

**DEBATE ON CIVIL SERVICE
REFORM BEFORE THE SEVENTH
CONGRESS OF THE PROTESTANT
EPISCOPAL CHURCH**

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Debate on Civil Service Reform Before the Seventh Congress of the Protestant Episcopal Church
by Various

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VARIOUS

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ON
CIVIL SERVICE REFORM

BEFORE THE

SEVENTH CONGRESS

OF THE

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CIVIL SERVICE REFORM.

TUESDAY P.M., 7½ O'CLOCK.

The Congress reassembled at the above hour, and was opened with prayer by the President, Bishop Thomas M. Clark.
The house was filled with a large audience. His Excellency Governor Littlefield, of Rhode Island, occupied a seat upon the platform.
The topic assigned for discussion was "Civil Service Reform."
The President introduced the first writer upon the subject, the Hon. Charles Gibbons, of Philadelphia, who read the following paper :

PAPER.

CHARLES GIBBONS.

When Clovis led his army into Gaul, and the spoils of his conquest were set out at Soissons, for distribution among his followers, he begged their permission to reserve from the plunder a precious vase, taken with other consecrated vessels from the Cathedral at Rheims. A stalwart soldier strode from the ranks, and striking the vase with his battle-axe, exclaimed, "You shall have nothing here but what falls to your share by lot!" The great leader controlled his barbarian followers, not by force of his personal influence, nor because they had any share in his ambition to found an empire, but because they had confidence in his ability to lead them to victory, and enrich them by its fruits. This was the only bond by which he held them ; the principle that roused their courage and inflamed their sanguinary instincts, until the plunder was secured, and then the axe that fell upon the vase warned him that it was of more value to the insolent soldier than the life of the chief through whom it had been won.

The parallels of history are often very wide apart, but they run through all the ages, and if this incident of the fifth century never found one before, we can now trace its dark, disfiguring lines across the face of our Christian civilization, stained with the blood of a leader who was powerless to protect himself, but strong and faithful to uphold from desecration the sacred trusts committed by a people to his charge.

This principle of predatory warfare, with some modifications,

found its way centuries ago into the political systems of civilized governments, wherever opposing parties were struggling for power. It has always proved effective in binding men to the fortunes of the prince or the ministry who had favors to bestow, or who could control appointments to public offices of trust, honor, or profit, and has always been accepted and employed as an incidental means of strengthening the influence of the party in power.

But when, in a republican government, supposed to be administered upon principles of exact justice, and for the common welfare of the people, its very objects are lost sight of by powerful organizations of men, bound together and inspired by the mere lust of power, recruiting their forces by offering its public offices as spoils to be won for distribution by a successful political campaign, we may reasonably anticipate the most serious dangers to all its institutions. How this passion for power and office, which seems to be growing stronger and blinder every year, can be arrested, and the affairs of the Government can be placed beyond its reach, and be conducted according to the rules and principles which are applied to every honest business, is the question involved in Civil Service Reform.

The Civil Service of the United States is that service which is due to the people of the United States by persons appointed to or employed in any of the offices created by the Constitution, or by laws enacted by its authority, or in any business connected with any such offices, excluding only the Departments of the Army and Navy. The business carried on by the Government through this service, to meet the actual needs of the people, embraces almost everything within the realms of art, science, literature, and productive industry. Architecture, civil engineering, surveying, printing, engraving, dredging rivers and harbors, lighting and patrolling the coast, saving life and property from shipwreck, coining money and transporting it from place to place, collecting and disbursing the revenues, carrying and distributing the mails and delivering letters, are some of its daily operations. As many as 200,000 persons employed in this service draw money from the public treasury under appropriations made by law, in payment of salaries and wages. They are scattered over the country from New Brunswick to the Gulf, from the Atlantic to the Pacific, from the northern border of Mexico to the glaciers of Alaska. They are found on our lakes and rivers and railway trains, and in every city, county town, and post village in the United States.

The framers of the Constitution appreciated the danger of depositing in any one department of the Government the absolute power of appointing and controlling the constantly increasing army of officeholders that would be required for its efficient administration. To give it to the President alone would be to invest him with the prerogatives of a monarch. To give it to the Senate would be to open the way for an oligarchy, which, by the mere influence of patronage, might finally corrupt and control all the other departments of the Government, and the Legislatures of the States as well. A degree of wisdom seldom attained in human affairs, led the convention to adopt a system which an experience of forty years proved sufficient,

in all the exigencies of peace, anarchy, and a foreign war, for the needs of a republican government, when rightly administered, founded and dependent upon the virtue and intelligence of the people.

Let us look for a moment at some of its features. The President is the only officer of the Government who represents the people of the United States, and he does it continuously during his term of office. United States Senators are the representatives of States in Congress, or when the Senate is in session. When the Senate is not in session, or when not acting by its authority, they are private citizens, representing nobody but themselves. Members of the popular branch of Congress, represent severally the people of certain districts within their respective States. Like Senators, they have no authority in the affairs of Government, except when in actual session as an organized branch of the National Legislature.

From the time the President takes the oath of office until his term of service expires, he is supposed to be the embodiment of the people, and his meat is to do their will, as it is expressed in the Constitution and laws of his country. The whole executive power of the Government is vested in him. He must take care that the laws be faithfully executed. He nominates all officers of the United States whose appointments are not otherwise provided for by the Constitution, and with the concurrence of the Senate appoints them. Nobody else can appoint, and nobody can originate an appointment but the President. This check upon his power to appoint, is a protection to the people against the temptations of natural affection, personal friendship, and personal ambition, in the nomination of public officers. Whenever he makes a nomination he impliedly declares to the Senate, "I have executed this part of my sacred trust on my own judgment and responsibility, without fear, favor, or affection, or the hope or expectation of personal recompense or advantage." The Senate have a right to assume that much to be true, and if by accident or through ignorance they happen to confirm a bad man, the censure falls upon the President and not upon them. If, on the other hand, they refuse to confirm the nomination of a good man, the responsibility rests upon the Senate and not on the President.

In addition to the power of appointment, the President, in the exercise of his executive duties, may remove any public officer at any time, whose term of service is not fixed by the Constitution. This point was decided by the First Congress, and is now considered as finally settled. It was fully and ably discussed. It was urged that the unlimited power of removal was a royal prerogative, and would make all public officers his tools or vassals. In the hands of an ambitious man it would be dangerous to liberty, and mere caprice or malice, or any personal motive, might lead him to dismiss the most worthy men. Mr. Madison favored the power. It was essentially executive in its nature. He thought no President would ever be chosen who would venture to remove good men from office. The public odium that would inevitably attach to such conduct, would be an effectual security against it. Such was the view accepted by a majority of that distinguished body of men.

But reversely, if with the power of dismissal in his hands, coupled with his duty to see that the laws are faithfully executed, the President should refuse to remove a bad man from office to the detriment of the public, the people have their remedy not only against the unfaithful officer, but against the unfaithful President as well, by impeachment. The more we study the Constitution of our country, the more we are forced to admire the wisdom of the men who made it, in blending so much power with so much liberty, as to produce a system in which the former can be lawfully exercised only to preserve the latter, while the latter may protect itself, fully and peacefully, against the grasping instincts of the former.

The first executive duty which President Washington was called to perform, was to nominate the public officers for the new Government. It is interesting to refer to his first inaugural speech, and observe how gratefully our first President acknowledged a providential agency in the affairs of the American people, and how reverently he approached the execution of the great trusts of his high office.

"It would be peculiarly improper in me," he said, "to omit in this first official act, my fervent supplications to the Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes; and may enable every instrument employed in its administration to execute with success the functions allotted to his charge."

It was an embarrassing and delicate duty to overlook the claims of friendship and affection, in making up the entire roll of public agents. Washington settled the question promptly. The nomination of officers was a trust of the most sacred nature. It was to be executed, like every other trust, for the benefit of those for whom it was created, and not to promote private interests. However grateful he may have felt for the kind offices of those who had nominated him for the Presidency, he was not at liberty to make use of a public trust to reward a personal favor. Men who voted for him were presumed to have acted on lofty and patriotic motives, and not for the little, selfish purpose of getting into office themselves, or the mean and unmanly desire to be paid for such services. The instincts of a gentleman would lead him to this conclusion, and the nature of the office itself confirmed it, and fixed the line of his duty to the people.

All the States had offices similar to those created by the Constitution, and in every instance where the incumbent under the former order of things had proved himself to be upright and capable, he was reappointed. The moral character of the candidate, his citizenship, his ability to discharge the duties he would be required to perform, and his fidelity to the new Government, were the only points to which inquiry was directed. Where there was an equality in these respects, preference was given to men who had suffered in the public service during the war. Governor McKean, of Pennsylvania, who was a Democrat, complained that Washington went so

far as to appoint Tories to office ; admitting, however, that they were upright and otherwise qualified. Certainly no class of men was so odious at that time as the Tories of the Revolution. But the Constitution had been adopted, and the new Government established, and Washington justly and wisely considered, that their former sympathies with the Crown should not be remembered against them, and they should not be proscribed after they had become good citizens of the United States.

John Adams, who was then Vice-President, and had long been a personal and valued friend of Washington, seems to have been slightly annoyed by his inability to influence appointments. Writing to a person who was seeking office through him, in January, 1797. Mr. Adams said :

" I must caution you, my dear sir, against having any dependence on my influence or that of any other person. No man, I believe, has influence with the President. He seeks information from all quarters, and judges more independently than any man I ever knew."

No doubt President Washington sought information from members of Congress, when he required it, respecting the character and ability of candidates for office ; but no Senator ever attempted to dictate a nomination or to influence his action by personal solicitation. And such information was not sought of them as members of Congress, but as citizens merely who might have knowledge of individuals applying for office, who happened to reside in their respective districts. He was as independent and free from all personal influence in the execution of this trust, as an upright judge could ever be in deciding a question of law affecting the rights of litigants in his court. He never did, and never would, delegate the power of nomination to any man, nor permit any man to share with him the responsibility of it. Such were the methods adopted by Washington in executing the trusts of the Presidential office, so far as they relate to the Civil Service of the country. They were followed by his successors until the close of the administration of John Quincy Adams.

For convenience, we may designate those forty years as the first era of our constitutional history. The Civil Service was established and maintained on the principle, that all the public offices were created for the benefit of the people, that all public officers were the agents of the people, and that all the powers vested in the President respecting them were to be executed in the interests of the people. The number of removals was inconsiderable, and none were made without reasonable cause. Public officers enjoyed and exercised their political rights, without servility to the appointing power, and without interference or dictation from any quarter. The stuffing of ballot-boxes, the falsification of election returns, and bossism in politics, were unknown, although party spirit in the early and latter parts of the era was as truculent and bitter and vindictive as it has been at any time since. Seven new States were admitted into the Union, and passing safely through the trials of national bankruptcy, anarchy, and a foreign war, the Government rested on a rock of safety, and not a taint was left on the administration of any of the illustrious men who had occupied the Presidential chair.