

CIVICS IN THE CLASSROOM

by Paul Lorentzen

In this third article in the "Civics in the Classroom" series we will be talking about the three traditional branches in the American government system, and how this feature affects the nature and kind of work in the public sector.

As our first article mentioned, one mission of the Public Employees Roundtable is to encourage young people to consider employment in the public/government sector. Hence this series is devoted to significant features of our governmental system which need to be understood when thinking about working therein -- but which many young persons may not have been exposed to in their schooling.

One such important feature was discussed in the second article: the three-tiered federal nature of our governmental structure. Talking simply of "the government" makes little sense unless one specifies whether it is the local, state, or national level to which one is referring.

Similarly, we must distinguish among the three branches -- legislative, executive, and judicial -- when referring to "the government" as well as in talking about types of work performed in the public service. Not only are the functions of these branches quite different, but so are their career opportunities and ways for obtaining their positions. In fact, to use the expression "government work" makes little sense without specifying both what level in the federal structure as well as which branch therein you are talking about (e.g. the local government judiciary, the state government legislature, or the national/federal executive departments/agencies).

The Founding Fathers emulated the British system, with which they of course were well acquainted, when they established these three distinct (but related) branches in drafting the Constitution in 1787. Their historic innovation was to set them up in such a way that each has its own specific roles and power, but all are "checked" and "balanced": that: (1) a delicate level of interdependence exists to ensure general government stability,

and (2) no one branch will have the ability to amass all power to itself.

At the same time, the Constitution meant to and did correct major defects in the Articles of Confederation by granting the federal/national government certain exclusive powers (e.g. in foreign affairs, national security, etc.) as well as by establishing a Chief Executive (President) to ensure that laws enacted by the legislative branch (Congress) would be implemented. Establishing an independent federal judiciary with lifelong terms for judges was another significant innovation.

To relate all of this to the world of work we will first consider how certain general characteristics of each branch affects job functions and career opportunities.

To state the obvious: the huge majority of public sector positions are found in the executive branch -- true at both the local, state and national/federal levels. Here is where the policies adopted and laws enacted by city/county councils, state legislatures and the national Congress are being implemented and put into operation by the many millions of public employees working in different departments, agencies, commissions, offices, etc. The number of different occupations is in the thousands runnings from such categories as the trades and crafts to clerical, administrative, managerial, professional, scientific, educational, legal and still more.

Generally referred to as "the bureaucracy: and often mistakenly thought of as "the government," the most important functional distinction to be made is that these executive programs and operations are being conducted because legislative branches decided to set up and fund them. How (economically, efficiently and effectively) these executive branch operations are being performed is the pertinent question to ask here--and not why the operations should or should not exist in the first place. That latter question belongs and is decided in the legislative realm.

In a significant respect, the most important of the three branches is the leg-

islative: no government program or operation can start or continue without first being authorized and funded by the legislatures. Chief executives at all three levels may and usually do propose various policies and operational funding amounts, but only the legislature can adopt, enact and appropriate.

Hence these unique public service officials (legislators) are elected, in contrast the great mass of executive branch employees, who are appointed (except for most of the chief executives, e.g. the President and state governors, who are elected). However, legislative branches do have their own bureaucracies, small as they are compared to those of the executive branches. In addition to clerical/administrative positions, these consist mostly of legal, programmatic and special assistants hired by individual lawmakers plus legislative committee staff specialists appointed along political party lines.

The judicial branch is the smallest of the three, at all three structural levels. Local and some state court systems are a mixture of elected and appointed judges, with much variation among states, counties and cities. At the national/federal level, all judges are appointed by the President (with the advice and consent of the Senate); while administrative and other support positions are mostly filled in a way similar to that in the executive branch, i.e. by applicants meeting published qualification standards.

Thus, when one considers "the government" to consist of all operations and positions in the executive, legislative and judicial branches at the local, state and national/federal levels--as it obviously does--one can see that this public sector is as wide in scope and varied in kind as is the private sector, if not more so.

Our next article will concentrate quite specifically on types of career fields in the public service as well as different methods used to fill the multitude of jobs.

(Professor Lorentzen will be contributing a bi-monthly column)