

THE PUBLIC SERVICE AND THE PUBLIC.

AN eminent divine once declared that not even the saintliest of the saints go straight up to heaven, but zigzag continually; yet, on the whole, make heavenward. This style of advance is not a spiritual peculiarity, but may be seen in the great movements in public affairs.

A real reform once started in a nation which is not actually sliding to final decay is almost sure to advance to victory, however great, from time to time, may be the oscillations of its progress. Not seeing, at some early stages, much advance in a brief period, the faint-hearted may become discouraged and its enemies arrogant. But the past is full of assurance that the good cause will win, and perhaps in a rapid way, in its later stages.

If, in Italy, the statesmen who first had faith that the great claims of liberty and nationality would win were denounced as visionary theorists, and had to wait some weary years of alternate hope and despair, it is nevertheless true that the fulfillment of their dreams, since the national mind was aroused, has been wonderfully rapid.

When Burke first advocated economical reform, and when Pitt refused the rich perquisites which a vicious civil service system attached to office, they encountered as much ridicule from partisans and spoilsmen as has ever fallen here upon an advocate of civil service reform or an opponent of the "salary grab;" but the detractors of disinterested statesmanship on both sides of the Atlantic lived to see the higher sentiment triumph. When, in 1797, Lord Grey introduced a reform bill which was almost hooted out of the house, he did not lose faith in political virtue; but he lived to be the head of an administration which, in 1832, carried a far better bill.

Those two statesmen who, in 1853, brought forward that system for civil appointments which, discarding the theory of partisan selfishness and dictation,

opened the public service of England to personal merit, so that the son of a sailor or the heir of a washerwoman would stand on a level at its gates with the favorite of a bishop or the child of a duke, — those statesmen encountered showers of ridicule. They were characterized as *doctrinaires* and impracticable theorists. It is hardly possible to decide which were the most bitter or the most supercilious of their detractors, — the great politicians whose patronage would be taken away, the great aristocrats whose influence was threatened, or the great official dunces whose incompetency was exposed. Yet these reformers have lived to see their system crowned with a great success, — in the English civil service being taken out of low politics and given to high merit, in a people confiding and proud, in a civil administration worthy of a great nation and honored all the world over. And its authors still live: the one, rewarded by a nation's respect, in dignified, private life; the other, in the cabinet, as chancellor of the exchequer. They are now regarded as having shown more practical statesmanship than the whole generation of partisan leaders and aristocratic pretenders who sneered at their early efforts and have been forgotten. We, too, have those who have occasion to lament their want of faith in justice and public virtue, who blush as they read many a late page of history. Between the higher and the lower forces of politics, which are now arrayed against each other over the question of civil service reform, there was never so mighty a contest as that about slavery. The first protests against that stupendous peril were unheeded. Years that tried the hearts of noble reformers and brought some of them to the grave wore wearily away. But when once the great cause was fairly in the public mind, it developed an irresistible power with marvellous rapidity. The noisy demagogue who threatened to call his slave roll at

the foot of Bunker Hill Monument still lives to join with others in sneering at Senator Hill, because he has written some just and hopeful words for that reform in the civil service without which he sees the safety of the country is but half assured. When Lundy came to Boston, in 1823, in search of an abolitionist, not one was to be found.

To-day there are upon her streets men who—while perhaps still asserting the right of a clerk in the public service to neglect his duty that he may declaim in a caucus—have to recall the fact that they were among the blind partisans who cheered Austin's demagogue appeal, but hissed Channing's burning words of truth, when all that was noble in Boston sought to utter its sorrow because of Lovejoy's martyrdom for the cause of liberty and free speech.

Men and women are yet in full vigor who applauded when Frederick Douglas, because of his color, was dragged from the public cars in Massachusetts; who, in the pretty villages of a New England State, were the fierce actors in that drama of persecution which drove to poverty and exile a noble Christian woman, whose only offense was that of devoting her property and her toil to the education of poor colored girls. It would be strange indeed if a generation which has witnessed such triumphs of the higher over the lower elements of our politics should now lack faith in the better sentiment, and allow victory to be deferred in a contest equally involving the national safety.

If General Jackson, in the same years and in the same spirit of injustice, gained praise and present strength by prostituting the civil service, he nevertheless left a record which will forever cast a dark shade over all his virtues. So long as the faith that man could have property in his brother poisoned the whole sphere of public life and trailed our politics in the lowest depths of intolerance and corruption, it was of course impossible that merit could compete with patronage, or that those whose strength was in principle and whose aim was the general welfare should with-

stand the power of partisanship and organized selfishness. The fierce passions developed in the overthrow of slavery, and the low official morality, made worse by war, were but little more favorable to a reform.

Yet it was apparent, soon after the war, that a better spirit, even amid alarming corruption, was rising. When the smoke of the final battle had hardly vanished over the Virginia homes of Jefferson, Madison, Faulkner, and Randolph, from which the nation had been so early and so solemnly warned of the perils of slavery, Mr. Jenckes and his associates called attention to the danger from abuses in the civil service. The early warnings of peril from that source, given by Webster, Clay, Calhoun, and other great statesmen, were recalled. At first the impression produced seemed slight. Mercenary partisans and leading young politicians listened scornfully or sneered indolently, as they had at Garrison and May a few years earlier. Those few members of Congress who sometimes condescend to patronage at first regarded the movement as an April shower of doctrinaire gush and impracticable theory. But the movement steadily gained strength. Demagogues began to consider which side they had better take. By and by party managers, who rarely touch any cause, however good, until they think it will bring grist to their mill, began to prepare very equivocal resolutions about it. If it prospered, one interpretation would make them prophets; if it faltered, another would let it through their net. There was no broad-spread understanding of the subject among the people, and its best friends had hardly mastered it. But there was a pervading and profound conviction that the condition of the civil service was a great evil, a disgrace and peril to the country, which must be reformed. There were also immense numbers interested in abuses, and they, of course, actively opposed reform. Still, the demand for it grew stronger.

In 1870, President Grant, who as an army officer knew that a person of intelligence was fitter to command, or even to serve, than either a dunce or a com-

mon politician, recommended such a reform in a message. His declaration that "the elevation of the civil service would be hailed with approval by the whole people of the United States" at once showed how limited was his acquaintance with the hundreds of thousands of officers, scheming politicians, and the hirelings they control, who deprecate nothing so much as such an elevation. It also conveyed a suggestion, which his future course so lamentably strengthened, that he did not very much consider that not the prospect but the need of such a reform was the reason why it should be undertaken. This need continued, though the "hailing" was not universal. However poor a leader of reform the president was, it was a rapid advance to have the head of the nation adopt it within five years after Mr. Jenckes stirred the question in Congress.

In 1871, Congress passed a law, still in force, under which the president was authorized to provide rules for the civil service. Rules were framed by a commission appointed by the president. Congress voted money to pay the expenses of applying them, and they were enforced in a defective way for more than two years. The effect was so good and the cause was so popular that, in 1872, the republican national convention, the liberal convention, and the democratic convention each passed resolutions declaring the need of a great reform that should abolish patronage and advance merit. The two latter conventions proclaimed the reform to be "one of the most pressing necessities of the hour," and the republicans declared that "to give offices as a reward for party zeal is fatally demoralizing." Republicans and democrats more devoted to principle than anxious for office and patronage seem to think so still. Of course every well-informed person knew those truths; but it was not a slight matter to have all the great parties of the country put themselves on record to that effect. This was the height then reached by the ascending zigzag of progress. And neither antislavery, parliamentary, corn law, nor

any other great national reform ever made swifter advance in so short a time. But the reform had not as yet much compressed the great bag of patronage, or rather the real compression was not appreciated. Yet more and more the new system filled those public places with merit where the dispensers of patronage had before found rewards for their favorites. Great jobbers in politics and low manipulators of rings found smaller profits in their trade, fewer places to give away, and less obedience among their dependents.

Demagogues, who at first only ridiculed the new system, now took the trouble to misrepresent its effects and to slander its supporters. While in one breath denouncing it as imbecile and impracticable, in the next they sounded the bugle charge upon it, and secretly rallied their forces to crush it before it crushed them. It never cost \$20,000 per year,—not half as much as would be expended in intrigues and bribery about the selection of a single collector, not half as much as the neglect and incompetency of any one of many partisan or mercenary officers annually cost the government; yet it was denounced as a piece of useless extravagance.

As far as practicable, the rules were enforced until the annual message of December, 1874, and even in a languishing way some months later.

It is unnecessary to recall those acts and omissions of the president which so greatly increased the intrinsic difficulties of the work to which he had pledged himself and the nation. It is but just to him to say that he made considerable sacrifices in its support, and that he withstood a vast pressure and many seductive appeals on the part of some who were in honor bound to aid him, and on the part of many more who are the common enemies of all good administration. He is not without claims to public gratitude in that behalf; but it is to be lamented that a failure to stand by his duty and his pledge, and thereby achieve a great civil triumph within his grasp, must forever cast a shadow upon the bright record of public services in the

field for which he will be remembered with gratitude. Nor should his good faith in any absolute sense be questioned. Yet his surrender can never be justified, unless, indeed, it be right for the head of a great nation to bring before its people a measure of reform vital to its safety, to allow it to fall into disrepute by giving it but half the strength he could command, and then to abandon it, with the old abuses merely checked, only because it was difficult and those whose abuses it would arrest did not rally to its support.

The evidence of the practical effect of the new system, where it had really been put in force, had been gathered and preserved. Not only by the statements of those most familiar with details, but by the deliberate judgment of the president and his advisers, expressed in a formal report made in April, 1874, and sent with an approving special message to Congress, it was declared that the new system had excluded the unworthy and given superior capacity to the public service, had developed more energy in the discharge of duty, had diminished pressure and solicitation, had made it easier to dismiss the unworthy and retain the worthy, had diminished intrigue and inspired honest ambition. This judgment was unchallenged, and stands to-day as the highest testimony possible on the subject. Yet in the face of such evidence and pledges, the president, in his message of December, 1874, gently informed Congress that if it should adjourn without positive legislation on the civil service reform, "the president would abandon the system," which he, nevertheless, at the same time declared "had tended to the elevation of the service." That touch of sentiment on the part of the stern soldier, but by no means stern president, which we detect when, in the same breath, he says that the fate of his work (for he thought its fate hung on that day) is to him "a source of mortification" awakens something akin to sympathy, and allows no one to believe that he connived at the hint of an exit and a relief, which filled so many members of Congress with joy

and so many with pain. But it must be said that if, instead of these docile words, he had then (or, better still, had much earlier) used the plain language of a stern sense of duty, and a resolute purpose,—such as on the battle-field had been the strength of his friends and the terror of his enemies,—the highest civil policy of his administration would never have been whistled down the wind by partisan schemers. Its opponents would have slunk away before its ascending triumph, and history would have had to record, not his surrender, but an ultimate victory over the spoilsmen not less in glory than those he had won upon fields of blood. There was then no need (nor will there be) of any real conflict between the executive and Congress, but only need for a just and firm insistence by the president upon a proper exercise of the functions of his office. Congress will do its duty to this great subject.

Those in Congress who preferred spoils to duty, and sunk patriotism in partisanship, speedily completed the cunning scheme according to which no debate was to be had and no vote was to be recorded on the subject. None will question the shrewdness which advised that all possible secrecy should shroud the death-scene and burial, in the household of its friends, of a reform to which all parties had pledged themselves before the people, and which was being surrendered for slaughter, in the very document which proclaimed its utility, only because there was too much corruption and cowardice in official life to tolerate its existence. The scheme was carried into effect, and the greatest question ever before that Congress was hustled out without a debate and without the record of the name of a member voting upon it. No public reasons were given, because no good reasons existed. The moral tone of official life was then far below that of the people. The dominant party—grown arrogant from the long possession of power, and deluded into the belief that patronage could control one half the Union and military coercion the other—was blind to the plain ad-

monitions of the time, and readily fell under the influence of its worst spirit and its most unworthy leaders. They and too many others had forgotten the high moral altitude at which their party first breathed the breath of life, the pledges it had made, the faith and good works without which it cannot live. Some of its leaders had grown more arrogant as the party capital of popularity was more nearly expended, and they proposed nothing that would renew it. When unimpeached offenders sat in the cabinet, when "salary-grab" bills could pass Congress, when great officers were drawn into Credit Mobilier frauds, when whisky-ring speculation and custom-house corruption flourished in so many places, when fearful abuses, under the very shadow of the Capitol, hardly halted at the steps of the White House, — at such a time, perhaps, it was too much to expect any other fate for a reform which, in spirit and aim, was hostile to all the degeneracy of the times. Here was the lowest point of the downward plane of the zigzag of progress.

Too many of the thoughtful friends of good government in both parties, and all the mere politicians in the land, believed that the chances of reforming the civil service were consigned to the tomb of the Capulets for a generation at least. So taught the partisan leaders. But some more courageous spirits did not think so. Such was not the will of the people. If they had crude ideas of the true methods of reform, and uttered many rash opinions about it, they yet had a great purpose to have it brought about. They resolved to let it be understood that they intended that those whose duty it might be should make themselves qualified, and put in practice fit measures for removing the grave abuses which all the parties had declared to exist.

Such, indeed, was not the reasoning of the majority, but of a great body of the best and most influential citizens in both parties; and such a body of voters no great party ever dares to ignore. They are always an influence far beyond their numbers, and when stand-

ing for a reform which touches the conscience and safety of a nation they are a power vastly exceeding the common estimate of mere politicians. Often, to their cost, party leaders underestimate this element, and attempt to manage politics as if those who attend conventions and control caucuses were the only persons to be considered. They made that mistake in reference to the slavery question, until the higher element broke the folds of the old parties and formed a party of its own. The response to the Fifth Avenue conference showed how nearly those demanding administrative reform came to creating a party and dictating a candidate. Statesmanship must consider all the forces that make up a nation, the disinterested and the independent not less than the selfish and the servile.

How far those who thrust out the civil service question mistook public opinion is very plain to a reflecting mind. When preparations for the last election opened, not merely true statesmen but sagacious party managers perceived that the rolling stone of reform, which the officers at Washington had rejected and sent back to the people, was by no means crushed, but would crush the builders if not put into the new edifice. Both parties — how far from duty and how far from policy, we need not inquire — declared for the very policy so lately discarded. It could be used to catch votes, if not as a foundation to build upon. There were before the country men of eminence who had rendered great services, from among whom, according to partisan theories, the new president must be selected. Upon all decisive questions save that of civil service reform, which, perhaps, they thought indecisive, they held similar opinions. At the outset of the campaign, not a politician in five hundred doubted that one of these great men would be the next president. But the resolve for reform, if indefinite yet deep in the public heart, soon declared for the nomination of a person before unrecognized by the nation. He had been a subordinate in the treasury department. Although of

great worth and fine ability, he had no chance for the nomination beyond the fact that he had shown zeal and courage for administrative reform; whereas not one of those eminent men had been identified with such a policy. Up to the time that Mr. Bristow confronted the whisky rings and the high officials who connived at their frauds, he had not been thought of for the presidency. That reforming spirit at once made him — destitute, as he was, of all partisan support — a formidable rival of those, in either party, who had served the country longest and best, according to common standards, even when they were backed by the most powerful party organizations and all the support which patronage can command. The other party secured a candidate who had presented some appearance, at least, of being a reformer, and he was accepted, by those of his faith, as favoring reform. It is clear, beyond question, that if either of the republican party leaders could have been presented as identified with such a policy, none other than that leader could have been nominated. In other words, at the very moment when the president and Congress smothered the reform policy, believing, or hoping at least, that the people would overlook it, there was such a public sentiment in its favor that the people were ready to lift an untried man into the presidential chair, over the heads of the most distinguished public men, merely because he had showed honesty and courage for the punishment of the corrupt persons upon whom a republican administration had bestowed offices.

There is no need of referring to the familiar history of the nomination made at Cincinnati. It is enough for our purpose that, while it fell upon one in every way so worthy to fill the first office, it also fell upon one who, more emphatically than any other person ever before proposed for that high station, had pledged himself to the reform of the civil service. Thus for the second time the great question of elevating the civil service was brought into the foreground of national politics; and this time, not by command of the president, but by command of

the people. However specious some of the promises of reform may have been, they none the less prove the recognized strength of the sentiment demanding it. The president has justly interpreted the pledges given according to their spirit and to their acceptance by the people. To some extent that spirit has been carried into action.

The whole subject of what general policy should be adopted for elevating the civil service, as well as what particular methods are most suitable for carrying on the work, is now again before the president, Congress, and the people. It would seem plain that it can be neither ignored nor trifled with. It is as good an opportunity as a statesman could wish for responding to the best wishes of a people by entering upon a great and beneficent work.

The crude state of public opinion as to the true methods of relief, and its unreasonable hope that all the strongholds of the spoilsmen may be captured and all their ingenious ways of influence may be stopped at once, make the duty of the hour none the less, though the work of reform far more different. Much discussion is needed to combine the high sentiment of the country upon methods that are reasonable, practicable, and constitutional. The evils to be removed prevail in the civil service of the States and the municipalities, as well as in federal offices. They are at our doors everywhere. The people need to organize debate and act for their removal. They ought not to fold their hands and wait for the president alone, or the president and Congress, to deliver them. It is the common cause of the people, aided by all good officers on one side, against all that is corrupt in office and all that is venal and vicious in partisan politics on the other side. A great deal may be done speedily to arrest abuses and to secure for merit those places which partisanship, favoritism, and corruption have monopolized. But it should be comprehended at the outset that to raise the civil service of the United States as high as it may be raised is the great labor and duty of a generation. Indeed, to raise

that service so high, and keep it there, is one of the permanent problems of our politics (as it has been of all the leading nations), a problem which will trouble statesmen long after the Southern question, the currency question, and every other party issue now before us, have been settled. It is the problem which the everlasting antagonism between the higher and lower elements in politics — between duty and patriotism on one side, and selfish ambition and reckless partisanship on the other side — will forever press upon a free country. When there shall be twenty cities, each with its million or more of population, when a thousand millions of money shall come yearly into the treasury, when three hundred thousand persons shall be in the public service and three hundred millions shall dwell in the land, that problem will not be less serious.

If not now wisely dealt with, we may be sure it will make a party by which a great, absorbing issue will be raised, having for its result either the overthrow of the party opposing reform or the more absolute supremacy of the spoils system. We have deluded ourselves with the theory that a government, right in principle and sound in frame-work, can be carried on by the interested aid of mere party managers and their dependents, and that statesmanship means party management. Such a theory is equally delusive, whether the government be a republic or a monarchy; and the conditions of good administration are much the same in both. We need to comprehend that to secure honest, economical, and efficient administration, day by day and year by year, is not only one of the highest achievements of statesmanship, since it involves a nation's destiny, but that it is one of the most successful acts of party management, since among an enlightened people it is most sure to gain for a party both honor and power.

Among the interesting questions that stand connected with our subject, there is one not less important, but more directly before the people at this moment than any other; we mean that raised as to the right of those in the public service

to interfere with local elections and partisan politics.

We need to have a clear conception of what is meant by the public service. Without including in it mere temporary laborers, the public service embraces all those, whether of high or low grade, in the pay of government, and by whose aid public administration is carried on: not only those who carry on the national governments, but those who carry on the state and municipal administration. The public service comprehends the army, the navy, and the militia as well as the class called civil servants. Of the latter there are more than sixty thousand in the national service. They are not simply hirelings pledged to nothing but to do a certain amount of work, receiving nothing but so much pay, and representing nothing as between themselves and the people but a mere business relation. They are, on the contrary, clothed with a part of the power and dignity of the people, standing for their authority, guarding their safety, protecting their virtue and their property. They are not, in the theory of the constitution and the laws, what they are too generally looked upon as being, — that is, either mere agents of parties or mere favored persons living at the public expense, with all the privileges they had before, and a salary in addition. They are not, as are other persons, who are employed and paid in private business, still under the same laws, with the same liberty of action, as all other citizens. They are, on the contrary, persons selected and placed under peculiar conditions, and bound by oath to use their ability and authority for the purpose of carrying into effect, according to their spirit and object, the laws and regulations which pertain to their offices, — not for the special benefit of any party, or sect, or class, but for the common welfare of the whole people. They hold an honorable and sacred trust, unfaithfulness to which may be punished by fine and imprisonment. Many single officers, as, for example, any of the secretaries at the heads of departments,

are under elaborate laws relating to them severally. Other classes of officials, such as judges, the police, those in the army, in the navy, in the post-office department, have also special laws governing their conduct.

Indeed, there is hardly an officer in the public service, from the constable to the general of the army, from a tobacco inspector to the head of the treasury, who does not act under laws peculiarly applicable to him or his class. And where these special laws end, there special regulations begin, — those relating to the treasury, the army, or the navy alone filling scores of pages; the former even a large volume. It is an essential condition of all good administration that such laws and regulations should be rigidly enforced. There need be permanency of tenure only in a small part of the service, though in what part, beyond the judiciary, the army, navy, and police, we need not here consider. But, everywhere and always, to be in the public service means something very unlike mere working for wages, — means a relation, with rights, duties, and proprieties, far different from those which pertain to any mere private station. The most reckless partisan, trying to fill the party treasury by coercing poor clerks to pay assessments, or to elect a member of Congress by exacting servile labor from all the public servants in the district, would hardly claim that either judges or army, navy, or police officers should actively participate in partisan politics. But why not? For no other reason, obviously, than that such participation is not consistent with the nature of their official duties, and is indeed fatal to the calm and just frame of mind in which, alone, such duties can be properly discharged. The most simple and just conception of an executive officer is this: that he is a person using public authority and doing the work for the whole people, without discrimination based on opinions. But in the case of the higher offices there are exceptions, which we shall point out.

It may be said that the naval and military services are different, in those re-

spects, from the civil service, and that their officers have not the same right as civil officers to participate in party and local politics. Will any one, on principle, claim that a judge, a constable, a coroner, or a policeman has a better right than a captain, or a colonel, or a soldier — or even that it is safer to allow the former than the latter — to discriminate on political or religious grounds, or to become absorbed and heated in the fierce contests of parties? Why can the federal officers who command in the custom-house, any more justly and usefully than the federal officers who command in the forts, spend their time in manipulating local politics and coercing the freedom of elections through the use of official power? Has not the captain of a man-of-war or of a company of regulars as clear a right as a sheriff, a magistrate, or an inspector of whisky, sugar, or baggage to allow an offender to escape for political or personal reasons, — as good a right to coerce an election, or an appointment, or the payment of a party assessment? Does the long toleration of abuses by one class of officers and not by the other make any real difference in the right or the peril? Public opinion, expressed through laws and regulations, has substantially taken the army and navy, and in large measure the judges, and to some extent the police, out of politics. But there is no reason of principle or of right for that policy — none based on the constitution or public policy — that does not, in substance, apply to the whole subordinate executive service. The constitutional provisions for regulating official conduct, in the army, in the navy, and in the civil service, are the equivalent of each other.

No one will claim, however, that the same rules are fit or that the same restrictions are required for each, but only that each may be and should be regulated as the public welfare requires. There can be no occasion to forbid voting on the part of the officers, whether it would be lawful to do so or not. The constitution prohibits any restrictions of the freedom of religion, of speech, or of

the press, whether on the part of those in the public service or out of it.

The authority to make regulations governing the land and naval forces is given to Congress, which seems at the least to suggest that the right of making regulations for other executive officers is in the executive. The authority to choose its own officers (save the president of the senate) is given to each house of Congress respectively; and that authority has always been held to imply the right to regulate the discharge of duty by those officials. Almost from the beginning of the government, it has been the law that the head of each department is authorized to prescribe regulations for the government of its officers; and such regulations are everywhere in operation. In 1871 a law was passed, which is still in force, qualifying the power of heads of departments, and authorizing the president "to prescribe regulations for the admission of persons into civil service . . . and for the conduct of persons who may receive appointments in the civil service." Besides, such regulations, tending as they do to economy, fidelity, and efficiency in the service, are a part of the fit means of discharging the executive duty of "taking care that the laws be faithfully executed." The authority of the president to make proper regulations on the subject is, therefore, unquestionable. To what extent and in what way it may, from time to time, be expedient to exercise that authority we have no space to consider. This is clear enough: that the officer may exercise his mere personal influence for his faith or party like any other citizen; but he has no right to use his official authority or influence, or to take the time required for the discharge of his official duties, to propagate any opinions or to give strength to any sect or party, except as we shall explain. He has no right to make use of his office

as an electioneering agency; no right to make it a partisan headquarters; no right to make himself the political agent of any party, ring, or office seeker whatever.¹

It can be no matter of question that a nation has a moral right to lay down, and that there is an imperative need to enforce, proper conditions upon which it will allow its citizens to exercise official authority. No proposition in politics can be clearer than this: that he who accepts an office assumes an obligation, both of honor and of legal responsibility, to conform to the conditions laid down in the constitution, the laws, and the regulations for the discharge of the duties of that office. By the common law which we inherited, by the plain import of statutes without number, in the spirit of so many decisions which have enforced pecuniary liability or sent officers to prison, a public office is a public trust, to be discharged for the common welfare of a people. An officer is not merely bound to do what he can conveniently in his office, without interfering with his habits as a politician or his interests and ambition as a partisan, but he is bound to bestow upon his public duties his paramount attention, and to sacrifice whatever is not consistent with discharging them in a just, efficient, and economical manner.²

We have always had a great proportion of worthy men in the public service; but we have also had so many mere partisan schemers, and servile, if not corrupt, dependents of leading politicians and domineering officers, that the public standard as to the degree of fidelity to the public interest which may fairly be required of public officers, — federal, state, or municipal, — as well as the officer's own conception of his duty to the public, has become vitiated and low. We may, perhaps, hope for a sounder public opinion before long, in presence of which

¹ The general rule is well indicated in a letter of Mr. Clay, written in 1842, in which he says, "Officers should have perfect freedom of thought and of the right of suffrage, but with suitable restraints against improper interference with elections."

² The rule is well stated in the letter of Senator Hill, of April 12, 1877 (New York Times, April 19

1877): "If I were to use a public office to gratify private friendship, or to avenge private wrongs, or to promote in any way my private or political interests, I should feel that I had become guilty of a gross breach of trust, for which the proper penalty would be disqualification to hold any public office whatever."

public officers will cease to seek popularity only in partisan circles, and will find the reward of good conduct in the respect of a whole community grateful for the blessing of official duties faithfully performed. Collectors, postmasters, and their like officers, whose duties in no way relate to elections or party politics, and whose fitness to discharge them is much impaired by constant interference with the freedom of voters, may come to consider it a gross impropriety to go about using their official authority and coercing their subordinates for the purpose of defeating one party candidate or of electing another. Notwithstanding the strong list the ship of state has had toward partisan methods since Jackson's time, the general legislation affecting public officers has been in harmony with these views. According to present law, if a member of Congress is absent a day from his place of duty he suffers a deduction of pay, unless he gives a good excuse. May subordinate officers be away, day after day, doing all the partisan work of the section, but neglecting the public work, and setting a pernicious example to the clerks, and yet draw full salaries and be fully excused?

By a law of 1872 it was provided that no officer or clerk, in any department, should, at any time within two years after ceasing to be such, act as attorney, counsel, or agent in prosecuting any claim against the United States which was therein pending when he was an officer. Now, if such a rule may be enforced upon a person for two years after he has ceased to be in the public service, is it more repugnant to personal liberty, or less necessary to good administration, that a person in that service be required to keep aloof from partisan intrigues for getting one person nominated, another removed, and a third promoted in that same department?

A law of 1870 provides that no officer or clerk shall solicit contributions from other officers for a gift to officers in a superior position, or solicit a subscription from any officer having a salary less than himself, or make a gift or present to a superior officer.

How can the principle and spirit of such a law be reconciled with the theory, now being urged, that public servants have in every way the same rights and duties as private servants? Is it less dangerous to give a whole office as a political present than to give a mere percentage on its salary for a year? How is the practice of prostrating the whole civil service at the feet of great officers or the party majority, by exacting an arbitrary assessment for party purposes at peril of removal, to be reconciled with this law? How, in the spirit of such a law, can the president permit postmasters, collectors, navy agents, and all other heads of offices and bureaus to become assessment collectors, electioneering agents, and patronage brokers of politics, local and national?

Such abuses, of course, are a peril of the gravest import. They are a serious encroachment of federal power upon state rights and individual liberty; they add a corrupting and useless activity to political agitation and intrigue in each State, congressional district, and municipality. Scores of pages could be filled with evidence of the excessive salaries, the excessive numbers, the corrupt intriguers, the useless dunces, which they foist upon the public service. It would be shown, overwhelmingly, that those who pretend that in opposing these principles they stand as the defenders of the liberty and rights of the civil service are really aiding to take away its freedom, its manhood, its self-respect, and its salaries. They leave no subordinate officer at liberty to vote or act, politically, as he wishes, or to discharge his official duties without meddling in local politics. They force him to obey the orders of some caucus or party chieftain at the peril of his salary and his place; and after all, his salary is arbitrarily taxed. No man is less a freeman than he.

Once let men come into the service, on the basis of merit fairly tested, and allow them to remain to the end of a reasonable tenure, if faithful and efficient, — uncoerced by the fear of party influence, — and we shall have not only

administration vastly improved, but an end of federal dictation in local politics.

But it is said that our government is a government by parties; that parties are useful, and that, even if not useful, parties are inevitable. Parties have principles and a policy, and in governing they must make a practical application of such principles and policy. This application can be fairly made only by those having faith in them. It is therefore necessary that those who carry on the administration should share the opinions of the party in power; and they ought also to be allowed to work for the spreading of those opinions and for the election of those persons who believe in them. This is the reasoning of the advocates of the partisan spoils system. It converts the whole administration into a vast partisan propaganda, for which every member is expected to work with a zeal that makes his official duties quite a secondary affair. It is also the theory of this system that a party once in power can keep itself in power by the use of patronage. A short answer can be given to the whole theory. We have no space for showing the disastrous effects of such use of patronage upon a party, if, indeed, any further proof than the familiar experiments of the last ten years be needed. What so much as putting unworthy men into office has shaken the power of the long-dominant party? It is, of course, conceded that parties are both useful and inevitable. First, they elect all legislative officers, and make all laws, by their majority. Here is a grand field for the display of their principles and policy. Next, they elect the president (and in the States the governors), and hence direct the policy of the nation in harmony with their principles. If they have a foreign policy, the ministers they appoint carry it into effect. But the purely ministerial duties of a consul represent no part of that policy. The party has not a policy or a fragment of policy, save it be one demanding honesty and capacity in the consul for each port and inland city in a foreign country.

The president chooses his cabinet, and

by its advice carries out the policy and applies the principles of his party. It might be well, perhaps, to allow one or two assistant secretaries in each great department, as well as the private clerks of such officers, to be appointed with reference to political opinions, and to go out with the administration. But it is preposterous to say that a postmaster, or collector, and much less inferior officers in the departments, or the minor federal officers in the several States, must for the proper discharge of their duties be of the same political faith as the president. Such officers have no political duties. They could discharge their administrative and ministerial functions perhaps all the better if they gave not the least attention to parties, or were without even the right of voting, unquestionable as that right may be. The national administration can, honestly and justly, have no policy for any particular postmaster or collector, and no principles for him to apply, save what are common to every officer of his class: namely, to collect the revenue, distribute the mail, receive and pay over the public money; in short, to attend to his official business, and refrain from electioneering for any one, or from using their authority to control local politics. No head of a local office, having many clerks under him, more nearly acts on this theory than Postmaster James, of New York city; no one more efficiently discharges his duty; and no one has brought more honor and strength to the administrations which have appointed him. All special policy in regard to such officers means political intrigue, attempts to gain partisan strength by the prostitution of official authority, the dictation of some high official for ambitious purposes, involving neglect of duty and demoralization.

The just rule is that all such subordinates must obey the legal and proper instructions of the administration as to the way in which official duties are to be discharged, on pain of dismissal.

In that way, the policy of the party in power will be carried out, and its principles applied. The soundness of these

principles and the wisdom of its policy, and not its skill in bestowing patronage or in manipulating elections, will be the source of its strength or its weakness before the people. If we adopt any other theory, then all the sixty thousand in the civil service must be removed every four years. But will any one pretend that a book-keeper cannot properly keep his books, that the inspector cannot examine tobacco, sugar, and silk, that the lighthouse-keeper cannot take care of his station, that the auditor cannot examine his vouchers, that the treasurer cannot collect and pay over public money, faithfully and efficiently, unless each of them shares the politics of the president?

We cannot even refer to the improved administration which, in the leading nations, has come from taking the or-

dinary public service out of favoritism and politics. The people will, not long hence, — though doubtless very gradually, — come to the conclusion that all the political representation the dominant party needs, in order to carry out its principles and policy and to secure the most lasting power and honor, may well be found in a moderate number of high offices, leaving other offices to be filled by merit, irrespective of party politics. This condition of public opinion and of the public service has already been reached in several of the best-governed countries of Europe, and especially in England, whose administration is most analogous to our own. There is no good reason why a republic should not have an administration as pure and efficient as that of a monarchy.

Dorman B. Eaton.

THE CONTRIBUTORS' CLUB.

HARDLY any man who reads it, if he gives his own unbiased opinion, will approve of the book called *Hetty's Strange History*. If he is one sort of man he will call it wicked; if another, morbid. In any case he will object to it.

Hetty Gunn, the heroine, is represented as a healthy, determined, fine-looking girl, with a curious lack of the clinging, dependent qualities which we sometimes note in a woman, — a lack which seems to keep lovers at a distance more than any other. One wonders why; but it does. I have known even a little habit of choosing her own seat quickly in a railroad car, instead of waiting for her escort to do it for her, brought up against a woman as insupportable. Hetty Gunn has the gift of taking charge of things; strong and independent, she manages her farm herself, and does it well. Of a resolute, unselfish nature, she is above minding her real position, which is that

of an unloved woman, accepting it calmly as part of her lot in life; the outside sting, however, is removed by the fact that everybody in the neighborhood believes that she has as many suitors as she cares to have. But in truth, she has never had one. She lives on in this manner, busy and prosperous, and, having no idealizing tendencies, no imaginative romance, she does not go out of her way to fall in love with somebody, anybody, as many women do, but keeps steadily along by herself. At thirty-seven years of age she has a brusque, honest, but somewhat dictatorial manner, a strong, healthy beauty of the impersonal sort which attracts no more than that of the goddess of liberty, a kindly, half-comic expression, and a merry laugh. It is a well-drawn picture; we have all seen such women. And now across the stage comes the lover.

To abridge matters and afford him a