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美國文官制度的演變: 功績制興起之研究 國家與社會 2012年6月 第十二期 頁199-257 Journal of State and Society No.12, Jun. 2012.

美國文官制度的演變:功績制興起之研究*

On the Development of American Civil Service Institutions:

- a Study of the Rise of Merit System
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^{*} 本交獲得「國立中央大學新進教師學術研究補助」(編號:985607-38),並在 2010年TASPAA年會暨研討會中發表,對於評論人魯俊孟教授,以及曾給予指正 的彭文賢、黃鉦堤、孫煒、張福建及楊戊龍等教授的精闢指正,以及本文審查委 員的細心斧正與提供寶貴意見,特此致謝。

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摘要

美國行政學者沃爾多指出『我們的政治是希臘的,但行政是羅馬的』,發展歷程是先「希臘」後「羅馬」,先創建立憲民主體制,後發展行政官僚體系,從影響事件來看,1787年制憲會議建立美國民主政治,1883年的潘德頓文官改革法,讓聯邦文官體制從分贓制轉向功績制的分水嶺。美國邁向功績制之路絕不簡單,其涉及憲政體制的爭議,以及政黨政治發展的歷程,本文將採取歷史考察方式,探討美國文官體制從分贓制到功績制的歷程,及其所涉及的憲法與政黨政治問題,以此掌握美國從分贓制走向功績制的意義。

關鍵詞:文官改革、仕紳制、分贓制、功績制、潘德頓文官改革法

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Abstract

Dwight Waldo, an American public administration scholar, said"our politics are Greek, but our administration is Roman,"he meant the constitutional democracy were built up at first and administrative bureaucracy was made up afterward. Americans created democratic politics in the Constitutional Convention of 1787, and they enacted the Pendleton Civil Service Reform Act in 1883, this act is the watershed of employment of federal civil servants from spoils system to merit system. The civil service reform is not only an administrative problem, it is also related to the development of constitutional regime and party politics, it is not an easy mission. This article will discuss the development of employment of American federal civil servants from spoils system to merit system, including the backgrounds of American constitutionalism and party politics, by the historical investigation approach, we will catch the significances of the transition from spoils system to merit system.

Keywords: civil service reform, gentlemen system, spoils system, merit system, Pendleton Civil Service Reform Act