

Tenor of Our Times

Volume 9

Article 9

Spring 4-10-2020

The Pendleton Act: Time for a Change

Isabel Waller

Harding University, iwaller@harding.edu

Follow this and additional works at: <https://scholarworks.harding.edu/tenor>



Part of the [Political History Commons](#)

Recommended Citation

Waller, Isabel (Spring 2020) "The Pendleton Act: Time for a Change," *Tenor of Our Times*: Vol. 9, Article 9. Available at: <https://scholarworks.harding.edu/tenor/vol9/iss1/9>

This Article is brought to you for free and open access by the College of Arts & Humanities at Scholar Works at Harding. It has been accepted for inclusion in Tenor of Our Times by an authorized editor of Scholar Works at Harding. For more information, please contact scholarworks@harding.edu.



HARDING
UNIVERSITY



Author Bio:

Isabel Waller is a senior Public Administration major from Des Moines, Iowa. She is a member of Pi Sigma Alpha Political Science Honor Society and Alpha Chi Honor Society. She is the current treasurer for HUMANITY, and she is serving as the Supplemental Instruction leader for American National Government. Upon graduation, she plans to work in Des Moines for a few years and then pursue a master's degree.



George H. Pendleton was an American lawyer and politician who wrote and helped pass the Pendleton Civil Service Reform Act of 1883. His photograph here was taken between 1865 to 1880.

THE PENDLETON ACT: TIME FOR A CHANGE

By Isabel Waller

Today, employment with the United States government is much like employment in the private sector. However, this has not always been the case. Until 1883, the United States government utilized the spoils, or patronage, system to select government workers. The spoils system allowed elected officials to appoint whomever they wanted to bureaucratic jobs, which were often people that helped them win the election. This changed with the passage of the Pendleton Act of 1883, which reformed the civil service system.

The Pendleton Act transitioned the system of assigning non-elected government jobs from a spoils system to a merit system. Congress described the Pendleton Act as “an act to regulate and improve the civil service of the United States.”¹ As stated in the Act itself, its central component involved “open, competitive examinations for testing the fitness of applicants for the public service.”² The Act required that most civil service positions would be filled based on the candidates’ performance on these examinations.³ Though the Act did not completely overhaul the civil service system all at once, it represented a key shift in the direction the civil service system would take.⁴ Various factors aligned in the 1880s that caused Congress to pass the Pendleton Act, including some that built the momentum and others that directly precipitated the Act’s passage. Ultimately, these supporting historical factors made it

¹ Pendleton Act of 1883, Public Law 47-27, *US Statutes at Large* 22 (1883): 403-407.

² Ibid.

³ Pendleton Act of 1883, Public Law 47-27, *US Statutes at Large* 22 (1883): 403-407.

⁴ “Public Opinion and Professional Politicians,” *Galveston Daily News*, January 25, 1883, <http://tinyurl.galegroup.com/tinyurl/97mgR9>.

Tenor of Our Times

possible for the events surrounding President James A. Garfield's assassination to decisively usher in civil service reform.

Although the spoils system is generally viewed negatively in retrospect, Americans considered it the proper system for many years. For much of the 19th century, the spoils system was the norm in the minds of many Americans, who saw it as a beneficial system.⁵ As such, it was not obvious to all Americans that the system should be changed.⁶ However, for many decades before the Pendleton Act's passage, various prominent people voiced their dislike of the spoils system, one of whom was President Abraham Lincoln. These vocalizations go back even before the Civil War. The 1850s saw some small-scale merit reform attempts, but the trauma of the Civil War interrupted and overshadowed them.⁷ Reformers began to team up to take action in the 1870s, and they started multiple reform organizations in cities all over the United States during this time.⁸ By the early 1880s, much of the public saw that something needed to be done about the way jobs were assigned in the government.⁹ This change in public opinion was essential to the Pendleton Act's passage. In fact, Representative Jonathan Chace believed the public's push for reform was necessary for Congress to act.¹⁰

⁵ Paul P. Van Riper, *History of the United States Civil Service* (Evanston, IL: Row, Peterson and Company, 1958), 60-61.

⁶ "Public Opinion."

⁷ Van Riper, *History*, 63.

⁸ Justus D. Doenecke, *The Presidencies of James A. Garfield & Chester A. Arthur* (Lawrence: University Press of Kansas, 1981), 39.

⁹ "Civil Service Reform," *Georgia Weekly Telegraph and Georgia Journal & Messenger*, November 25, 1881, Gale Primary Sources.

¹⁰ William E. Foster, *The Civil-Service Reform Movement* (Boston: Press of Rockwell and Churchill, 1881), 53, <https://www.loc.gov/resource/dcmsiabooks.civilservicerefo00fost/?sp=56&r=-0.384,0.309,1.883,1.149,0>.

The Civil War itself caused many social changes in the decades following because of the problems it brought up, one of which was a question about the effectiveness of the spoils system.¹¹ The bureaucracy was not very large before the Civil War, so patronage worked well. However, afterwards it grew greatly in size, causing many downfalls to present themselves. With this increase in size, politicians had a more difficult time choosing people for all the positions they needed to fill. It also became more difficult to keep their appointees accountable because of how numerous they were.¹² Further, after the Civil War significant corruption existed in appointed positions, and various scandals associated with the spoils system occurred.¹³ With the continuation of industrialization after the Civil War, the government needed to be more efficient, which served as a driving force in the desire to switch from patronage to a merit system.¹⁴ This need for efficient government workers was important for both businesses and for individuals who expected the government to provide good services.¹⁵ Overall, there seemed to be a sense of chaos in American society and government after the Civil War, which reformers thought could be fixed with a merit system by making the government more purposeful and professional.¹⁶

Although not the most significant factor, politics did play a role in the passage of the Pendleton Act. It is a prevalent theory that politicians passed the Act because of their selfish motivations to stay in power, rather than because they thought it was best for the country.

¹¹ Van Riper, *History*, 62-63.

¹² Gary D. Libecap, "The Federal Bureaucracy: From Patronage to Civil Service," in *Government and the American Economy* (Chicago: The University of Chicago Press, 2007), 371.

¹³ Carl Joachim Friedrich, "The Rise and Decline of the Spoils Tradition," *American Academy of Political and Social Science* 189 (January 1937): 14, <https://www.jstor.org/stable/1019439>.

¹⁴ Doenecke, *Garfield and Arthur*, 39.

¹⁵ Friedrich, "The Spoils Tradition," 15.

¹⁶ Doenecke, *Garfield and Arthur*, 40.

Perhaps for politicians, the drawbacks to patronage, such as all the work involved in choosing and installing people in countless positions, were no longer worth the political benefits.¹⁷ Also, because the public began to view patronage negatively, politicians had to act if they wanted to keep their constituents' support.¹⁸

The conflict between Democrats and Republicans at the time reflects another possible political factor. The Republican party had been using patronage for political gain by filling bureaucratic positions with loyal followers, further solidifying their advantage over the Democratic party. Also, the Democratic party had not had much success on the whole in recent decades, so they used a civil service reform platform after the 1880 elections, trying something new to win the votes of Independents.¹⁹ Then the Republicans, having lost their upper hand, quickly tried to lessen patronage so that the Democrats could not use political appointments as effectively when the newly elected took office.²⁰ Once they started losing, they turned on the system that had helped them stay powerful for so long.²¹ Overall, both political parties used merit reform as a way to gain votes and only vaguely expressed how they wanted to accomplish reform, but this strategy still contributed to the advancement of merit reform.²²

¹⁷ S. M. Theriault, "Patronage, the Pendleton Act, and the Power of the People," *Journal of Politics* 65, no. 1 (February 2003): 50-52, <http://doi.org/10.1111/1468-2508.t01-1-00003>.

¹⁸ Libecap, *Government and American Economy*, 371-2.

¹⁹ Ari Arthur Hoogenboom, *Outlawing the Spoils: A History of the Civil Service Reform Movement, 1865-1883* (1961; repr., Westport, CT: Greenwood Press, 1982), 198-99.

²⁰ Theriault, "Patronage, the Pendleton Act," 52-53.

²¹ Van Riper, *History*, 94.

²² Doenecke, *Garfield and Arthur*, 25-26.

Rutherford Hayes, who served as president from 1877 to 1881, believed in the need for civil service reform.²³ Although he did not always make decisions that helped progress reform, he generally supported it.²⁴ He wrote often of his thoughts on and goals for it in his personal diary during his presidency. In 1877, he wrote that he wanted to make civil service positions more permanent and less subject to political whims, along with separating civil service workers from politics. Hayes believed that new laws were necessary to create change in the civil service system and hoped Congress would listen to him.²⁵ Ultimately, Congress did not take any legislative action regarding reform during his time as president. Hayes, however, used his executive power to take some action. He made some small changes through executive orders regarding examinations and how involved civil service workers could be in politics.²⁶ Even though the spoils system was still in use by the time Hayes left office, he helped keep reform on the political radar in the years leading up to the Pendleton Act, and during his presidency, public desire for reform grew.²⁷

The 1880 presidential election set up a unique set of circumstances that played a role in the passage of the Pendleton Act. During this time, the Republican party contained two main ideological groups: the Stalwarts and the Half-Breeds.²⁸ The Stalwarts were the more radical side of the party, and the Half-Breeds were less radical and more supportive of civil service reform. Overall, neither wholeheartedly supported civil service reform, but at the Republic convention in 1880

²³ T. Harry Williams, ed., *Hayes: The Diary of a President, 1875-1881* (New York: David McKay, 1964), 106.

²⁴ Hoogenboom, *Outlawing the Spoils*, 179.

²⁵ Williams, *Hayes: The Diary*, 101-103, 106, 135.

²⁶ U.S. Office of Personnel Management, *Biography of an Ideal: A History of the Federal Civil Service* (2003), 37.

²⁷ Van Viper, *History*, 88-89.; *Biography of an Ideal*, 37.

²⁸ Doenecke, *Garfield and Arthur*, 8-12.

the party decided to include limited civil service reform as part of their platform.²⁹

For the Republican presidential nominee, the Stalwarts preferred former President Ulysses S. Grant. He had the most supporters, one of whom was Chester Arthur. Party members suggested a variety of candidates at the Republican convention, but no one had enough votes to win the party's nomination. The Half-Breeds, who were vehemently against Grant, decided to put forth James Garfield as an option. This solved the problem, and Garfield quickly won the nomination. The Stalwarts were upset with this result, and since the party needed to work together to make sure its candidate won in the election, the Half-Breeds wanted to choose a vice-presidential nominee that the Stalwarts would like. They selected Arthur as a viable option for this compromise.³⁰

The Republican ticket for president and vice-president was comprised of a Half-Breed, belonging to the faction that favored reform more and someone who was a tried and true spoilsman.³¹ Some supporters of reform saw Garfield as a decent choice for president, but others thought he was not devoted enough to reform. In his past political career, Garfield had shown light support for reform. When he accepted the nomination, he wrote that he saw a merit system as a good choice, but he did not wholeheartedly advocate for it.³²

Garfield won the election of 1880, and though he was not overly supportive of reform, his presidency had a significant effect on the passage of the Pendleton Act. Charles Guiteau assassinated Garfield in 1881, and the circumstances surrounding the assassination demonstrated why reform was necessary. Guiteau was a Stalwart who had tried to

²⁹ Doenecke, *Garfield and Arthur*, 12-14.; Hoogenboom, *Outlawing the Spoils*, 182.

³⁰ George Frederick Howe, *Chester A. Arthur: A Quarter-Century of Machine Politics* (1935; repr., New York: Frederick Ungar, 1957), 106-110.

³¹ Van Riper, *History*, 89.

³² Doenecke, *Garfield and Arthur*, 22-25, 40.

involve himself in Republican politics, but he was not important in the party. He had supported Garfield's run for the presidency and later asked Garfield to appoint him as a diplomat in Europe, but the president did not seriously consider this request.³³ Magazines and other media outlets saw Garfield's assassination as the work of the spoils system, and this became the common belief among the public.³⁴ According to the historian Justus D. Doenecke,

At the time, people saw in Guiteau's deed the revenge of a disappointed office seeker... To many, the spoils system itself was responsible for Guiteau's act, a judgement that Guiteau had fostered when he called Garfield's death a "political necessity."³⁵

Among Guiteau's final words on the day of his execution in 1882 were that he had killed Garfield for the sake of his party. Patronage and its ideals were not wholly at fault for Garfield's death, though. Other factors influenced Guiteau's act, namely that he was likely mentally ill, as has been suggested by various historians. At his trial, Guiteau acted somewhat chaotically and gave the impression of not being in his right mind.³⁶ What matters more, though, than why Guiteau actually did what he did, is the fact that people at the time saw the spoils system as the reason their president had been assassinated which gave a needed push for reform. The assassination sparked fervor in the public to support civil service legislation.³⁷ William E. Foster, a civil service reformer of the time, wrote that "public opinion had been accumulating in volume and in definiteness for the past few years, but the impetus given by this shock was remarkable."³⁸ This single event more effectively convinced the

³³ Doenecke, *Garfield and Arthur*, 95.

³⁴ *Biography of an Ideal*, 40-41, 43.

³⁵ Doenecke, *Garfield and Arthur*, 95.

³⁶ Doenecke, *Garfield and Arthur*, 95-96.

³⁷ *Biography of an Ideal*, 43, 47.

³⁸ Foster, *Civil-Service Reform Movement*, 54.

public of the necessity of reform than the years of effort put in by the reformers.³⁹

Arthur unexpectedly became a key influencer in getting the Pendleton Act passed in Congress.⁴⁰ He had previously been a spoilsman, and the public associated him with a situation that occurred during Hayes's presidency, that painted both Arthur and the spoils system in a bad light. Arthur had been in an appointed position as the collector of the custom-house in New York, and his superiors removed him from this appointment due to corruption within the custom-house and the misuse of the spoils system.⁴¹ However, after Garfield was assassinated and Arthur took over as president, he had a change of heart and began to believe in the pitfalls of patronage.⁴² One key reason for Arthur's change is the letter that Guiteau wrote to him shortly after assassinating Garfield, in which Guiteau said that he "presume[s] that...[Arthur] appreciates it" because "it raises...[him] from a political cypher to the president of the United States." The letter continued with saying that "it was an act of God, resulting from a political necessity for which he was responsible."⁴³ This letter was so personal, and the fact that Guiteau implied that Garfield needed to die because of not giving a patronage appointment while also saying that Arthur benefited from the president's death likely tainted Arthur's view of the spoils system.

As the new president, Arthur could have chosen many of his supporters to fill positions that were currently occupied, but he opted to leave many people in their place instead of appointing people loyal to

³⁹ *Biography of an Ideal*, 43, 47.

⁴⁰ *Ibid.*, 45.

⁴¹ George F. Howe, "The New York Custom-House Controversy, 1877-1879," *Mississippi Valley Historical Review* 18, no. 3 (December 1931): 350, 352, 362, <http://doi.org/10.2307/1891404>.

⁴² Doenecke, *Garfield and Arthur*, 96.

⁴³ Quoted in William A. DeGregorio, *The Complete Book of U.S. Presidents*, 7th ed. (Fort Lee, New Jersey: Barricade Books, 2009), 303.

him. He professed a belief in merit policies and said he wanted action to be taken to institute a merit system.⁴⁴ He asked Congress to pass reform legislation, and he stated that if they would not pass anything, he would use his own power to help institute reform.⁴⁵ After the midterm elections in 1882, Arthur continued to voice his support for the Pendleton Act and changed his mind on civil service exams, which he had not supported previously.⁴⁶ Finally, in 1883, he signed the Pendleton Civil Service Reform Act into law. This version of Arthur stood in stark contrast to the Arthur that was a wholehearted spoilsman just years earlier.⁴⁷

George Pendleton introduced the Pendleton Act to the Senate, making him a key figure in the bill's passage. When President Hayes had talked to Congress about his hopes for reform, Pendleton decided to act upon this by introducing his bill for the first time. Earlier in his life and career, Pendleton had not concerned himself with merit reform, and he was not necessarily passionate about it. He did, however, believe it was a good idea to reform the spoils system, and he wanted this effort to be successful.⁴⁸ Many congressmen in the early 1880s had their own ideas for how to institute reform, so someone else would likely have introduced a similar bill around that time if Pendleton had not done so.⁴⁹ In fact, congressmen had introduced multiple bills in the decade before that attempted various kinds of civil service reform. Pendleton's bill likely came at just the right time to gain traction.⁵⁰ Although Pendleton was not the main impetus of civil service reform happening, his introduction of the bill helped Congress take a concrete step in reforming the civil service system.⁵¹

⁴⁴ Doenecke, *Garfield and Arthur*, 76, 96.

⁴⁵ *Biography of an Ideal*, 45.

⁴⁶ Doenecke, *Garfield and Arthur*, 100.

⁴⁷ *Biography of an Ideal*, 1.

⁴⁸ Hoogenboom, *Outlawing the Spoils*, 199-200.

⁴⁹ Doenecke, *Garfield and Arthur*, 97.

⁵⁰ Foster, *Civil-Service Reform Movement*, 31.

⁵¹ Doenecke, *Garfield and Arthur*, 97.

Tenor of Our Times

The Pendleton Act of 1883 was an American civil service act that passed due to the convergence of a variety of historical factors, some of which laid the groundwork for the bill's passage and others which more directly prompted it. The evolution in public opinion about the spoils system, the changes in the United States caused by the Civil War, changing benefits of patronage for elected officials, Hayes's presidency, and the conflict between Republicans and Democrats set the stage for a civil service reform law to be passed. With this foundation, the political compromise during the election of 1880, Garfield's assassination by Guiteau, and Arthur's resulting character change spurred the passage of George Pendleton's merit reform bill. It took decades and the efforts of many, but civil service reform finally came.