

CIVIL SERVICE REFORM TO PROGRESSIVE ERA ACTIVISM

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Abstract

The latter half of the nineteenth century was characterized by large systems of government corruption. While politicians advocated for the good of their people, the decisions they made simply perpetuated their struggles. Patronage within American cities' political machines polluted the integrity of local, state, and federal government, perpetuating crime and poverty in urban neighborhoods. It was not until Congress hesitantly passed the Pendleton Act of 1883 that minor bits of government corruption began to chip away. Inspired by the efforts of civil service reformers, this act decreased the power of American political parties. To take their place, American citizens developed their own reform leagues, ringing in the start of the Progressive Era.

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In the nineteenth century, politics formed the core of American society. As advances in technology and the growth of industrialization ushered in an era of rapid urbanization, the need for a larger and more structured local and federal government grew, as well. The development of postal systems, public school districts, and police and fire departments demanded more resources and stronger bureaucratic forces. American governments were growing, and with them, came room for a dramatic rise in corruption and fraud.² Men were now able to make an easy fortune through a lifetime in the government, and thus, the career politician was born. Some welcomed this change in American culture. Suddenly, the government began to play a far more direct role in people's lives, providing necessary services and fighting for the community. However, this expansion also brought the growth of corruption and fear of increasing governmental power. Soon, citizen-led reform groups quickly began to sprout up across the nation, working to put an end to the ever-growing abuse of power. While politicians dragged their feet, it was up to the Amer-

1 Nicholas Kuipers & Alexander Sahn, *The Representational Consequences of Municipal Civil Service Reform*, 117 AMERICAN POLITICAL SCIENCE REVIEW 200, 200-201 (2022).

ican people to encourage reform. Due to an outspoken response from the public, demands for civil service reform acted as the major steppingstone to the political activism and social programming of the 20th Century Progressive Era.

While government corruption had existed well before the beginning of the United States, political corruption quickly began to flourish in new, industrial cities. Run by complex political machines, positions within the government provided tremendous opportunity and were heavily sought after. The all-powerful ward boss headed the local Democrat or Republican parties in their specific districts across cities. Structured like a pyramid, the ward boss appointed a handful of loyal district captains who could, in turn, search out more dedicated workers to serve the party in power.³ This developed into the patronage system, in which political officials could delegate government jobs and projects to whomever they chose. Ranging from high-level advisors to the average postal clerk, ward bosses were responsible for thousands of political appointments in their cities.⁴ Politicians favored those who supported them, and the appointments most frequently went to those who were able to guarantee votes in favor of the ward boss and his allies. Because of this system, appointees had to prove devotion to their position, but also to the party that

2 WILLIAM L. RIORDAN, *PLUNKITT OF TAMMANY HALL* 6 (1st ed. 1993).

3 Kuipers & Sahn, *supra* note 1, at 200.

provided that position. Appointees were expected to campaign for their party, as well as contribute a set percentage of their annual wages in the form of mandatory political assessments. In 1883, these assessments made up almost 75% of all campaign donations in the Northeast, providing the financial backing for the urban political machines.⁵ If appointees failed to contribute to their party, they would lose favor, stymying their political ambitions and leading to the loss of their job.

As a result of this system, there were mass turnover rates in governmental positions. From 1885 to 1889 and 1893 to 1897, the administration of President Grover Cleveland replaced over 40,000 government positions in the postal system alone.⁶ Very rarely were workers able to maintain their position after an election upturned their political higher-ups, as new officials most certainly had their own supporters to reward and appoint. This rapid turnover brought on by political patronage meant many government employees were often untrained, unqualified, and uninterested in the work itself. Many took the appointments solely for the paycheck, knowing their position was temporary. Government incompetence was considerable, and in the postal system, reports of late, lost, or stolen packages were

4 Sean M. Theriault, *Patronage, the Pendleton Act, and the Power of the People*, 65 THE JOURNAL OF POLITICS 50, 51-52 (2003).

5 Ronald N. Johnson & Gary D. Libecap, *Patronage to Merit and Control of the Federal Government Labor Force*, 31 EXPLORATIONS IN ECONOMIC HISTORY 91, 101 (1994).

common.⁷ As bureaucracy grew in American cities, people became increasingly faced with the consequences of such a corrupt and self-serving government.

Though they may not have been skilled at their bureaucratic positions, participants in big-city political machines were still incredibly capable of imposing their power. These groups were determined to garner as many votes as possible and did so quite successfully by building strong relationships with their community. George Washington Plunkitt, a ward boss with New York City's infamous Tammany Hall, described his average day, in which he would attend the weddings of his constituents, secure jobs for the unemployed, and post bail for those neighbors who found themselves in jail.⁸ The ward boss was more than just a government figure, but a pivotal staple of his community. He was both a close friend of his neighbors and a local celebrity. He was trusted and revered, loved and honored. Rather than securing votes on merit or policy, a successful ward boss was able to foster an unwavering voter base on personality alone.⁹ In developing these relationships with one person, the ward boss could guarantee their vote, while also making them an outspoken supporter of his campaign. Word of a ward boss's kind deeds spread quickly through cities, providing the perfect source of campaign publicity.

However, it was easy to take advantage of patron-

6 *Id.* at 16.

7 RIORDAN, *supra* note 2, at 97-102.

8 *Id.* at 4.

age within political machines. Over time, any true ambition to help the community was usually replaced with greed and avarice. Ward bosses realized that the long list of his constituent's struggles came with an even longer list of tragedies he could remedy, meaning it was possible to guarantee a situation in which his support was absolutely essential for the well-being of his community. For instance, in 19th Century cities, the rapidly expanding and poorly built tenement housing was prone to fires that could take down the entire building, destroying homes and often ending lives. Rather than pushing through housing reform to prevent these disasters, ward bosses would simply be there to provide the necessary and immediate aid, such as food, clothes, and temporary housing for the victims.¹⁰ They welcomed misfortune, as it gave them a position from which they could comfort their neighbors and confirm their vote. Their service undoubtedly helped countless people, but their complacency continued to perpetuate and permit the crises enveloping American cities.

Corruption and malfeasance did not end there. In certain urban slums, district leaders would buy off the police, encouraging them to stop enforcing laws regarding prostitution, gambling, and other illegal activities. Politicians could secure votes from criminals by promising not to enforce crime. These bribes were enormous and costly. As Lincoln Steffens, a popular American journalist from

9 *Id.* at 98.

the Progressive Era, wrote, "... in one year the police graft¹¹ was 'something over \$3,000,000.'"¹² This payoff guaranteed that poor neighborhoods would be disadvantaged further by the cycle of crime and immoral activity. Citizens expected the growth of government to benefit them and to keep them safe, but the police and the government, the very institutions meant to protect them, failed to act. As the government spread, so too did graft, corruption, and crime.

Graft did not end with the police, however, and many big city politicians would openly admit to their questionable actions. George Plunkitt of Tammany Hall in New York spoke publicly about the difference between honest graft, defined as a sort of common-sense attempt to get ahead such as bribery or insider trading, and dishonest graft, which would have essentially only included extreme examples of embezzlement.¹³ A significant source of this so-called "honest graft" came from the railroads, corporations large enough and expansive enough to have a firm hold on politicians across the country. At the time, politicians were truly in the pocket of the big business leaders, accepting bribes in the form of company shares in exchange for certain votes.¹⁴ This caused politicians to move against

10 Graft here refers to corruption and bribery from the community to government-appointed positions, allowing for the development of personal wealth in an immoral and corrupt fashion.

11 RIORDAN, *supra* note 2, at 129.

12 *Id.* at 49-51.

13 H.G. CALLAWAY, LINCOLN STEFFENS'S THE SHAME OF THE CITIES, AND THE PHILOSOPHY OF CORRUPTION AND REFORM 13 (2019).

unionization, preventing revision and reform. One of the major scandals of the Gilded Age was the *Credit Mobilier Scandal* of the Grant Administration. While constructing the transatlantic railway, the Union Pacific Railroad created a trust company called Credit Mobilier, which they then used to funnel government funds into their own pockets. In 1872, it was publicly revealed that several of Grant's cabinet members and other high-ranking officials were receiving funds from the Credit Mobilier trust, guaranteeing their allyship with the rail companies.¹⁵

Despite the clear and pervasive corruption, the political machines of the Gilded Age still did serve an incredibly necessary function in cities. At a time of mass poverty in overcrowded cities, ward bosses and their employees created a sort of welfare system for the people in their communities. A ward boss would provide funds and aid when the people most needed it; he would post bail, provide character testimonies in court, help cover high rents, and aid his citizens with finding a job with which to support their families. He was there to celebrate when each baby was born and there to mourn at each funeral.¹⁶ The service of Gilded Age ward bosses was such a core part of the community that in the instances corruption was found and proven, it was easily ignored, forgotten, or forgiven.¹⁷ Corruption was so central to society that most people simply

14 *Id.* at 34-37.

15 RIORDAN, *supra* note 2, at 118-119.

16 *Id.* at 124.

turned a blind eye for decades. In fact, the ward boss would have been seen as a sort of Robin Hood figure; he stole money from the wealthy and the city's elite to give it to the poor. Of course, the Robin Hood of the Gilded Age political machine lined his own pockets heavily along the way, but this was seen as just another necessary part of the American political process.¹⁸

The general acceptance of corruption came to a screeching halt in 1881, however, with the death of President James Garfield. On July 2, 1881, a man named Charles Guiteau shot the president, resulting in Garfield's death a few months later on September 19. Guiteau had been a supporter of Garfield and felt he was owed a federal position in return.¹⁹ Guiteau likely suffered from a mental or physical condition that drove him insane, but proponents of civil service reform jumped and argued that murder and anarchy were the necessary and direct consequences of a patronage system.²⁰ To them, government corruption was the true man behind the trigger.

A few months after President Garfield's assassination, hundreds of local groups of reformers organized to create the National Civil Service Reform League.²¹ This marked a notable change for the plenty of local reform groups centered in cities. At the time, there were over 80

17 *Id.* at 121.

18 Theriault, *supra* note 4, at 56.

19 *Id.* at 53.

20 *Id.* at 56.

reform leagues in New York City alone, but the assassination inspired the unification of these organizations.²² A huge organization that expanded across the entire country, the NCSRL was incredibly active. Finally, they were able to make significant demands for American politicians throughout America. Reformers put out informational pamphlets and newsletters *en masse*, educating the public on the dangers of a corrupt government in both federal and local positions. They were outspoken and determined. As the many local reform leagues came together, they were able to inspire a broader movement that recognized and resented corrupt politicians. After the shooting, 65% of American Congressmen received at least one large-scale petition in favor of civil service reform.²³ The people were clear; corrupt politics needed to go.

In the immediate aftermath of the assassination, however, politicians were not as ready to move against corruption. In the summer of 1881, Congress passed a bill that granted merely \$15,000 to the Civil Service Reform Commission to draft a proposal on reform. This was not the first time that civil service reform was proposed, nor would it be the last. In 1864, years before the shooting, Senator Charles Sumner proposed a bill that would require federal employees to pass an examination before accepting a governmental position. At this time radical, reforming Republicans had almost complete control of Congress because the Civil

21 Kuipers & Sahn, *supra* note 1, at 213.

22 *Id.* at 62.

War removed Southern Democratic conservatives from the American federal government, yet this bill was still almost immediately shot down.²⁴ This period saw a rapid growth in government power and intervention, as Congress passed countless bills such as the Morrill Land Grant Act, which provided land for universities out west, and the Homestead Act, which provided cheap land to those who were willing to settle on it. Both acts were supported by reformers across the country, yet Sumner's reform bill was ignored and tabled without a vote.

Eventually, in 1883, the Pendleton Act made its way to Congress. This bill aimed to prevent corruption in government by mandating that appointees must pass a standardized merit examination before accepting a position in the federal government. It split government jobs into two categories: classified and unclassified. Unclassified positions were filled by appointment only, while classified positions required the exam.²⁵ The Pendleton Act also made mandatory political assessments illegal. By attacking corruption, this bill intended to put a stop to personal backscratching in Congress. Though it passed, more than 40% of Senators chose to vote absentee, refusing to cast their ballot either way, knowing that voting to turn the bill down would infuriate the reformers in their constituency while voting yes would limit their ability to wield government

23 Theriault, *supra* note 4, at 54.

24 Kuipers & Sahn, *supra* note 1, at 206.

power.²⁶ Unlike other reform movements that came from Radical Republicans, this bill directly attacked the power of politicians. It was only due to the demands of the people and the NCSRL that the Pendleton Act was able to scrape through Congress.

While the Pendleton Act was a step in the right direction, it certainly did not do enough to curb corruption in government. Only 10% of federal positions were considered classified, meaning most government positions were still open to political patronage.²⁷ Even then, politicians worked to prevent the effectiveness of the exams; they would drag their feet when giving, grading, and accepting the exams. Thanks to the purposeful obstinance of politicians, the process of accepting a government job was dramatically slowed to the point where it could take months on end for an appointee to officially begin their position.²⁸ Other politicians realized that the classification of more fields would prevent later leaders from appointing their supporters to those positions. Over time, more federal jobs were included under the classification label of the Pendleton Act, preventing the effectiveness of future political appointments. If merit exams were required, it would be far more difficult to pass down a federal job in the patronage

25 Ronald, *supra* note 5, at 18.

26 Edward H. Miller, *They Vote Only for the Spoils: Massachusetts Reformers, Suffrage Restriction, and the 1884 Civil Service Law*, 8 THE JOURNAL OF THE GILDED AGE AND PROGRESSIVE ERA 341, 341 (2009).

27 Kuipers & Sahn, *supra* note 1, at 206.

system, meaning the original political appointments were more likely to keep their position.²⁹

When political parties were no longer able to control votes through patronage, they lost a significant amount of their power. After the Pendleton Act, citizens could credit their passage of the merit exams on their success, meaning they no longer had a sense of undying loyalty and gratitude to their local political machine. The party was no longer the provider of much-needed, life-changing jobs. Politicians lost their celebrity. Over time, as the adoration for the ward bosses died down, people began to recognize and call out the impacts of the policies that their politicians supported. No longer could complacency, greed, and corruption be swept under the rug.³⁰ Parties lost much of their local power, and the policies of American leaders began to take center stage.

Citizens began to demand new and more formal policy reform. The day-to-day activities of ward bosses and career politicians had created new expectations for American citizens; people became used to a government that played a vital role in their lives. They relied on the resources their local parties could provide. As parties lost their all-encompassing power with civil service reform, people still expected that aid; they expected a government that would protect them in every way, shape, and form. They

28 *Id.* at 206-207.

29 Theriault, *supra* note 4, at 51.

knew society needed transformation and counted on the government to help make that change.

This mentality is what swept in the Progressive Era at the turn of the 20th century. After decades of being ruled by corrupt political parties, demand for social and economic reforms began to rule. Local reform leagues for a plethora of causes grew and swept the country like wildfire, picking up anyone who would support their platform. Politics and reform at this time began to focus on actual, concrete changes for the people; it centered on helping the poor, sick, and unfortunate in any way they might need. The Progressive Era brought incredibly impactful organizations, such as the National Association for the Advancement of Colored People (NAACP), the Women's Christian Temperance Union, and the American Federation of Labor, among many, many more.³¹ The public demanded concrete and clear changes, and they expected them to come from the government.

The Sherman Antitrust Act of 1890 is one of the most transformative and well-known pieces of legislation in American history. This act was designed to limit the power of American big business. As large, international companies developed, they swarmed and took over their competition. American robber barons controlled the market and because of this, were able to keep politicians in their pockets to better serve the interests of the company. In

30 COCKS, CATHERINE, ET AL. HISTORICAL DICTIONARY OF THE PROGRESSIVE ERA 11 (2009).

the eyes of the citizens, this was a betrayal that cut deep, so Congress passed the Sherman Act. While this eventually became an incredibly impactful bill, it was written with the intention of making only minimal change, while allowing Congressmen to still profit off interactions with big business.³² The act was written vaguely, leaving room for significant interpretation and debate. The Sherman Act made many references to common law concerning big businesses, which were still quite new to the 19th century. For instance, the Sherman Act referred to “consumer welfare,” which would have been referring to profit maximization or general satisfaction. This definition was, conveniently, left out of the written legal proceedings, meaning the Sherman Act could have been interpreted as strictly or as loosely as the courts desired.³³ Quite simply, there was not a large enough history of legal cases in relation to large-scale corporate monopolies to sufficiently take quick action against the giants of the American economy, especially regarding the development of all-powerful trusts.³⁴ Since this area of law was not fully fleshed out yet, Congressmen expected this ambiguity to prevent or stall any actual effort to break up trusts. They intended the passage of the Sherman Act to simply placate the cries for reform, while still allowing

31 Peter R. Dickson & Philippa K. Wells, *The Dubious Origins of the Sherman Antitrust Act: The Mouse That Roared*, 20 JOURNAL OF PUBLIC POLICY & MARKETING 3, 3-6 (2001).

32 Robert H. Bork, *Legislative Intent and the Policy of the Sherman Act*, 9 THE JOURNAL OF LAW AND ECONOMICS 7, 13 (1966).

33 *Id.* at 26-29.

themselves to profit through corruption.³⁵ Congress was not attempting to make any true and concrete change as much as they were hoping to calm the demands of their constituents. Politicians valued the enormous amount of power granted to them during the Gilded Age and were not ready to give it up. It was due only to the insistence of the reformers that large-scale reform legislation was able to pass.

The nineteenth century was soiled with rampant government corruption. Duplicitous politicians were quick to jump at the chance to become personally wealthy off of their political dealings, sacrificing the well-being of their citizens if necessary. Any spirit of service was quashed by the systematization of fraud and deceit. Eventually, when the people began to demand reform, politicians still shrank from the call, passing the insufficient Pendleton Act and the rudimentary Sherman Antitrust Act. While they welcomed reform elsewhere, civil service reform was the true thorn in their side and the true hurdle of successful Progressive Era reform. Going into the 20th Century, it was only when the people were willing and able to form their own expansive reform groups that the fraud in the government would begin to give way. In their attack on corruption, people were forced to distance themselves from the ever-powerful political parties and provide their own aid. Reform movements grew as a response to corrupt politicians, forcing Americans to address a wider array of conflicts and bringing the country into the socially active Progressive Era.