

SABBATICAL LEAVE REPORT

ACADEMIC YEAR 1982-83

Mt. San Antonio College

November 1, 1983

Dr. Henry J. Pacheco

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I. STATEMENT OF PURPOSE

The purpose of the herein reported sabbatical leave was to allow the recipient the opportunity to increase his knowledge in areas of political science which needed strengthening and updating. It was also the objective of the sabbatical leave to provide its recipient the time to travel and engage in the research necessary to acquire educational enrichment and professional growth. The ultimate goal of both the course of study and research was to become a more effective instructor and thereby contribute further to Mt. San Antonio College and its community.

The recipient of the sabbatical leave is an instructor of political science and economics at Mt. San Antonio College; and his forte' is in the areas of Hispanic and Southwest politics. It is the opinion of the recipient that the travel and research yielded information and knowledge far beyond his expectations.

II. REPORT OF COMPLETED COURSES OF INSTRUCTION

During the fall semester of 1982-83, the recipient underwent a course of study at Fullerton State University designed to add to, and expand his knowledge on the presidency, the Supreme Court and international economics.

Political Science 315, entitled "The Political Process", provided an excellent environment and course of study to give me a much better understanding of the role of the presidency in American government. The "Political Process" dealt heavily with the office of the presidency, presidential elections, and the presidential bureaucracy; it also discussed presidential power in relation to that of the Congress. See Appendix "D" for reading list.

"Public Law", P.S. 375, dealt almost exclusively with the Supreme Court and its "creation" of law. Dr. Bezan and the structure of public law allowed the author to study the Supreme Court's role in the development of "insanity" as a plea for defense. Much of the material studies in P.S. 375 contributed to the creation of a new section for the recipient's political science one course. The new section investigates the Supreme Court in general and its role in the constitutionality of the "insanity defense" in particular.

The course of study also included "World Politics";

P.S. 350, a course which pretty much limited itself to the examination of the economic and military effects of international relations. Political Science 350, focused on the economic objectives and responses of international politics.

The fourth course taken during the fall semester at Fullerton State University was "Public Policy and Administration", a course of study never undertaken by this report's author. "Public Policy and Administration" provided the portion of the course of study designed to add knowledge to the author of this report in a major area never studied by him.

The course on public policy and administration was a course which was approached with the intent of doing a number of things from adding a public administration section to my political science course, to establishing a full semester public administration (P.A.) class in the Mt. S.A.C. curriculum, an aspect of substantial value to this author and Mt. San Antonio College, not mentioned in the original sabbatical report.

Because one of this author's initial intents of the sabbatical was to prepare himself to teach a community college level public administration course, he approached his P.A. instructor before the semester started, and asked her to help him develop a teaching program for such a course; Dr. Sutphen recommended that I approach teaching P.A. through

the discussion of bureaucracy in American government. The essence of the P.A. program was outlined in a lecture program and paper entitled "Public Administration and a Defense of Bureaucracy" (see Appendix "F").

III. REPORT ON TRAVEL AND RESEARCH

The second portion of the sabbatical was designed to allow its recipient the opportunity to travel and conduct research on Southwestern politics, with particular emphasis on Hispanic elected officials.

The travel and research procedure followed the exact design outlined in the sabbatical leave proposal. In February of 1983, the author of this report conducted research at Arizona State University in Tempe, at the Capitol Archives in Phoenix and at the University of Arizona in Tucson (see Appendix "E").

In March 1983, I conducted research on Texas politics at the University of Texas at El Paso, traveled to Johnson City, then on to Austin where extensive research on Texas and Hispanic politics was conducted at the Archives and in the legislators' offices (see Appendix "E").

In April 1983, I started my research on New Mexico politics at the University of New Mexico at Las Cruces; from the University at Las Cruces this researcher traveled to the Capitol in Santa Fe. New Mexico's archives, its legislative library and its legislative council provided a tremendous amount of information on state and Hispanic politics.

From Santa Fe, New Mexico, this author left for Colorado,

to conduct research in Denver and at the University at Boulder. In May 1983, this writer was immersed in research at the Capitol library, the archives, and in the legislative chambers. From Denver, this recipient went to the University at Boulder where he found extremely valuable information on the Hispanic's role in Colorado political history.

In June of this year, the research on California's state and Hispanic politics took the author of this report to Sacramento. While in Sacramento, he investigated the above mentioned politics at the Capitol's archives, the office of Secretary of State, the legislative bill/room, the Elections and Reapportionment Committee's record room and at the legislative chambers.

The major objective of the research throughout the five southwestern states was to compare the acceptance of Hispanic candidates, by the appropriate electorate of the 1960's and post 1960's civil rights era, to the appropriate electorate of the pre 1960's. Given the nature of the study, the researcher had to limit his investigation to Hispanic candidates for state offices.

It was the contention of this author that electing the Hispanic candidate to office was the ultimate sign of acceptance. The election of a Hispanic candidate to office was also defined as Hispanic candidate success.

In order to assess and compare Hispanic candidate success, the researcher was forced to investigate every elected official

for a state office from the time each of the appropriate states became a territory, up to and including 1983. Each state's governmental structure along with the candidates' districts were studied to look for patterns of candidate opportunities.

Arizona was the first state investigated. The research design dictated that the author of this paper, identify and compare the Hispanic elected officials of period one (henceforth known as the point when the state became a territory to 1962) to those Hispanic elected officials of period two (from 1963 to 1983, henceforth known as the civil rights and/or the post civil rights era).

Arizona became a state in 1912, but has a political history which dates long before the year of its statehood. The Grand Canyon State elected and/or appointed nineteen state Hispanic elected officials during period one. Period one also revealed three elected officials which were "possibly Hispanic" office holders. Interestingly, most of the period one Hispanic elected officials were members of pre-statehood councils or legislatures.

Period two, showed more Hispanic candidate success with the election of twenty-two Hispanic candidates. The interesting aspect about Arizona's period two Hispanic elected officials, is that the vast majority of the twenty-two was elected after 1972.

From Arizona, the researcher traveled to Texas to continue

to study Hispanic elected officials. Texas' unique history and the volumes of information available on Texas politics dictated that the researcher limit "period one" from the time it became a state to 1962. Period two, again represented the years from 1963 to 1983.

In one hundred thirty-seven years, from 1846 to 1983, Hispanics held approximately seventy-five offices in the Texas legislature. Hispanics held thirty-six offices during period one and thirty-nine during period two. Most of the period one Hispanics were elected prior to the 1880's and most of the period two Hispanics were elected after 1972. Texas' pattern also revealed that period one had a greater absolute number of Hispanics elected then period two. The Texas pattern also showed that period two re-elected more Hispanics.

After studying Texas politics, the researcher traveled to New Mexico to conduct the same form of research. The results of the investigation proved to be earth shattering. Period one alone revealed it has elected forty-two major state constitutional officers and 510 state representatives. Many of the constitutional officers and representatives were re-elected many times. From 1912, when New Mexico became a state until 1962, Hispanics held 552 offices.

New Mexico's period two also made the other states look insignificant. In the twenty years, 1963 to 1983, New Mexico elected fifteen constitutional officers and 496 state legislators. With a population of approximately one million, New

Mexico is the smallest of the five southwestern states studied; however, New Mexico has always had the greatest percentage of Spanish speaking constituents in the United States.

New Mexico has always encouraged Hispanic political and economic activity. New Mexico is the southwestern state which has actually developed a large share of its economic and political power through the Hispanic community. As a result of New Mexico's relationship with Hispanics, Hispanics have been elected to every branch of government in the state.

From the Capitol of New Mexico, this researcher proceeded to Denver, Colorado. The Capitol of Colorado proved to be much like Austin, the Capitol of Texas. The Capitol's architecture and activity somewhat resembled that of the Lone Star State, but on a smaller scale. However, Denver did not have the organized libraries and archives that Texas possessed. Denver's library and archives organization made it more difficult and time consuming for this researcher to locate every state official who had ever been elected.

After locating, counting, and categorizing every state legislator ever elected to the Colorado chambers, I proceeded to identify and categorize the Hispanic elected officials. The data revealed that the period from 1879 to 1962, saw Hispanics occupying seventy-one state offices.

The second period in Colorado's history saw seventy-six offices held by Hispanics. Colorado reflected Arizona's,

Texas' and New Mexico's patterns of electing a significant share of their period two officials in the early 1970's; and Colorado also revealed the pattern of re-electing its Hispanic candidates in the mid and late 1970's.

The nature of the research also took this instructor to the University of Colorado at Boulder. There, this researcher interviewed members of the Chicano studies program and made good use of the library. In the course of study, this researcher found information on Hispanic political history that some members of the university did not know existed.

The fruitful Colorado expedition sent the recipient of the sabbatical back to study his home state. By early June 1983, I was in Sacramento going through the state's archives. The information I was seeking required that I use several sources to find it. I used the archives, the office of Secretary of State, several libraries, the legislative bill rooms and the offices of friendly legislators.

The results of the research were tremendous. I acquired far more information than I could digest in six months.

California proved to be no different from the other states researched, it revealed a greater absolute number of Hispanics being elected in period one. Period two showed only seventeen. Again in California as in other states, most of the period two Hispanics were elected in the early 1970's and re-elected after that.

IV. CONCLUSION

Even though the travel and research design did not include interviews with legislators, this researcher did interview several legislators in every state except New Mexico; however, in New Mexico, he managed to interview some employees of the legislative council.

One of the major objectives of the interviews was to get information to explain the phenomenon of the rash of Hispanic legislators elected in the early 1970's and later. At first glance, one would conclude that the southwestern electorate of the post civil rights era are more liberal and more "accepting" of Hispanic candidates.

However, when one looks at the districts in which the "new Hispanic elected officials ran and succeeded, one finds that there is a significant number of Hispanic citizens residing there. If one continues to look closer, one also sees that today's Hispanic candidates are more sophisticated and can raise more money for elections than Hispanics of the past.

If one continues to look further into the success of Hispanic candidates, one sees that both the Hispanic elected official of the late 1970's and the Hispanic elected officials which helped establish the southwestern legislatures, had substantial Hispanic communities in their districts.

The research also showed that most of the period one Hispanic elected officials were elected at the beginning of the state's history, while either as a territory or a state. Unfortunately, most of the "early" Hispanic elected officials were voted into office prior to 1879. All the states studied showed a "non-Hispanic" period (very few Hispanics elected) from 1880 to 1972.

The 92 year "dry period" of few Hispanic elected officials, also was the period with little or no districts with significant Hispanic communities. Thus, it is the contention of almost all of the Hispanic elected officials interviewed and this author, that it is not the "so called liberal attitude" towards the acceptance of Hispanics that has gotten them elected, but a combination of sophisticated candidates, "Hispanic districts" and money, which have made the Hispanic successful.

The research conducted in the five southwestern states during the travel portion of the sabbatical, revealed interesting information particularly useful to my political science 1, to my state & local and Chicano politics classes.

This author investigated the demographics, constitutions, taxing policies, and local governmental structures of the states mentioned above. California's 23,667,902 people, Texas' 14,229,191, Colorado's 2,889,964, Arizona's 2,718,215, and New Mexico's 1,302,894, population comprise approximately 19% of the nation's population, and thus 19% of the nation's

electoral votes, a political power never before shared by the Sun Belt states. The fact that the bureau of the census points out that Hispanics comprise 19.6% of the southwest's population, also gives the Hispanic community a power it has not had in nine decades.

The research conducted during the travel revealed that California is the only state of the five studied, that has a "proposition 13" type of taxing structure; the other four states have Constitutions which give their legislatures full power to tax property. However, the Colorado and New Mexico constitutions place a "ceiling" on the property taxes their legislatures can levy.

On the local side of the Sun Belt states' government structure, this researcher found that all five have basically the same kind of county governments. In all five states, the counties are given their life by the state legislature along with alot of freedom to organize their systems and powers. An interesting exception is the State of New Mexico, in which the salaries of the county officials are set by the state legislature.

My investigation of city government in New Mexico, Arizona, Colorado, Texas, and California, showed that the city governmental structures in all the states are very similar. All city governments are given their lives by the state and no city can incur a deficit. Texas was the only state which got specifically involved with city taxing structure.

Thus, the travel and research portion of the sabbatical yielded to its recipient and Mt. San Antonio College, data on southwestern politics never before compiled. The travel and research, along with the course work undertaken at Fullerton State University, served to strengthen, update and broaden this instructor's knowledge in some areas of his expertise and also gave him new information that would allow him to teach courses he has never taught before. The improved versatility of this recipient gives Mt. San Anotnio College another asset which it can use to further serve its community.

The combined program of course work, travel and research brought new life to all of my political science and economic courses; the "new life" is provided by the additions of special sections on the Supreme Court and public policy to my P.S. 1 classes, new information on demographics, constitutions, county and city government, to my state and local classes, and new data for the Chicano politics course.

The travel portion of the sabbatical is responsible for this instructor selecting the present required text for all of the Economics 39, classes taught at Mt. San Antonio College. The present Economics 39, text was chosen from an economics program provided by the University of New Mexico at Las Cruces. Therefore, when one combines the materials now in class use at Mt. San Antonio College with the information acquired, and also in use at Mt. S.A.C., by this instructor,

one can see the sabbatical making a substantial contribution to this instructor's improvement and growth, along with a substantial contribution to Mt. San Antonio College and its community.

APPENDIX A

MT. SAN ANTONIO COLLEGE
Salary and Leaves Committee

MT. SAN ANTONIO
COLLEGE

APPLICATION FOR SABBATICAL LEAVE 1981 NOV 25 PM 4: 16

PERSONNEL OFFICE

Name of Applicant PACHECO HENRY JOE
Last First Middle
Address 1620 Redwood Way Upland, CA 91786
Street City Zip
Employed at Mt. San Antonio College beginning September 1973
Month Year

Dates of last sabbatical leave:

From N/A N/A
Month Year Month Year

Department Political Science Division Social Science

Length of sabbatical leave requested:

One semester _____
Fall Spring
Two semesters
Administrative _____

Purpose of sabbatical leave:

Study Independent Study
or Research
Travel Combination
(specify) Travel to research

Effective dates for proposed sabbatical leave:

From September 1982 To June 1983
and (if needed)
From _____ To _____

Attach a comprehensive, written statement of the proposed sabbatical activity(ies) including a description of the nature of the activity(ies), a timeline of the activity(ies), an itinerary, if applicable, the proposed research design and method(s) of investigation, if applicable.

Attach a statement of the anticipated value and benefit of the proposed sabbatical activity(ies) to the applicant, his/her department or service area, and the College.

Any change or modification of the proposed sabbatical activity(ies) as evaluated and approved by the Salary and Leaves Committee must be submitted to the Committee for reconsideration.

Henry J. Pacheco
Signature of Applicant

11/23/81
Date

Applicant's Name Dr. Henry Pacheco

The acknowledgment signatures reflect awareness of the sabbatical plan for the purpose of personnel replacement. Comments requested allow for recommendations pertaining to the value of the sabbatical leave plan to the College. Applicants must obtain the signatures of acknowledgment prior to submitting application to the Salary and Leaves Committee.

ACKNOWLEDGMENT BY THE DEPARTMENT/DIVISION

Signature of Department Chairperson Frank Hoyt Date 11-24-81
Comments:

Signature of Division Chairperson Robert G. Amick Date 11-24-81
Comments:

ACKNOWLEDGMENT BY THE OFFICE OF INSTRUCTION

Signature of Vice President/Asst. Superintendent
Instructional & Student Services Joseph M. Zagorski Date 11-23-81
Comments:

FINAL ACTION BY THE SALARY AND LEAVES COMMITTEE:

- Recommend approval to the Board of Trustees
- Not recommend approval to the Board of Trustees

Walter A. Colwell Signature - Chairperson, Salary and Leaves Committee Date 6-28-82

John D. Ponder Signature - Authorized Agent for the Board Date 11/29/83

I, Henry Pacheco, am requesting a year's sabbatical leave to study and engage in research in order to add substantially to my knowledge in areas in which I need more strength. It is my opinion that a full year's leave will provide the time necessary to achieve the educational enrichment and professional growth I feel will make me a more effective instructor.

The productivity of the leave will be maximized by using the year in two phases. The first phase of the leave will be devoted to taking courses that will expand my knowledge on the Presidency, the Supreme Court, international economics, and on monetary policy. The second phase of the sabbatical will be devoted to conducting research on the state and local politics of the southwest, with a special focus on Chicano politics.

I WILL attend California State University at Fullerton. The courses I plan to enroll in are, P.S. 416, "The American Presidency", P.S. 457, "Politics on International Economics", P.S. 470, "The Judicial Process", and P.S. 421, "Monetary and Fiscal Policy". The four classes will allow me to complete twelve units in the fall semester of 1982.

I WILL conduct my research on southwestern politics at the University of Colorado at Bolder, the University of New Mexico at Las Cruces, the University of Arizona, and the University of Texas at El Paso. I will also visit the capitols of Texas, Arizona, New Mexico, Colorado, and California

to examine their archives in order to produce a unit on Chicano elected officials for my Chicano politics courses. I also intend to gather enough information on the above mentioned states to add a section on comparative local politics of the southwest to my Political Science 30 course (State and Local Government).

In February of 1983, I will be in Arizona visiting the capitol and university; in March, I will be in Texas doing research at the universities and in the capitol. In May, I will be in Colorado acquiring information on local and Chicano politics. In June, I will be in Sacramento doing research on Chicano elected officials.

The sabbatical will yield tremendous benefits in that it will allow me to get more background on the Presidency, the Supreme Court, and Monetary Policy, areas that I did not study extensively during my normal course of study.

I normally teach American Government, State and Local Politics, Chicano Politics, and Economics within the course of the school year. The classes and research will allow me to add new units of study to already existing courses and possibly to create new courses that will attract more students to the department. The information acquired from my travel and the research should help add to my expertise on Chicano Politics. The college will benefit from my sabbatical in that it will have one of the few Chicano P.h.D. faculty members in the United States who is an expert on southwestern local politics, an area of increasing importance to national politics as the "sun belt" continues to increase in population and electoral strength.



MT. SAN ANTONIO COLLEGE

1100 NORTH GRAND AVENUE • WALNUT, CALIFORNIA 91789

Telephone: (714) 594-5611

Addendum to sabbatical leave request from Dr. Henry J. Pacheco.

In response to enquiries:

1. In April of 1982, I will be visiting the University of New Mexico at Las Cruces, to do research on Chicano elected officials. The fact that the month of April was omitted from my original request was an oversight.
2. During my course of study (research) I will seek information which will allow me to develop a short history of Chicano elected officials. I will then compare the success ratios fo Chicano elected officials from the pre-civil rights era to that of the post-civil rights movement.
3. The findings from the research will be presented in the form of a conclusion.
4. My specific plan of study for the first semester of my leave is mentioned in the third paragraph of the first page of my request.

APPENDIX B

MT. SAN ANTONIO
COLLEGE

1982 OCT 14 PM 2: 24

PERSONNEL OFFICE

October 11, 1982

To Mr. Walter Collins
Chairperson, Sabbatical and Leave Committee

Addendum to sabbatical leave from Dr. Henry J. Pacheco.

I, Henry J. Pacheco am submitting an amendment, a request for acceptance of the unavoidable change in my course work for the first semester at Fullerton State University.

I would like to begin the request by pointing out that I consulted a faculty advisor at Fullerton to confirm the fact that the courses I intended to take were in fact going to be offered in fall of 82-83. To the best of my advisor's and my knowledge, those courses were to be offered.

Originally, I attempted to enroll in courses dealing with: the american presidency, the judicial process, politics on international economics, and monetary and fiscal policy.

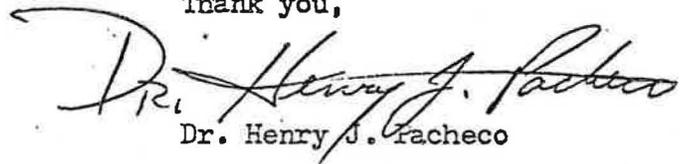
When I attempted to enroll in the above mentioned courses, I learned that the professors who teach the courses on the presidency and the judicial process had taken a leave and the courses were not available, P.S. 457 Politics of International Economics was simply not offered, and P.S. 421 originally billed as Monetary and fiscal policy, was a misprint.

My priority courses were "The American Presidency" and "The Judicial Process." Fortunately, I found good substitutes for my priority and other courses. For "The American Presidency" I had to substitute "The **POLITICAL** Process" (P.S. 315), a course which deals heavily with the presidency, presidential elections, and the presidential bureaucracy. See Attached reading list of required texts. For "The Judicial Process" I substituted "Public Law" (P.S. 375) a course which deals almost exclusively with the Supreme Court's creation of law. See mid-term, handed out in advance.

Seeing I could not take "Politics of International Economics," I enrolled in "World Politics" (P.S. 350), a course which pretty much limits itself to the examination of the economic and military effects of international relations: and for the political science course on "Monetary and Fiscal Policy," I substituted "Public Policy and Administration" the course most similar to "Fiscal Policy."

Because I could not take the courses I originally wanted, I made the best possible effort to find and take the best possible substitutes. Given my experiences with the substitutes, it is my opinion that they have come very close to mirroring the courses of my first choice. It is because I have no control over the courses offered at the university that I hope you accept my addendum.

Thank you,

A handwritten signature in cursive script that reads "Dr. Henry J. Pacheco". The signature is written in dark ink and is positioned above the typed name.

Dr. Henry J. Pacheco

"The Political Process," substitute course for the class on the presidency. (P.S. 3)

Reading list:

Portraying the President

The New Political System

The Man Who Kept the Secrets

Congress: The Electoral Connection

MT. SAN ANTONIO COLLEGE

INTEROFFICE COMMUNICATION PERSONNEL SERVICES

To: Dr. Henry Pacheco
From: Walter W. Collins, Chairperson
Salary and Leaves Committee
Date: October 25, 1982
Subject: SABBATICAL LEAVE CHANGES

The Salary and Leaves Committee has received your request for approval of changes in your course work for the first semester at California State University, Fullerton. The Committee has approved your changes as specified but wishes to advise you of some concerns and dissatisfaction regarding the delaying of this information to date.

Also, be advised that the Committee is reminding you that any further revision of your sabbatical program for the remainder of the current year must have prior approval of the Committee.

myw

cc Salary and Leaves Committee

APPENDIX C

CALIFORNIA STATE UNIVERSITY, FULLERTON
 FULLERTON, CALIFORNIA 92634

OFFICE OF ADMISSIONS AND RECORDS

STUDENT GRADE REPORT

CALIFORNIA STATE UNIVERSITY

LEVEL TERM
POST-BACC FALL 82

STUDENT NO. CREDENTIAL
920-6144

MAJOR 2nd MAJOR/MINOR

UNDEC

STUDENT NAME

PACHECO, HENRY JOE

1620 REDWOOD WAY

UPLAND CA

91786

DEPT. AND NO.	COURSE TITLE	CLASS GRADE-POINT AVERAGE	UNITS ATTEMPTED	UNITS EARNED	GRADE	P.
POLSC 320	PUB ADM+POLICY	(19,2.58)	3	3	A	
POLSC 350	WORLD POLITICS	(30,2.40)	3	3	A	
POLSC 375	PUBLIC LAW	(23,2.70)	3	3	A	
SOC 451	SOC OF FAMILY		0	0	A	
POLSC 315	AM POL PROCESS	(34,2.79)	3	3	B	

SEE REVERSE OF THIS REPORT FOR ADDITIONAL INFORMATION.

	GRADE-POINT AVERAGE	UNITS ATTEMPTED	UNITS EARNED	GRADE POINT AVERAGE	GP
	SEMESTER TOTAL	3.75	12	12	
CAL-STATE FULLERTON	3.75	12	12	+21	
ALL UNIVERSITY	3.75	12	12	+21	

CUMULATIVE TOTALS ARE UNOFFICIAL AND SUBJECT TO CHANGE UPON AUDIT BY THE STUDENT.

SEE CURRENT CATALOG FOR EXPLANATION OF ACADEMIC STATUS AND DISQUALIFICATION POLICY.

JOHN B. SWEENEY
 REGISTRAR

ACADEMIC STATUS:

APPENDIX D

APPENDIX D

The Political Process (P. S. 315) reading list:

Portraying the President

The New Political System

The Man who Kept the Secrets

Congress: The Electoral Connection

APPENDIX E



STATE SENATOR
DISTRICT 23

ALFREDO GUTIERREZ

ARIZONA STATE SENATE
CAPITOL BUILDING, SENATE WING
PHOENIX, ARIZONA 85007

1-800-352-8404
602-255-4291



STATE SENATOR
DISTRICT 11

JAIME P. GUTIERREZ

MINORITY WHIP

ARIZONA STATE SENATE
CAPITOL BUILDING, SENATE WING
PHOENIX, ARIZONA 85007

1-800-352-8404
602-255-5262 (PHOENIX)
602-628-5018 (TUCSON)



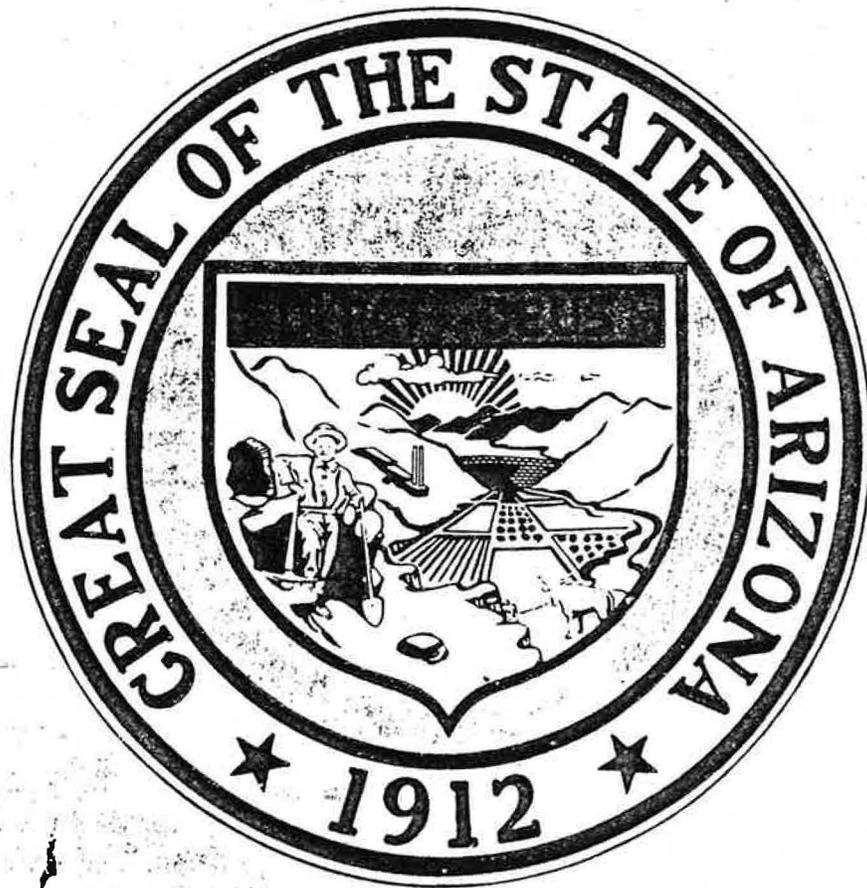
RICHARD "DICK" PACHECO

ASSISTANT MINORITY LEADER

MEMBER
HOUSE OF REPRESENTATIVES
1700 W. WASHINGTON
PHOENIX, ARIZONA 85007

DISTRICT 7
CAPITOL: 255-5030
HOME: 287-2858
TOLL FREE: 1-800-352-8404

PARTIAL LIST OF DOCUMENTS AND OFFICIALS STUDIED



1983-84

36th Legislature

Published by Mountain Bell for its Arizona Employees

Published at Austin, Texas
1983

Dr. Henry J. Pacheco
POLI. SCI. DEPT.

**CONSTITUTION
of the
STATE of TEXAS**

(Adopted February 15, 1876)

CHIEF ELECTED AND ADMINISTRATIVE
OFFICIALS OF TEXAS

. FEBRUARY, 1983

Compiled by Sally Reynolds

Reference Series No. 1

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P.O. Box 12488 - Capitol Station
Austin, Texas 78711

ELECTION HANDBOOK
of the
STATE OF NEW MEXICO



SHIRLEY HOOPER
Secretary of State

State Capitol
Santa Fe, New Mexico

June 19, 1981

*Las Cinco Chagas de mi Señor,
cual Cinco Chaves de azul en or . . .*



ORIGINS
of
NEW MEXICO
FAMILIES

IN THE SPANISH COLONIAL PERIOD

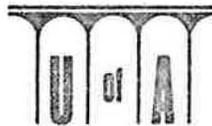
IN TWO PARTS: THE SEVENTEENTH (1598-1693)
AND THE EIGHTEENTH (1693-1821) CENTURIES

By

FRAY ANGÉLICO CHÁVEZ

With Four Illustrations by

José Cisneros



THE UNIVERSITY OF ALBUQUERQUE

in collaboration with
Calvin Horn Publisher, Inc.

LEGISLATIVE LEADERSHIP

SENATE

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President Pro Tempore

Michael Alarid
Majority Floor Leader

Tom Rutherford
Majority Whip

Joseph E. Gant
Caucus Chairman

Joseph H. Mercer
Minority Floor Leader

W. S. (Smitty) Eoff
Minority Whip

Budd H. Hebert
Caucus Chairman

Juanita Pino, Chief Clerk
(Vacant), Sergeant at Arms

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Speaker of the House

Ron Gentry
Majority Floor Leader

Ben Lujan
Majority Whip

Judith Pratt
Caucus Chairman

Hoyt Pattison
Minority Floor Leader

Stuart C. Hill
Minority Whip

Robert B. Corn
Caucus Chairman

Stephen R. Arias, Chief Clerk
Willie Grijalva, Sergeant at Arms

PARTY COMPOSITION OF NEW MEXICO 36th LEGISLATURE, FIRST SESSION

Democratic State Senators	23
Republican State Senators	19
Democratic State Representatives	46
Republican State Representatives	24



BOB MARTINEZ
Minority Caucus Chairman
Colorado House of Representatives

6995 Niagara Street
Commerce City, Colorado 80022
Home phone: 287-8111



State Capitol
Denver, Colorado 80203
Phone: 866-5525



(303) 866-3521

State of Colorado
LEGISLATIVE COUNCIL
of the General Assembly

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APPENDIX F

Public Administration
and
A Defense of Bureaucracy

By

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In Partial Fulfillment of
Political Science 320, Politics,
Policy and Administration

It is the intent of this paper to provide explanations of public administration and bureaucracy basic enough to be understood by college Freshmen; the explanation will be accompanied by a defense of bureaucracy from the standpoint of necessity and efficiency. The paper will also be written in a manner that will facilitate its use as a lecture guide for a mini course on public administration.

This paper will attempt to accomplish the above mentioned goals by "muddling through" a description of public administration, by pointing out the inescapable need for bureaucracies and by showing that many times public bureaucracies can be just as efficient as organizations within private enterprise. Also included in the defense of bureaucracy, will be the use of our court system to point out the legitimacy of bureaucratic structures in fulfilling individual and societal needs.

In preparing a "lecture guide" to give Freshmen some basic understanding of Public Administration, one would be off to a great start by providing a simple definition of the study of public administration. However, because no such simple definition exists, the author-lecturer would begin an accurate explanation of Public Administration by pointing out that according to Dwight Waldo, "no one has produced a simple definition of the study of Public Administration - at least one upon which most practitioners and scholars are inclined to agree."¹

Given the dynamics of public administration one could begin to explain it by describing the activities of public administrators.

Public administrators are engaged in the technical, although not necessarily mundane, aspects of preparing a budget for a city government or classifying jobs in a post office or evaluating the performance of drug treatment centers in a central city. At the same time, they are also vitally concerned with the major goals of society and the development of resources for achieving those ends within the context of a rapidly changing political environment.²

The quote above obviously points out that public administration is deeply involved with the dilemmas confronting society.

A definition which "may" be used for the purpose of this paper is the one provided by George Gordon, in Public Administration in America (1978),

Public Administration may be defined as all processes, Organizations, and individuals (the latter acting in official positions and roles) associated with carrying out laws and other rules adopted or issued by legislatures, executives and courts. This definition should be understood to include considerable administrative involvement in formulation as well as implementation of legislative and executive orders....²

Thus, in "defining" or "explaining" Public Administration the author would have to limit his or her explanation to pointing out that it generally involves: (1) activities of the executive branch of government; (2) the formulation and implementation of public policies; (3) the involvement in a considerable range of problems concerning human behavior and cooperative human effort; (4) a field that can be differentiated in several ways from private administration.³ At this junction it is incumbent upon the author to dispell the misconception about Public Administration

that it is a cold, regimented, boring science not concerned with human beings. Public Administration involves human beings ultimately accomplishing human (political) goals.

Public Administration thus is a process involving organization and management concerned with problems of how to apply or effect law faithfully, economically and efficiently in the public's interest.

John Gaus is one of America's authorities on public administration who subscribes to the belief that Public Administration is a vehicle for human beings to use to take care of human needs. Gaus believed that public administration's ecology has a tremendous influence on the development of the "discipline" and its affects on the general public. Gaus saw public administration as an instrument which could be used to help individuals deal with changes involved in American life. He looked to Public Administration 'to find some new source of content, of opportunity for the individual to assert some influence on the situation in which he finds himself.'⁴

The ecology of Public Administration is intermingled with various aspects of society which give administrative systems influence on the changing world. In the ecology of Public Administration one finds people, places, physical technology, social technology, wishes and ideas, catastrophe, and personality. Gaus believed that:

Through an ecological approach to Public Administration... new and renewed institutional patterns could be devised for individuals living in an age of change. Ecology in Public Administration became for Gaus a vital instrument for comprehending, directing, and modulating the forceful shocks of change in contemporary life.⁵

Within the eco-system exists an element of Public Administration which is absolutely essential to modern society, very much misunderstood by modern society, and as a result, very much disliked by modern society; the "element" in question is the bureaucracy. Inefficiency, red tape, and self-interest, are a few of the negative emotional labels attached to the bureaucracy by the ignorant, they ignore or fail to see the positive aspects of the bureaucracy, like effectiveness, necessity, and public service. In the sections following, the author will show that bureaucracies are vital to the functioning of modern society, serve the public interest, and in many cases, are efficient.

A "bureaucracy in serious administrative literature denotes the general formal structural elements of a type of human organization, particularly the collective personnel and structures of a governmental organization."⁶ A discussion or explanation of bureaucracy would be incomplete without mentioning Max Weber, the social scientist given credit for having developed the most comprehensive classic formulation of the characteristics of bureaucracy.

Weber believed that civilization evolved from the primitive and mystical to the rational and complex. According to Weber, "human nature progressed slowly from primitive religious and mythologies to increasing theoretical and technical sophistication."⁷

Keeping his view of human evolution and progress in mind, Weber points out three types of authority which play a role in the development of mankind and ultimately a role in the "modern" bureaucracy. The first type of "ideal" authority mentioned by Weber was the 'traditional authority' i.e., that authority made legitimate or sacred by tradition. Next Weber mentions 'charismatic authority' i.e., that authority brought about by the individual's personal qualities; and the last "ideal-type" of authority mentioned by Weber is the most pertinent to a bureaucracy - legal - rational authority. This third type of authority is based on 'a belief in the legitimacy of the pattern of normative rules and the rights of those elevated to authority under such rules to issue commands.'⁸

This "legal-rational" authority plays a tremendous role in controlling and directing modern societies and institutions within them; thus "legal-rational" authority is essential to maintaining and moving a bureaucracy. Needless to say, there were other factors which also contributed to progress and the development of a bureaucracy, such as money, improved education, and modernizing science and rationality.

The major elements of a formal structure of a bureaucracy according Weber are:

- I. The principle of fixed and official jurisdictional areas, which are generally ordered by rules, that is, by laws or administrative regulations.⁹

Here one sees the principal of division of labor where duties are limited by qualifications.

II. The principles of office hierarchy and of levels of graded authority mean a firmly ordered system of super - and subordination in which there is a supervision of the lower offices by the higher one.¹⁰

In this aspect of the bureaucracy, a hierarchy is monocratically established; one has a linear chain of command and a channel for appeals.

III. The management of the modern office is based upon written documents (the files) which are preserved in their original or draught form.... The body of officials actively engaged in a 'public' office, along with the respective apparatus of material implements and the files make up a 'bureau.'¹¹

The bureau's modern organization and its civil service orientation makes the bureaucracy a distinct part of public administration.

IV. Office management at least all specialized office management - and such management is distinctly modern - usually presupposes thorough and expert training.¹²

Here again is another form of "high level" specialization.

V. When the office is fully developed, official activity demands the full working capacity of the official, irrespective of the fact that his obligatory time in the bureau may be firmly delineated.

VI. The management of the office follows general rules, which are more or less stable, more or less exhausting, and which can be learned.¹⁴

Here one has the impersonal rules "managing" the bureaucracy and consequently, public policy.

Max Weber obviously provided a classical structure and, to an extent, a classical definition of bureaucracy. David Nachmias and David H. Rosenbloom also provide a six part bureaucratic structure, but their six part structure "updates"

the structural features that constitute bureaucratic organizations. The first structural feature mentioned by the two authors is Hierarchy. According to Nachmias and Rosenbloom (heretofore referred to as N&R), Hierarchy is the hallmark of bureaucracy.

Hierarchy consists of a ranking of roles and a system of status. Those who are higher up in the organization are termed "superordinates;" those who are lower down are subordinates. Hierarchy carried to its logical extreme is pyramidal in shape, with one position at the head. Information flows up the hierarchy; direction and control flow downward.¹⁵

Following hierarchy in importance is the feature of specialization. Specialization is also known as differentiation. Nachmias and Rosenbloom state that:

Bureaucratic organizations have a well developed division of labor. Tasks and jurisdictions are parcelled out among various offices. This enables office holders to concentrate on limited spheres of activity. Consequently, bureaucratic organization tends to produce high levels of expertise in narrow areas. Often, but not always, the duties of officials and bureaus are spelled out in detailed written form.¹⁶

Third on the hierarchy of bureaucratic structural features lies formalization.

Communication in bureaucracy tends to lie in writing. Because the Organizations are designed to continue even though individuals come and go, communication takes the form of memos written from one position or office to another...The principal object of formalization is clarity.¹⁷

Merit and seniority are mentioned next as important principles of bureaucratic organization.

Merit is the ability to perform tasks well and is supposed to be measured or estimated in some evenhanded fashion. Typically, merit is the primary criterion for entrance into a bureaucratic organization, with the "best" - qualified being selected first.¹⁸

The use of the merit and seniority systems move the bureaucracy towards efficiency because they move the organization away from nepotism.

The fifth distinguishing feature of a bureaucracy is size.

In order to be fully bureaucratized, most organizations must be large. According to Anthony Downs, "an organization has reached the right size to become truly bureaucratic when the highest-ranking members know less than half of the other members." Bigness reinforces the need for hierarchy and formalization and is likely to be associated with a high degree of specialization as well.¹⁹

The last distinguishing structural feature which typifies a bureaucracy is that it puts out a "non-marketable" commodity.

They generally do not produce a product that can be freely bought and sold. Although price tags may be attached to bureaucratic services, they are not established by market mechanisms.²⁰

It is often said that bureaucracies tend to be judged in terms of quantity of output rather than the quality of their commodity. (AMONG ECONOMISTS)

It is also common knowledge that bureaucracies, that are by nature public, are forced to produce products or services that the private sector will not produce because at its (private sector) most efficient point of production of a "bureaucracy product," it (private sector) cannot handle the burden without evident self-destruction.

Thus, it is this author's contention that when a bureaucracy is providing a product which is absolutely essential for the survival of its public, such as a dam protecting and irrigating a city, it is generally producing it at the most efficient point possible. The section following will provide

evidence supporting the author's contention.

It was stated that bureaucracies are an essential element of modern American life. There is no better place to see the value and role of bureaucracies to a modern society than in the federal government. Bureaucracies have become so essential, and as a result so powerful, that they are known as the "fourth branch of government." Anyone who denies that the Food and Drug Administration (F.D.A) or The Federal Aviation Agency (F.A.A.) or the Department of Defense are not essential to the safety and security of Americans is not living in the twentieth century.

Because it is so obvious that the fourth branch of government is essential to modern American life, this paper will provide a cursory explanation of its development, and then provide examples of bureaucratic efficiency. The large powerful American federal bureaucracy developed and expanded largely as a result of the countries' political needs; and for the sake of this paper, it is assumed that political needs are largely a reflection of public needs.

Literally, from the birth of our present constitutional government, its exectuives^{ut} saw a need to establish and control major agencies or departments which eventually, and often quickly, become bureaucracies. George Washington in 1789, thought that "administrative precedents would be among the most important that he could set for the new regime."²¹ In his first year as president he established the departments of State, Treasury, and War. Following the three original departments came the

position of Postmaster General, and by 1800, the Department of the Navy.²²

In the early 1800's, the development of the federal bureaucracy moved in the direction of the spoils system. President Andrew Jackson, the Federal Government, and its bureaucracy, were run by "the public" i.e., political appointees. The spoils system ran the bureaucracies until 1883, when legislation to recruit people into the Civil Service on the basis of "merit," was passed.

By 1883, the departments of Interior (1849), Justice (1870), and the department of Agriculture had been established. By 1900, bureaucratic growth had become a fact of life. In 1913, the departments of Commerce and labor were established. The next major period of bureaucratic growth occurred during the New Deal. The Great Depression made the government create and/or enlarge agencies large enough to adequately deal with the problems of the times. The Office of the President was one of the many agencies created at that time. The next impetus to bureaucratic growth came in the post - World War II period. After World War II, the Departments of Defense (1949), Health Education, and Welfare (1953), Housing and Urban Development (1965), Transportation (1967), and Energy (1977) were created by the Federal government.²³

Within the above mentioned departments exist many agencies that provide products or services to the public and are obviously run by a bureaucracy. One such agency that has regional importance to the nation is the Tennessee Valley Authority (TVA). It obviously provides electricity and flood control protection for

a specific portion of the public.

Products provided by the government, such as dams, are known as "public goods," although not all public goods are provided by the government. It is a widely held misconception that all public goods provided by the government are done so inefficiently and at a waste of taxpayer's money. Anyone who has any knowledge as to the reason or reasons why the government provides the public goods that it does, knows that government inefficiency is one of the last outcomes of such a good.

The government's (bureaucracy's) efficiency in providing public goods can best be explained by beginning with a definition of a public good. A public good has peculiar characteristics that make it unlikely that private markets will provide the good in the efficient quantity. When private enterprise cannot provide a public good efficiently and in an efficient quantity, economists say that market failure has occurred.²⁴ It is because the price system cannot function efficiently, that the government steps in and provides the necessary services and goods; simply because the government provides the goods, it does not mean that it automatically provides them inefficiently.

In order to appreciate how government intervention may improve the workings of the price system and the socio-economic conditions of its people, one must understand a public good. A public good is a good which has the following characteristics: (1) Nonrival consumption (2) nonexclusion.²⁵ A good is "non-rival in consumption when, with a given level of production,

consumption by one person need not diminish the quantity consumed by anyone else."²⁶

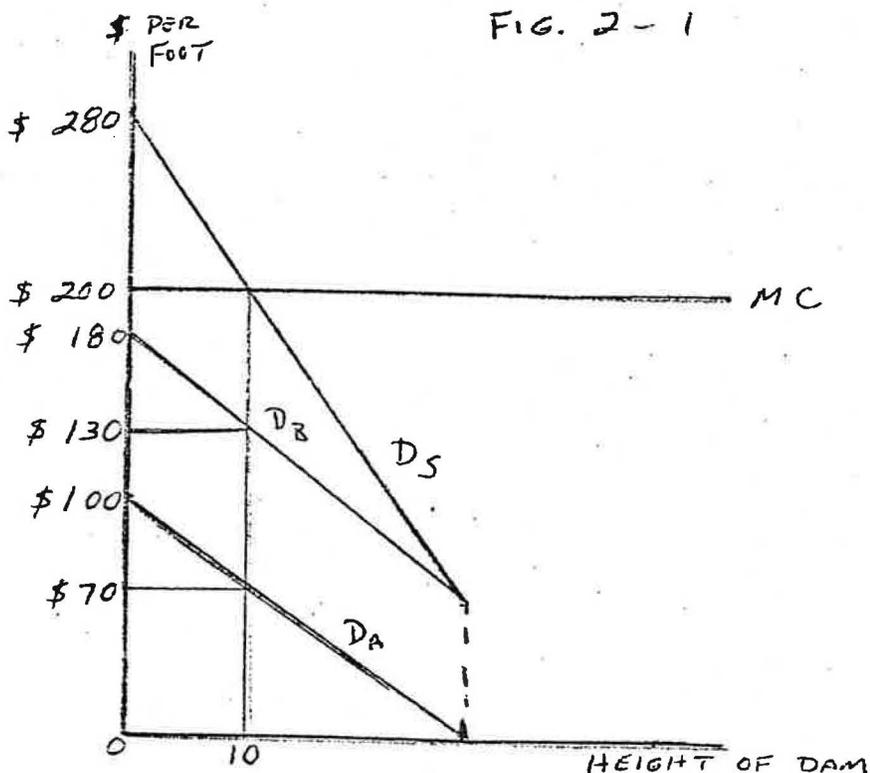
A dam provides a good example to clarify the concept of a nonrival good. A dam that reduces the likelihood of the flooding and destruction of a valley, provides protection for person "A" and does not reduce the protection provided for others, by the amount of protection received by "A". Thus, the dam provides a large amount of protection for many people regardless of "A's" existence and no one "competes" for the product.

The nonexclusion characteristic means that "it is impossible, or prohibitively costly, to confine the benefits of the good to selected persons. A person will then benefit from production of the good regardless of whether or not he/she pays for it."²⁷ National defense is a good example of a public good that has a nonexclusion characteristic. Simply because one person or group of people do not pay their taxes, does not mean that the government is going to allow them to be attacked; similarly, because a group of people do not help pay for the construction of a dam, it does not mean that the government is going to flood them out.

When the government provides a public good, it approaches the decision like most businesses approach most other economic situations. Determining the efficient output of a public good involves a "comparison between the marginal benefits and marginal costs associated with different levels of output."²⁸ It is common knowledge among economists that the marginal cost of a

public good simply reflects the costs of resources used to produce the good, just as the case of a privately produced good. However, the marginal benefit of a public good is different from that of a private good because of its non-rival nature. The marginal benefit of a public good almost always equals the sum of benefits from one additional unit. The resulting sum indicates the combined willingness of the public to pay for that additional public good unit.

Using the dam as an example of a public good, let's assume that we use height to determine "units." According to Edgar and Jacqueline Browning:



EFFICIENT OUTPUT OF A PUBLIC GOOD

"For simplicity assume that only two people, A and B, benefit from the dam, although the analysis can be generalized for any number of people. The demand curves of the two consumers are shown as D_A and D_B . Recall that the demand price on consumer's

demand curve at any rate of output (i.e., the height to the demand curve) measures the marginal benefit for that consumer. In moving from the marginal benefit of each consumer to the marginal benefit for society, we must add the demand prices of all consumers. Geometrically, this involves a vertical summation of the consumers' demand curves. For example, in Figure 2-1 we add the marginal benefit to A for the first unit (\$100) to the marginal benefit of B for the first unit (\$180) and arrive at the social marginal benefit of \$280 for the first unit. Proceeding in this way we can derive the social demand or marginal benefit curve, D_S , from the sum of D_A and D_B .²⁹

It is now easy to see that at any output where D_S lies above the marginal cost curve, MC (drawn here as horizontal at \$200 for simplicity—people are willing to pay more for additional units of output than their marginal cost; thus efficiency requires an expansion of output. In Figure 2-1 at any level of output below 10, A and B together are willing to pay more for another unit of output than the marginal cost of \$200 (because D_S lies above MC). Thus, an increase in output can be financed by A and B in a way that will benefit both (with each paying somewhat less than the maximum amount he is willing to pay). At any output greater than 10, on the other hand, too much of the public good is being produced; because the cost of the additional output is less than the combined benefit to A and B, a reduction in output can benefit both A and B. Therefore, the most efficient rate of output is 10, where A's marginal benefit of \$70 plus B's marginal benefit of \$130 just equals the marginal cost.

In general, the efficient output of a public good is that level of output where D_S , obtained by vertically summing the demand curves of all consumers, equals the marginal cost of production. Note that our discussion has been in terms of finding the efficient level of output, a 10-foot dam."³⁰

Attempting to explain the efficient delivery of a public good by a bureaucracy is a difficult task under any circumstances; however, this paper has, thus far, pointed out that it is possible for the government to determine and provide an efficient level of output of a public good. But providing the public good "efficiently

is a misleading statement. The author must admit that in dealing with public goods, the term efficiency has a much broader meaning and that there are many factors which can get in the way of efficient production and delivery of a public good.

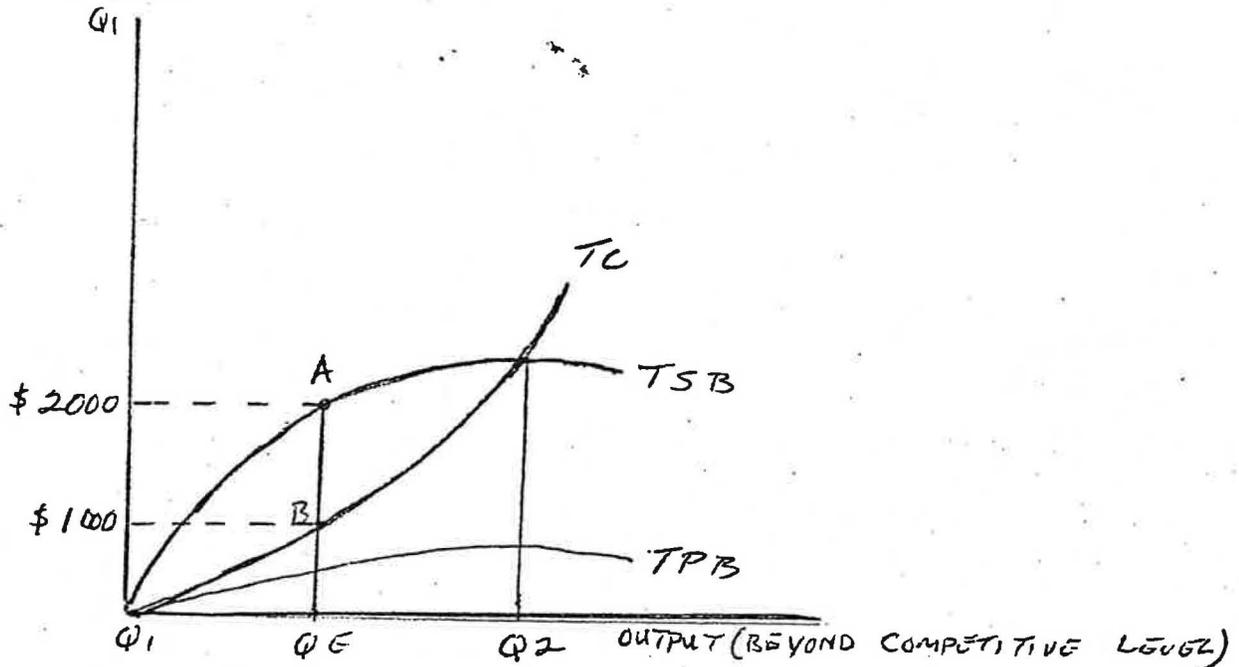
In dealing with market failure, external effects in a large group settings with various forms of "voluntary" behavior will not allow the "efficient allocation of resources." It could allow efficient production and provision, given the "accepted allocation" of resources. Thus, in order to maximize the efficient production of a public good, the bureaucracy must use the public policy which will allow the bureaucrats to provide the public good as efficiently as possible and with the most efficient allocation of resources as possible.

When a bureaucrat provides a public good and wants to "adjust" the output to maximize total social benefit, he/she can do so by using the following procedure discussed by Browning and Browning:

(See graph on next page)

TOTAL
BENEFITS
COSTS OF
OUTPUT
BEYOND

FIG. 2-4 OUTPUT EXPANSION IN THE
PRESENCE OF EXTERNAL BENEFITS.



The horizontal axis measures output in excess of the competitive output, Q_1 . On the vertical axis we are measuring the total benefits and costs associated with expansion in output beyond Q_1 . The TC and TPB curves show the total private costs and benefits, respectively, of additional output; they are derived from the private demand and supply curves in Figure 2-2. (The curves in Figure 2-2 show the marginal costs and benefits; these are simply the slopes of the respective total curves.) The total social benefit curve TSB, is the sum of the benefit to consumers (TPB) plus the external benefits associated with greater levels of outputs.³¹

If there were no external benefits, the TC and TPB curves would reflect all the benefits and costs of output levels beyond the competitive level. In that event, an expansion of output would be inefficient because the costs exceed the benefits. When external benefits are involved, the relevant total benefit curve, TSB, lies above the total cost curve over a region of output. This means that the competitive output is too low, because an expansion of output will confer benefits greater than costs. The most efficient output occurs where there is the largest excess of total benefits over total

costs, that is, where there is the largest net gain. This occurs at Q_E , where the slopes of TSB and TC (marginal social benefit and marginal cost) are equal, because there is then the greatest distance between the curves. At Q_E , the total benefit of the additional output, AQ_E , exceeds the total cost, BQ_E , by \$1000—the net gain. As we saw, an appropriate excise subsidy could be used to induce this expansion of output to Q_E .³²

Thus, one can see that there are methods that bureaucracies can use to provide public goods and services as efficiently as private enterprise if private enterprise decided to produce them.

It has been the contention of the author throughout this paper, that bureaucracies are necessary and here to stay as long as our society remains as complex as it is today. The author cannot provide a better example of a bureaucracy which helps maintain the American way of life, than our system of justice i.e., our courts. Nor can this author think of a better example of a legitimate bureaucracy than the bureaucracy that legitimizes our constitution, our system of government, our laws, and our way of life, that bureaucracy is our Federal Court system.

Our society is so large and so complex that it has forced the Bureaucratization of justice. Although the administrative component of the judiciary has grown significantly in size and power, the larger administrative changes and growth have come about in process rather than structure.³³ The processes which have increased the role of the bureaucratic activity range from plea bargaining to a judge acting as a administrator over his/her court order(s).

The process of plea bargaining allows public prosecutors to make decisions which by-pass the jury and determine the kind and degree of punishment an individual receives. Once the agreements have been made between the prosecutor and the defending attorney, the bureaucratic structure processes the person through, and the penal institution receives him or her. The judges quite often rubber stamp the attorney's decisions.

Federal judges often hand down decisions which are unpublished and unexplained. When a judge makes decisions independent of juries and through a process which gives him absolute administrative power, he is obviously behaving like an administrative official. Judges also behave as administrators when they direct and supervise the administrative operation of a school integration order; at this point the judge behaves as a public-sector executive and the court system's bureaucratic structure is truly behaving in a bureaucratic fashion.

The Federal Court system's organizational structure provides a classic example of Max Weber's bureaucracy. Nachmias and Rosenbloom provide six excellent points which show that there are several similarities between bureaucracy in general and the organization of the Federal Court system.

The first characteristic is that the system has organization basic subunits which are the courts. Each court has a unique geographical and or functional jurisdiction i.e., specialization. The next Weber characteristic is that judges, other court officials and the lawyers must have certain technical qualifications in order to participate in the system. The third point made by Nachmias and Rosenbloom is that the court officials are appointed partially on merit and they are permanent appointments. The fourth classical characteristic is

that the remuneration of the most important officials cannot be diminished. The fifth characteristic which is a very important one, is that "all official acts are set down as written transcripts, orders, rules, and opinions." The last Weber type attribute is that "the whole system is permeated by rigid rules relating to such matters as jurisdiction procedure, admissibility of evidence, remedies, and appellate review."³⁵

Although a good part of our court system's organization fits right into the Weber ideal type of bureaucracy, it is not limited in process or structure to Weber's classical model. The Federal judicial bureaucracy goes beyond the Weber type in function and allows for the explanation of the discretion given to judges; the system also allows actors within it to deal effectively with informal relationships.

The bureaucracy within the Federal Judiciary is only one of the many necessary bureaucracies of American society today. These necessary bureaucracies are obviously found within our system of Public Administration; and although there is no specific definition of Public Administration, one can see, based on the discussion above, that Public Administration has definite structure and that structure is designed to meet human needs.

Bureaucracies also have a definite structure, which is also designed to ultimately, fulfill individual and societal needs. Bureaucracies tend to have a more rigid, easier to define structure than "public administration." Max Weber obviously provides us with the "classical," "Ideal" characteristics and form of a good bureaucracy; and Browning provides us economic justification for the argument that bureaucracies can be efficient.

Although efficiency "per se," is not the ultimate goal of our judicial system, its bureaucratic structure and function have served the public well in administering justice as effectively and efficiently as possible. Today's society simply cannot function without Public Administration and its bureaucracies.