

COMMON-SENSE AND CIVIL-SERVICE REFORM.

BY GENERAL JOHN POPE.

PERHAPS there has been no subject more discussed in this country during the past ten years than the question of a re-organization of our civil service. Unfortunately, however, it has been treated, as most discussions on kindred topics have been treated by us, with a constant squinting to the practice of other governments and an apparently uncontrollable tendency to imitate some foreign system which seems to have worked favorable results in other countries. Yet there is nothing more certain than the fact that a system of civil service, like a system of government, which would be suited to a people and to political conditions so different from our own would be wholly unsuited to us. Indeed, the fact that any such system worked well in France or Germany or England would not only *not* be presumptive evidence that it would suit us, but actual proof that it would not.

The spirit of the people, their conditions of life and habits of thought, their experience of government, the absence, as in no other country, of all class distinctions, and the repugnance to such distinctions, must all be considered in determining on any organization, civil or military, for the service of the people of this country. Of course, there are certain general principles which must underlie all organizations among men ; but the number of systems and the infinite variations among them, based upon these accepted foundations, can only be equalled by the varied religious creeds of the Christian world, which all rest for their authority upon one book.

Nor can there be a greater and more misleading fallacy than the oft-repeated saying, as if it were an axiom not to be gainsaid, that "the business of the government should be conducted on business methods."

There could hardly be found in the world organizations whose objects are further apart or in more direct moral conflict than the government of the United States and the great corporations or private combinations for making money. The practices of these last-named associations are what are known as "business methods." It is wholly unnecessary to point out in detail the differences in the *personnel* of these organizations, in the manner of selecting and appointing their officers, in their duties and their relation to their employers (who in the case of the government are the people), and, indeed, a thousand others that might be mentioned. A moment's thought will make it plain that to use the methods of one to carry on the business of the other would be a piece of folly of which the business man would never be guilty.

In everything relating to these matters we appear still to hark back to the monkey condition of imitation. If England is successful in its civil-service methods, the idea of our reformers is to adopt English methods at once. If Germany, with its military organization, wins a campaign this year, we are urged by our military reformers to adopt the German military system immediately, to be changed for the French, if France should by chance be successful next year. These recommendations are made with the most dogmatic emphasis, and without the smallest consideration of the wide differences between the people to be operated on and the conditions under which they live. It does not appear to have occurred to our reformers that such matters should be thought of as essential elements in any plans for reform, and that no system in this country can work well unless fully grounded on these popular traits, either natural or acquired as the outcome of our institutions. I might illustrate this proposition by an examination of our army system, which is based on these foreign models, and is and always will be unsatisfactory and unpopular. It is a foreign body injected into our body politic, and, like a foreign substance introduced into the system, is sure to irritate, if it do not produce disease.

In considering, therefore, a system of civil service to be adopted by the government, careful study must be given to the characteristics of our people, which make us quite a different race from any of the civilized peoples of Europe, however great may be our outward resemblance.

In the first place, our theory is that this is a government of the people ; that all public officers, from the President down to the smallest tide-waiter, are their agents and servants ; that the people are the sovereign, and bound to do a sovereign's duty in looking to the welfare of the country and selecting proper persons to represent them in the counsels of the nation. So strongly do we hold this theory of government, and so deeply has it entered into our life, that we have given the same right to vote, and to take part in governing the country, to almost every inhabitant, from the centenarian to the child in arms, and have thrust the ballot into the hands of every immigrant who lands in New York before he has ceased to curse the authorities and arrangements at Castle Garden.

One of the most serious complaints to-day is that so many of our citizens fail to take any other part in performing the duties of citizenship, and it is justly maintained that, being sovereigns, all good citizens are bound to do the duty of sovereigns. To base a system of civil service upon the proposition that no office-holder shall take any part in the political movements of the people, except merely to vote, is repugnant to our whole idea of government. In the midst of this dissatisfaction that so many people neglect the duties of citizenship, it naturally creates surprise that an order should be issued or a law enacted practically to disfranchise every office-holder in the country by depriving him of half his rights and duties as a citizen merely because he has been chosen for a public trust. One hundred thousand citizens of the United States, belonging, presumably, to the most intelligent and respectable classes of the community, are thus to be deprived of all participation in public affairs except what is covered by a mere vote. Instead of public office being an honor, it has become, or will become, under such a system, a reproach to the incumbent. Surely it cannot be intended that public offices in this country shall be thus rated. It is precisely the advice and influence of such members of a community as those who hold public office which are needed to aid the general voters of the locality in arriving at suitable opinions and action as to questions of public policy upon which the country is called to pronounce a decision. It is a far greater injury to the general public to deprive them of the counsel and active aid of one of their most respected citizens than any possible

harm which could come to the mere perfunctory duties of his office.

I think it may be safely said that the people of this country will not give their sanction to either of two features which are essential parts of the system of civil service we are now attempting to put in operation. First, they will not consent that a large number of presumably intelligent and respectable men shall be practically disfranchised to the extent of being prevented from active interest in public affairs; and, secondly, that they will never degrade the public offices of the country by making it more or less a reproach to accept one. In short, they will not consent to saddle this country for all time with a hundred thousand political eunuchs, who hold the offices of trust, but are for that reason incapacitated for the duties of good citizens.

There are other considerations which would seem to militate against the experiments we are making. One of the principal is the fact that Administrations in this country go into office on some well-defined policies, which have been submitted to the people of the country, thoroughly discussed before them, and adopted. The Administration placed in power in this manner is simply the agent of the people to carry out these policies, and this agent is bound to use lawfully, but vigorously, the means that the principal has placed in his hand to make them successful. That he should receive no help in this duty from the hundred thousand other agents having, in their degree, the same responsibility to the people would appear strange and deplorable; but that the chief agents should themselves forbid these subordinates to help them is amazing. Not only is it demanded of the new Administration by this system that it shall decline the help of its appointees, but it is also required to keep in offices of trust and influence numbers of persons who oppose the policies which the people have commanded to be carried out, and who most assuredly used their best efforts to defeat them at the polls. Thus would the government leave its opponents, weapon in hand, to resist its purposes, or replace them by members of its own faith, after first disarming and partially dishonoring them. To say nothing of the un wisdom of such a policy, it is an injustice to the people of the country, who are entitled to the active help of its servants to bring its measures to a successful issue. The attempt to restrict

the rights of citizenship of any class of respectable persons in this country must fail, in the nature of things; and it is quite sure that no law or order can ever prevent the office-holder in the United States from doing his full work as a factor in the elections. I think it will be admitted that our experience so far has confirmed this statement. It is a well-established axiom that it is bad policy to make a law or issue an order which cannot be enforced, and certainly no law, such as I understand this order to be, can be enforced in this country unless a considerable majority of the community supports it. It certainly cannot be truthfully stated that this order about office-holders has ever been thus supported. Indeed, it is open to direct inference that the President himself recognizes this condition.

I think it may be safely said that government in the United States will continue to be carried on by political parties, and that the public offices will be held by the adherents of the party in power. This I believe to be not only certain, but right and wise. I base this belief upon what I consider an undeniable proposition, which is this: every Administration in this country goes into power to execute some policy which the people have determined on, and the executive department of the government, its agent, is bound to use all the means placed at its command, within the law, to make this policy successful. If the executive officers fail to do this, from highest to lowest, they fall short of the duty they owe to their employers. For the people of the country to decide upon a policy to be pursued, and then consent that all the public offices be held by men seeking to bring that policy to grief, is almost as absurd as to replace these enemies by friends who are forbidden to help.

I by no means intend to assail the reform of the civil service. I only purpose to present certain objections to the system we are trying to put in force, which seem to me to militate against any prospect that it will be successful. In the same spirit I venture to make some suggestions as to the requirements of a system which shall conform more nearly to the feelings and habits of our people, and be, therefore, more willingly supported. Such a system must allow the widest latitude of personal and political action to the incumbents of public office, great and small, and must, at the same time, make the responsibility for their appointment direct and unavoidable, and the remedy of quick and easy application.

In no way that I know of can this be accomplished more easily and thoroughly than by enforcing our theory of local self-government in the appointment of public officers, as in so many other matters of importance to the country.

No doubt the President is the appointing power, and is, in theory at least, responsible for the conduct of his appointees ; but the President is far away from many of the communities which may be cursed with inefficient or corrupt public officials, and the criminals may well say, as the Campbells of old were wont to say to their enemies, " It is a far cry to Loch Aw." The President holds his office for a comparatively long period, and performs his duties in a distant city. The influence of any single community weighed little in securing his election to office, and can do even less to benefit or injure his administration.

His responsibility for an inefficient or corrupt office-holder is, therefore, not only very remote, but it is well-nigh impossible to appeal to him with the hope that the appeal will ever be considered. In this strait the people are driven to their Member of Congress, who, having probably been ignored in the appointment of the obnoxious official, is, naturally, not on such terms with the President that his interposition would avail much. Neither the President nor the Cabinet official in whose department the objectionable official serves has, of course, much interest in the community concerned, nor in the matter which disturbs it, so that it is not too much to say that the hope of correcting such an evil as inefficiency or bad conduct on the part of an official of the General Government, in any except very prominent localities and extreme cases, by an appeal to Washington, is not encouraging. To make this responsibility more direct, and to assume that the remedy can be immediately applied by the community concerned, should be the first object in considering a system for appointments to public office, and such a system must pay proper respect to the theory of local self-government, which is an integral part of our institutions, and hardly less valued than the most important clauses of the Constitution. It is not entirely sound to say that the politicians brought about that condition of the civil service which we are seeking to reform. There is an instinct among the people of this country concerning all great public questions which is the real cause of every situation in which public business or methods are at any time found.

There is no theory to which we hold more strongly than the distribution to many hands of the great powers of government, and this sentiment has led us to contemplate with extreme distaste any attempt to concentrate these powers in fewer hands than a strict construction of the Constitution clearly warrants. The patronage of the government, which to-day includes the appointment of nearly a hundred thousand civil officers, is an enormous power for good or for evil. It is not easy to compute what would be the influence that could be wielded by this great army of active and intelligent men, each occupying an official position of greater or less power, and each using it for the interest of one and the same man. It involves a danger which the people instinctively feel, and on this feeling the politicians base their demand for some consideration in the appointments to public office. It cannot be denied that this great power to appoint the public officers, if corruptly used or applied to selfish ends, threatens serious damage to our institutions, which will grow greater as we increase in population and wealth. We should treat this great power as we would treat a public enemy. We should divide and distribute it among as many hands as efficiency of service would justify, and create so many and such varied interests within its exercise that it cannot be wielded *en masse* and no part of it can be used for the benefit of any of the great officials of the government. It is certainly wise to treat every public man in this country, especially so high a functionary as the President, as equally subject to temptation as ourselves, and liable to yield in proportion to the amount of inducement. If any President is pure and blameless in these matters, he certainly is a much better man than the majority of his fellow-citizens and sinners. In point of fact, no President is much better or worse than the average of his countrymen. It is certainly wisdom, therefore, to expose him to no more temptation than the necessities of his position require. It is usual to say that the President is responsible for the performance of the public business, and should, therefore, have the uncontrolled power of appointing the agents to do it; but he is not responsible in any such sense or to any such degree as is implied in that statement. A general commanding an army in battle is responsible for its being well or ill managed, but no one pretends to assert that he should have the right to appoint the officers under his command. He is responsible, just as the President is responsible, only for his

own acts and his good faith in doing them. It is only to a very limited extent and in a remote degree that the President can be said to be responsible for the bad conduct of his appointees—a responsibility which has never greatly affected his political standing or future career.

Briefly, then, it would appear to me that so great a power as that of appointing a hundred thousand office-holders, distributed over the whole country, and dependent on the will of one man or three or four men for their positions, is too menacing to the well-being of the country to be entirely confided to a President and his Cabinet. It is, in my opinion, due to this instinctive feeling of the people—and no doubt a sound feeling—that the practice grew up (and for a long time was a sort of tacit understanding) of allowing members of Congress to indicate, to a considerable degree, most of the Federal officers appointed in their respective districts. The remote responsibility of the President for the faithful performance of their duties by these widely-scattered officials thus became a direct responsibility upon the members of Congress who nominated them. The people concerned are very sure to demand that the duties of the public officers in their midst be faithfully performed. Every man in the community feels in his own person any neglect of a public officer to do his duty, and the communities themselves are the principal sufferers from inefficient service of such officers. Regardless of politics, they will insist on good administration when their own interest or convenience is concerned. It is not difficult to see how strong a control in this matter the people could exercise under such a condition, and how little under the system we are now experimenting with. The remedy and the punishment for bad appointments to office can thus be applied directly to the party responsible for such appointments by the community which suffers from them.

It is not to be questioned that the enormous patronage of Administrations in this country is the most fruitful source of public corruption. Whether it is wiser to concentrate this great power, with all its incentives to misuse, in the hands of two or three or a dozen men in office in Washington city, and thus poison the very sources of administration, or to distribute it widely over the country, where its power to produce any serious danger will be lost by attenuation, is a question of the least importance. And

in this connection it may be pertinently asked, Who shall be consulted and whose recommendation shall carry most weight in appointments to public office? The natural reply to this question would be that, of course, the Representative in Congress from the locality concerned is the proper person. By no possibility can the President possess such extensive personal knowledge of communities and men all over this country that he himself can select appointees to office intelligently. He must consult some one; and who would be the most likely person to give him the information he needs, if it be not the Representative in Congress from the district where appointments are to be made? Is it not rather a reflection upon the people that the President should neglect or ignore the opinions and recommendations of the men they send to Washington to represent them?

There are certain great offices which the President is empowered under the Constitution to fill by his own appointment and with the consent of the Senate. There are other offices, by far the most numerous, the creation of which and the appointments to which are regulated by an act of Congress. Why not, then, make the experiment of distributing this great power of appointment among the members of Congress, to the extent, at least, of having it clearly understood that *in the first instance*, except in special cases, the Federal offices in the country shall be filled by persons recommended by the member of Congress from the district concerned? If the appointee prove unfit,—and that fact will soon become known,—the member of Congress who designated him will lose his influence with the Administration and his political standing at home. The partial practice of something like this idea in the past has not been a fair trial of it, because it was not directly known that appointments were made as a rule on the recommendation of members of Congress, and it was always possible for them to say of a bad office-holder that they had not been consulted or their advice acted on. I make this merely as a suggestion, with the belief that we cannot make our condition much worse, and that we shall at least have distributed to many more hands the exercise of a power which is potent for evil in the inverse ratio of the number of people who possess it. This distribution of power, which it is perfectly within the province of Congress to make, is certainly in the direct line of our demo-

cratic theory of local self-government. It certainly would make more direct, and easier of remedy, the responsibility for bad appointments.

The tenure of office in the civil service seems to be quite as troublesome a question as the matter of appointments to office, and has, perhaps, been as much discussed. There is, no doubt, a great deal that can be said on both or on all sides of this question; but it would seem wise to begin the consideration of it by classifying the office-holders not so much according to the nature of their duties as according to the localities and the environment in which they serve. To illustrate the suggestion I intend to make, a classification of these employees into those who serve in the District of Columbia and those who serve in their States will, perhaps, be sufficient.

The duties of the officials serving in the District of Columbia may be stated generally as supervisory, the clerical force being merely employed in studying and recording details incidental to this object. These officials practically remove from their own States, abandon their former business and home, and take up their temporary residence, at least, in Washington. Indeed, it may be said to be their permanent home, since the cases are rare in which an office-holder in Washington ever leaves that city so long as he can remain and solicit reappointment. Their duties and associations are wholly confined to that locality, and they have no power to use political influence or take part in political movements, except a mere nominal claim that they have their homes in the State whence they were appointed—a remote claim, and one in general contradicted by the facts. These minor officials in Washington, having only the routine business of their offices to perform, the same under all Administrations,—and being entirely without any field for political work, should, in my opinion, have a tenure of office based on good behavior and the efficient discharge of duty, and should not be displaced by any change of Administration, except for the causes indicated.

They are, in fact (and should be so recognized), persons without political power or influence, and placed beyond the reach of any use for political objects. They should be required to give up their residence in the States whence appointed, so long as they hold office in Washington; and whilst there they should possess all the rights, personal and political, enjoyed by the people of

the District of Columbia, and no other. This tenure of office would also free Washington from a large part of the army of importunate and unhappy people who now beset every person of standing and influence with applications for office, and would free the incumbent of office from the continual dread of removal, which now impairs his value and embitters his life. In this manner they would become the servants of whatever Administration might be in power for the performance of duty in the office of the great executive departments, and offer no temptation to enterprising candidates for office.

The position of officials who serve elsewhere than in the District of Columbia is altogether different. They continue to reside in the localities for whose service they are appointed; they carry on, in many cases, their own business, in addition to that of the government; they maintain their status, social, business, and political, in the communities where they live. They should perform the duties and exercise the political privileges enjoyed by every other citizen. In short, their relations to people and transactions in the localities where they reside are in no respect changed except so far as certain public duties which they perform are concerned. These duties and their efficient discharge are of direct personal concern to every member of the community. This community will soonest know and most loudly protest against bad conduct and bad administration of public officers in its midst. The strict performance of the public business is all that the government can properly exact from its servants. That secured, the office-holder should be as free as any other citizen to take whatever part he pleases in public affairs. Any attempt to deprive him of this right will be of doubtful good and very doubtful success.

The tenure of office of such officials should, in the nature of things, be a different matter from that of the office-holder at the seat of government. The public officers scattered all over this broad country, and distributed to the obscurest and remotest localities, and exercising, as they certainly will, all their influence in favor of the policies of the political party to which they belong, must be in harmony with the party to which the government has been for the time committed. Otherwise an Administration would itself actually keep on foot a large and well-posted force to defeat the successful execution of the very policies on which it went into

office. In the nature of political parties in this country, such a condition of things can never be. Whilst the saying that "to the victors belong the spoils" has been made odious in this country, the expression itself, as it is interpreted, is an unfair and misleading statement of a fact which exists, and perhaps ought to exist. It does not mean actually that to the successful party at the polls belongs the plunder of the people; but it no doubt does mean that the office-holders shall sustain the Administration in executing the policies which the people have placed that Administration in power to carry out. That the public officials will take part in the elections is pretty sure, whether in compliance with or against orders, and an Executive is compelled to have either friends or enemies in the public offices. It does not seem to me doubtful what will be the result of such a situation. I repeat the belief that the public business confided to these officials will not be materially affected by their active participation in political movements, and that the people of the communities in which their duties are done will assuredly, irrespective of party, compel them to be faithfully performed.

I think, then, that with our form of government, and the wide liberty and practically unlimited rights of its citizens in this country, which we cannot abridge, it would, perhaps, serve the purpose of civil-service reform for the present if it should be decided that the office-holders in Washington be appointed by the President and the chiefs of the great executive departments of the government, and that their tenure of office should be during good behavior and the faithful performance of their duties. This rule can be enforced without invading the rights or privileges of the citizen, since such a tenure of office would require that the appointee change his residence to the District of Columbia, where for him there would be no field for political action which could affect anything more important than the local affairs of the District. Being under the immediate supervision of the chief executive officers of the government, the responsibility for their appointment and their conduct in office would be directly and unavoidably fixed. This responsibility, and the power to exact the penalty of it promptly, should be the basis of the whole system of appointment to offices, and it is in this view that I make the foregoing and following suggestions.

I propose that, in the first instance, the officers whose ser-

vice is to be in the States whence appointed shall receive their appointments on the recommendation of the Senator or the Representative in Congress from their district, except in special cases and for special reasons. With the power to remove these officials at any time, the President would possess all the authority to enforce faithful performance of duty that he would have under any system, whilst the community would, in like manner, be able to deal with its member of Congress, who would be responsible for the appointments, and who would thus be liable to lose influence alike with the Administration and with his constituents.

Abstract theories and sentimental views of public policy are often interesting and occasionally useful; but we are a practical people, and whilst recognizing the abstract beauty and wisdom of such theories, we base our action largely upon the environment in which we are placed, and the circumstances which surround us. While perfect good should be held in view, we know that we can make only an approximation to it, and in considering the present question and its answer we are subject to the conditions which our form of government and the feelings and habits of our people impose upon us. It is only by careful study and consideration of these conditions that we may effect any organization of the civil service which will secure efficiency and prove acceptable to the public feeling.

JNO. POPE.

AN ENGLISH VIEW OF THE CIVIL WAR.

IV.

BY GENERAL VISCOUNT WOLSELEY, K. P., ADJUTANT-GENERAL
OF THE BRITISH ARMY.

I WISH to remind the reader of these articles on the Civil War that they deal only with the information supplied by *The Century* magazine's history of that struggle. The story there told so graphically is treated from the military student's and the military critic's point of view, and it is earnestly trusted that no one may be offended with anything contained in these articles. Many may differ from the conclusions arrived at, and the views expressed may be often or always mistaken; but they are, at least, the honest opinions of one who has the most sincere admiration for the combatants on both sides, and for the many great soldiers and statesmen who then directed the destinies of the United States of America.

The readers of these *Century* magazine papers owe a debt of gratitude to the editors for the pains with which they have collected the various documents. The references to the parts of other papers on the same subject, and to the official publications of the losses and numbers of combatants on both sides, are very useful. But there is one respect in which I would venture to suggest improvement, if any future edition should afford an opportunity. It seems ungracious, where we have been supplied with such a large and costly number of maps, plans, and pictures, to find fault with this aspect of the series. Unfortunately, however, there is one thing needful for a military reader which has not been adequately provided. The text does not seem to have been carefully read by any editor who is in the habit of following, upon the corresponding maps, the movements described. The consequence is, it frequently happens that names of places are men-