

Gov 1539: Section 4

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The goals for today

- **Feedback:** <https://forms.gle/o2Gih9Q8TmJk98GW7>
 - course is (already) about halfway over!
 - use this form for (anonymous) suggestions (or feel free to email me).
 - will be up for the rest of the semester.
 - examples: was memo feedback helpful? can I improve section?
- **Memos** - great work on the first one!
 - some general tips for next time.
- **The Executive Branch:** role and control of the bureaucracy.
 - where did it come from? we'll discuss 4 overlapping periods.
 - who has power over it (does anyone)?
 - has this changed over time?

The primary goals of the memo are to:

1. make a clear **recommendation**.

- everyone nailed this - great work!

2. provide an **argument** for that recommendation.

- need to argue why this option is **uniquely better** than others.
 - many memos had 2-3 similar recommendations and rationale could have applied to any of them.
- memo = little space → clarity more important (and more difficult).
 - "this recommendation is constitutional" is not enough - **why** is it constitutional?
- make sure to **follow through** on your recommendation to the outcome you want.
 - don't strictly need to frame your recommendation around a particular outcome, but if you do you should argue why your recommendation will get you there.
 - many students argued that the president complete purchase (**recommendation**) **because** the outcome would be good for the country (**rationale**).
 - that's fine! but clarify why your recommendation will get you where you want to be. if a treaty → Do you expect this to pass Senate?

Period #1: The Early Years (founding to early/mid 19th)

Early America was largely rural with regional economies - little bureaucratic capacity at all.

- **Early Republic:** original bureaucratic departments - 3 departments, few positions.
 - little federal administrative capacity, highly decentralized.
 - federal oversight mostly limited to certain areas: tax collection, operating Census, prisons / maintaining slavery, etc.

*Tocqueville (1835): What most strikes the European who travels across the United States is **the absence of what among us we call government or administration**. In America, you see written laws; you see their daily execution; everything is in motion around you, and the motor is nowhere to be seen. The hand that runs the social machine escapes at every moment...*

Period #2: Spoils Era (mid 19th to early 20th)

Growth of government capacity meets partisan politics.

- By early 1830s, we're in the **spoils** era.
 - growing country → more frequent public demands for govt. service.
 - growth driven by creation of new service-based organizations (i.e. Post Office).
- Notable example: **Andrew Jackson** sought greater control over growing administrative state
 - issued positions (and removed current workers) on partisan loyalty.
 - this had electoral benefits, but also an efficient method of gaining **control** over bureaucracy.
 - strengthened party consistency: national organization was limited: parties were largely loose coalitions of state / local organizations.

Spoils - not just a federal story



Tammany Hall (4th Ave. & 17th) - 1929. *Source: NYC Municipal Archives*

Spoils - not just a historical story



Michael Shakman / Richard J. Daley
Source: Chicago Tribune / László Kondor

Period #3: Era of Industrialization (late 19th to mid 20th)

After Civil War, rural regional economies transform into **urbanized, industrialized national economy**.

- industrialization transforms society and business.
 - growing country → more frequent public demands for govt. service.
 - intensifies and highlights societal issues → push for govt. response (i.e. Riis's *How the Other Half Lives*, Sinclair's *The Jungle*).
- Patronage becomes hard to manage, inefficient, unpopular → **civil service reform**.
 - Pendleton Act of 1883 - created merit-based hiring system for federal workers.
 - Hatch Act of 1939 - restricts political campaign activities of federal employees.

Period #4: The Rise of the Welfare State (20th century)

Civil War to New Deal was period of structural building. Afterwards, largest sources of growth include:

- **New Deal** exploded size of federal bureaucracy.
 - solidified idea of welfare state - federal govt. actively pursues the well-being of the people.
 - not all programs remain today, but many do (Social Security Administration, SEC, FTC, etc.).
 - Similar permanent additions to federal bureaucracy appeared in Great Society (Medicare, Head Start, etc.) and later (e.g. EPA in 1970s).
- Military / national security
 - WW1, WW2, Cold War, etc. all ballooned bureaucracy / military industrial complex in.
 - High cost, technologically complicated weapons more common → more maintenance employees / higher cost → higher budgets.
 - Wars until around 1950 saw mobilization / demobilization cycles for military personnel.
 - After about 1950, autonomous standing military industrial complex takes shape.

Who has power over the bureaucracy?

Power is shared between Congress, president, and bureaucracy itself.
What are the sources of power for each?

- Congress
 - **power of the purse** - appropriate funds
 - **legislative power** - can authorize / design agencies, set policy requirements, etc.
 - **oversees** - can call hearings, oversight committees, etc.
- president
 - can be an **active participant** / powerful force in legislative process.
 - **personnel**: appointments, Senior Executive Service, etc.
 - option of **unilateral action**: hard for other actors to override – win by default.
- bureaucracy
 - **expertise**: spend careers on single issue, know much more than congress / president.
 - **(non)compliance / discretion**: overseeing actions is difficult, bureaucrats can act how they want within legal limits.

Power has changed over time

Like other forces we've seen, this power dynamic has changed over time.
Some ways:

- Congress
 - less direct agency decision-making than in earlier years.
 - now more likely to rely on **setting limits and rules via legislation**.
- president
 - personnel power has grown over time.
 - e.g. Carter's Civil Service Reform Act of 1978 - transferred governance of federal personnel system to OPM, created Senior Executive Service, etc.
 - but Senate appointments have also become more partisan over time.
- bureaucracy
 - efforts to reduce partisan influence have led to more **autonomy**.
 - creation / extension of civil service reform.
 - tenure, federal unions, automatic pay increases, etc.