

Unit 8

Bureaucracy: A Controversial Necessity

Learning Objectives

After completing this session, you will be able to:

- Define bureaucracy.
- Explain the growth of government bureaucracies.
- Identify and illustrate the sources of bureaucratic power.
- Illustrate the wide variety of bureaucratic activities.
- Describe the often overlapping and contradictory expectations placed on bureaucracies.

Topic Overview

Few people attach much importance to bureaucracies, but as this unit shows, bureaucracies are the key link between policy-makers and the beneficiaries of policy decisions. The unit also demonstrates that, contrary to general impressions, bureaucrats are not simply office workers located in some headquarters building, but are often on the front lines directly delivering services. Finally, the unit demonstrates that the pathologies often associated with bureaucracies are frequently the product of contradictory expectations dictated by policy makers.

Today's executive branch bureaucracy is composed of hundreds of agencies employing millions of clerical, technical, service, managerial, and professional workers. Although the reach of executive bureaucracy is vast, its constitutional sources of power and authority are brief. **Article II** of the U.S. Constitution vests the executive power of government in the president, who is given the responsibility to take care that the laws are faithfully executed. The president appoints the principal officers of the executive departments (subject to Senate confirmation) and periodically seeks their opinions relating to the duties of their respective offices.

A **bureaucracy** is an organization with a clear hierarchy of authority, employees with specific job titles and descriptions, and formal procedures for hiring, promoting, and firing workers. **Bureaucrats** are those who work in bureaucracies. Most federal bureaucrats are hired through the **civil service**, which is a merit-based (as opposed to patronage) employment system. Contrary to popular perceptions, the vast majority of federal workers are located outside of Washington, D.C.

The national government's bureaucracy has grown significantly over the last 200 years. In 1802 there were just under 10,000 federal employees, most of whom were in the armed forces. By 2002 that number had grown to almost 3 million civilian employees. While most Americans believe the bureaucracy is too large, the actual size of the U.S. government is proportionally smaller than most large industrialized countries.

Topic Overview, cont'd.

The **growth of bureaucracy** has many causes, including:

- An increasing population and growing complexity of society. For example, the National Aeronautics and Space Administration was not needed before the advent of rocket technologies.
- A greater public acceptance of business regulations such as product safety rules and environmental standards.
- A general public acceptance of social welfare programs including Social Security and Medicare.
- The bureaucracy's own need to expand its services.

There are several basic types of government organizations that make up the executive branch bureaucracy. The largest units of the executive branch are **departments**, the appointive heads of which collectively make up the president's **cabinet**. **Independent agencies** are smaller than and independent from the cabinet departments. Some independent agencies, such as the Central Intelligence Agency, are controlled by the White House. Others, like **regulatory commissions** (e.g., the Federal Communications Commission) are not under direct White House control. **Government corporations** (e.g., the U.S. Postal Service) are owned by the federal government, but have more control over their operations and personnel systems.

A popular misnomer is that bureaucrats just carry out the laws passed by Congress and the president, without any discretion or political motives. In reality, bureaucracies are inherently political organizations with wide discretion. The political nature of bureaucracy stems in part from the fact that bureaucrats must answer to the president, who expects the bureaucracy to respond to his policy wishes, and Congress, which controls a bureaucracy's budget.

Many bureaucrats exercise particular discretion in implementation, rule making, and adjudication. **Implementation** means to carry out the law. Often Congress and the president will pass laws that set broad goals but leave the details of how to reach those goals to bureaucratic agencies. **Rule making** entails bureaucrats taking the broad policy directives of Congress and devising specific rules that everyone must follow. For example, if the law states that businesses must obtain a license to operate in several states at once, rules will describe the steps businesses must take to obtain the license and the penalties that result if they don't. **Adjudication** is a process where rules and their application can be challenged, and a hearing is conducted to determine if the rules were applied fairly.

Because bureaucracies are often seen as unresponsive and inefficient, they are frequently reformed. Some reforms, like the **Government Performance and Results Act**, involve the reorganization and reinvention of government agencies to make them more efficient and their employees more accountable. Others reforms stress the need to privatize some government services. Although reforms often help, they sometimes fail to deal with an underlying problem: contradictory demands made on bureaucracies.

Pre-Viewing Activity and Discussion (30 minutes)

Before viewing the video, discuss the following questions:

- Discuss the question, "What is a bureaucracy?"
- Discuss the control that presidents may exercise over the national bureaucracy.
- Still thinking about the federal bureaucracy, what is the difference between the Supreme court's opinions in **Myers v. U.S.** and **Humphrey's Executor v. U.S.**?
- What changes can be made in governmental bureaucracies to improve their performance?

Watch the Video (30 minutes) and Discuss (30 minutes)

The video includes three segments. If you are watching on videocassette, watch each segment and pause to discuss it, using the questions below. If you are watching a real-time broadcast on the Annenberg/CPB Channel, watch the complete video and then discuss.

1. When Disaster Strikes: FEMA to the Rescue

The Federal Emergency Management Agency (FEMA) was originally organized in the 1970s as the primary federal agency that responds rapidly to natural disasters such as hurricanes, tornadoes, and floods. During these emergencies, it acts as a hub for coordinating recovery efforts and providing quick assistance to those affected. FEMA is one among many federal agencies that serve citizens through regional offices. By looking at how FEMA coordinators respond to real emergencies one can get a better sense of how government agencies actively serve people.

Discussion Questions

- Discuss the portrait of FEMA bureaucrats presented in the video. Do these government workers match our general image of a bureaucrat?
- Describe other government workers who do not match the stereotype of a bureaucrat.

2. Birth of the EPA

The birth of the Environmental Protection Agency (EPA) is a story about how the federal government can respond to the needs and desires of society. The EPA was formed during the Nixon Administration after the President's Advisory Council on Executive Reorganization recommended the formation of an agency that could address growing public concerns over pollution. The 2000 employees under the original EPA have now grown to over 18,000 bureaucrats located in 10 regional offices and 17 laboratories across the country. Why the growth? The EPA is an example of a bureaucracy that was created and grew as a direct result of public demands for action.

Discussion Questions

- Why was the EPA created?
- What role does leadership play in creating an effective bureaucracy?
- Can any bureaucracy operate effectively without clear political guidance as to what goals it should pursue?

3. A Dollar Earned: Or Is It?

Like many young people before him, 12-year-old Brian Glennon planned to make some extra money during summer by working as an umpire for \$10 a game from the Darien Youth Club baseball league in Illinois. But after receiving an anonymous complaint, the Illinois Department of Labor told the league to stop paying child umpires because the practice violated laws prohibiting children under 14 being paid for work. While the general public was outraged at the Department of Labor's decision, the administrators felt they had no choice but to act against the youth league. Eventually the law was changed to allow the practice but, in the intervening period, many people blamed the state bureaucracy for acting as scrooge.

Discussion Questions

- Why did the state department of labor move to prohibit children from serving as umpires?
- Did the department have any options?
- Looking at the compromise that was reached in the legislature, has it placed the department of labor in a position to enforce the law?

Post-Viewing Activity and Discussion (30 minutes)

1. Why Can't the DMV Be More Like McDonalds? (10 minutes)

A popular myth is that bureaucracies are only found in governments. But in reality most, if not all, private organizations have bureaucracies too. This is because they also employ people with specific job titles and responsibilities, who work in a hierarchy of authority and within established procedures for operations and governance. In an influential article entitled, "What Government Agencies Do and Why They Do It," social scientist James Q. Wilson compares McDonalds to a city Department of Motor Vehicles office to help us understand the differences between public and private sector bureaucracies. After examining the synopsis of Wilson's argument, discuss how government bureaucracies resemble private bureaucracies. Discuss whether you think public bureaucracies should look and operate even more like private bureaucracies or that there are valid and important reasons for the differences.

A typical Department of Motor Vehicles (DMV) office has long lines that are slow-moving. Customers are often unsure about what line they are supposed to be in, and may get to the front only to find out they must wait in another line. Often, the clerks at the DMV must work with outdated equipment, and they frequently seem harried and dissatisfied with their jobs. Overall, the atmosphere is tense and unpleasant.

In contrast, the typical McDonalds fast-food restaurant has several short lines that are fast-moving. Customers can quickly scan the choices before them on a menu that is clear and attractive. The workers are polite and efficient, and the restaurant is immaculate. Overall, the atmosphere is friendly and good-natured.

What is the difference between these two organizations? Again, it is not that the DMV is a bureaucracy and McDonalds is not. On the contrary, both are bureaucracies with extensive rules and clear lines of authority. In fact, McDonalds regulates every aspect of its operation through its 600-page operations manual. Nor is it because the average line workers at McDonalds make more in salary than the average workers at the DMV. Instead, the opposite is true.

As Wilson explains, the crucial difference between the two organizations is that the DMV is a government bureaucracy (in this case state government), while McDonalds is a private-sector bureaucracy. Unlike private bureaucracies, government bureaucracies must operate under three important constraints:

- Government bureaucracies cannot lawfully retain for their members' private benefit the earnings of the organization. In other words, the workers don't share in any profits generated by the organization. When private firms make a yearly profit, part of that profit will often return to the workers, or at least the managers, in the form of bonuses or stock options.
- Government bureaucracies cannot allocate the factors of production in accordance with the preferences of the organization's administrators. For example, government agencies don't have total freedom and authority to take some of their profits or remaining budget resources and independently arrange to buy new equipment, or to hire or fire existing contractors. Moreover, government bureaucracies must hire, promote, and fire workers in accordance with strict and detailed rules that are created externally to the organization. These rules are usually the result of political decisions, not bureaucratic ones.
- Government bureaucracies must promote goals that are not of the organization's own choosing. Control over agency goals, revenues, and factors of production is vested in entities external to the organization including legislatures, courts, executives, and interest groups.

Do all government bureaucracies have to resemble the DMV described above? Not necessarily. Government bureaucracies at the national, state, and local level have experimented with incentives to deliver services more efficiently. These experiments include awarding employees bonuses for good work records, empowering line and lower management employees to make innovations in their local operations, and creating customer feedback forms to hear suggestions from those who rely on their services. Evidence suggests that many of these reforms, such as those developed under the Government Performance and Results Act, have had some positive results, such as streamlining procedures, cutting costs, and increasing "customer" satisfaction.

Post-Viewing Activity and Discussion, cont'd.

In other cases, politicians have decided to “privatize” some traditional government functions such as trash collection and prison administration in order to promote efficiencies that are typically associated with private bureaucracies. These programs, however, have had mixed results. In most cases, privatized trash collection has worked. But there have been serious problems with private firms that try to earn a profit by running prisons. In some cases, prisoners were crowded into facilities that were designed to hold fewer people, and some prison officials cut back on daily food rations to cut costs. In a few cases, prisoners rioted to protest the inhumane conditions and, as a consequence, some governments have concluded that privatized prisons don’t work.

2. Is the Public Bureaucracy Incompetent and If Yes, Can It Be Fixed? (20 minutes)

Think about a bad experience that you have had with a public bureaucracy (national, state, or local). Was the experience the product of incompetent or unresponsive employees, or was it a reflection of public employees caught between contradictory but mandatory policies? Discuss how you would design the system to work more effectively.

Homework

Read the following Readings from Unit 9 to prepare for next week’s session.

- Introduction—The Courts: Our Rule of Law
- Tocqueville, *Democracy in America*: “Judicial Power in the United States, and Its Influence on Political Society”
- *Federalist Papers*: “Federalist No. 78”
- *Marbury v. Madison*
- *Cherokee Nation v. Georgia*

Read next week’s Topic Overview.

Critical Thinking Activity: Go to the course Web site and try the Critical Thinking Activity for Unit 8. This is a good activity to use with your students, too.
www.learner.org/channel/courses/democracy

Classroom Applications

You may want to have your students do the post-viewing activities: Why Can’t the DMV Be More Like McDonalds? and Is the Public Bureaucracy Incompetent and If Yes, Can It Be Fixed? They are provided for you as blackline masters in the Appendix.

Web-Based Resources

www.fedworld.gov—Sponsored by the U.S. Department of Commerce, **FedWorld** boasts search engines that can locate information from 30 million government Web sites. The Web site also provides easy access to government reports.

www.fedgate.org—**Federal Gateway** is operated by the Small Business Contracts Council. Its purpose is to inform the general public about the United States Government. The Web site contains useful information about all branches of the federal government, as well as state and local governments.