be more social and political, more *conditioned*, than anything else.

Professional elites have clearly been a very significant component of the modern success of U.S. statecraft. Ajay Mehrotra has ably shown how expertly trained attorneys, in the service of the U.S. Treasury Department, succeeded in creating powerful tools of fiscal control that were immensely significant parts of the deployment of U.S. power in the

world wars of the twentieth century. In so doing, they were also major actors in the creation of a modern American state that would continue to evolve and garner levels of economic, geopolitical, ideological, and military power virtually unprecedented in the historical record. Even so, it is nonetheless of paramount importance to remember that power is ultimately the result of historical processes that far transcend the reasoned and dispassionate arguments of an “expert.” It is instead the product of historical events and contingencies, and of the willed exercise of authority by particular elites at particular points in time, all of which defy simple categorization and description. I warmly welcome Mehrotra’s contribution to the historical literature—but I venture these criticisms and speculations in an effort to provoke him, and his readers, to contemplate a more varied and complicated historical agenda than that which is constructed here.

This brings me to some final points concerning expert knowledge and U.S. political developments in the early to mid-twentieth century. For historians of the U.S. experience, scrutinizing the links between professional authority, expert knowledge, and social and political institutions inevitably gravitates toward continued reconsideration of Progressivism, one of the most complicated components of the nation’s political life since the late nineteenth century. It had been, of course, the “Progressives” of the late nineteenth and early twentieth centuries who had embraced the emergence of bureaucracy and, as they understood it, a meritocratic order—a network of new social relationships premised on educational achievement, professional accomplishment, and rigorous adherence to ethical codes of conduct. This “modernized” and increasingly urbanized social setting stood in sharp contrast to the small, isolated, relatively self-sufficient settlements of rural America, the “island communities” of which Robert Wiebe wrote so cogently decades ago.² In their determination to widen the arena within which professional expertise might shape public policy choice and practice, in their powerfully held conviction that “progressivist” doctrines would serve to shatter all distinctions and judgments based on considerations other than those of objective quality and virtuosity, these activists worked to transform a social and political world that had, for well over a century, grounded its decisions in deeply held beliefs (and prejudices) regarding region, race, class, gender, and national origin.

The fact remains that the rise of networks of professional authority and influence was (and always is) a vastly complicated process of historical change and of short-run contingency and accident. In the final analysis, it is clearly true that the attorneys of whom Mehrotra writes were

2. See Robert H. Wiebe, *The Search for Order: 1877–1920* (New York: Hill and Wang, 1967), chap. 2.

tremendously effective and talented professionals whose efforts, on behalf of wartime mobilization, served to strengthen and refine the structures and functions of U.S. government. At the same time, theirs was not an agenda wholly devoid of the machinations of power, self-aggrandizement, or political manipulation. Professionals achieve a great deal in the way of concrete outcomes and measurable results, but the very success of their operational practice can also tend to narrow, even eliminate, the domains of debate and discussion about ends that are the ultimate goal of political action. From a Weberian perspective, the formal rationality of professionalism is not always consistent with open dialogue about ends.³ It is this perspective, on the significant history he examines, that Mehrotra would do well to consider in the further elaboration and extension of his most welcome research on the emergence of modern U.S. statecraft.

3. See Max Weber, *The Theory of Social and Economic Organization*, ed. A. M. Henderson and T. Parsons (New York: Oxford University Press, 1947), 115.