How Congress Lost, Part VIII: Patronage and the Emergence of Senatorial Hegemony

Jay Cost

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Key Points

- The patronage system, justified by Andrew Jackson as a way to promote democratic accountability over public administration, eventually concentrated power in the United States Senate.
- By politicizing and inviting legislative meddling in a core executive function, patronage undermined the power of the presidency.
- Patronage was a hassle for Jacksonian presidents such as James K. Polk, but after the Civil War, it facilitated the development of massive political machines helmed by senators.
- Ultimately, the system collapsed only because of the assassination of James A. Garfield, leading to the passage of the Pendleton Civil Service Act in 1883, although the party machines and senatorial domination endured.

Henry Adams, the grandson of President John Quincy Adams, was a gifted Gilded Age historian, polemicist, and reformer. His autobiography, *The Education of Henry Adams*, published upon his death in 1918, records Adams's efforts to grapple with the late 19th century's changing realities. Along the way, it lampoons President Ulysses S. Grant's administration, which Adams briefly covered as a journalist:

> One day when Adams was pleading with a Cabinet officer for patience and tact in dealing with Representatives, the Secretary impatiently broke out: "You can't use tact with a Congressman! A Congressman is a hog! You must take a stick and hit him on the snout!" Adams knew far too little, compared with the Secretary, to contradict him, though he thought the phrase somewhat harsh even as applied to the average Congressman of 1869—he saw little or nothing of later ones—but he knew a shorter way of silencing criticism. He had but to ask: "If a Congressman is a hog, what is a Senator?" This innocent question, put in a candid spirit, petrified any executive officer that ever sat a week in his office. Even Adams admitted that Senators passed belief. . . . Great leaders, like [Charles] Sumner and [Roscoe] Conkling, could not be burlesqued; they were more grotesque than ridicule could make them; even Grant, who rarely sparkled in epigram, became witty on their account; but their egotism and factiousness were no laughing matter. They did permanent and terrible mischief. . . . The most troublesome task of a reform President was that of bringing the Senate back to decency.[1]

Adams was not alone in thinking that something was deeply askew in the American political system after the Civil War. Over the next 30 years, a series of reform movements would emerge—the Liberal Republicans, the Mugwumps, the Populists, and the Progressives—to restore what many besides Adams felt had been corrupted.

This period indeed included many problems—well chronicled in histories of the Gilded Age—but for the purposes of this series, note the reaction of the cabinet official in the Adams passage. He was "petrified" of the Senate. That hardly corresponds to the constitutional logic established by James Madison in *Federalist* 51: "The great security against a gradual concentration of the several powers in the same department," Madison advised, "consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others." That the executive was afraid of *half* of the legislative branch suggests that, somehow, the "provision for defence" was no longer "commensurate to the danger of attack."[2] Somehow, the Senate had triumphed by the time of Grant's administration, reorganizing constitutional power relations for its own benefit.

This report will explain this phenomenon, identifying the patronage system as a chief cause of the distortion. Patronage—or the distribution of jobs, contracts, and licenses for political purposes—was present in the earliest days of the republic and, indeed, has been a common practice in systems of government since time immemorial. But following Andrew Jackson's presidency, discussed in the previous report in this series, patronage had emerged as a spoils *system*, the primary means to build and sustain political parties in pursuit of electoral victory. Democratic politics—especially when practiced on a continental scale, as in the United States—is an expensive venture, and patronage was essentially a party-directed form of publicly financing campaigns.

The problem with the spoils system is that it required congressional meddling in a core executive function. The Constitution vests the president with the executive powers of the government and mandates that he "take Care that the Laws be faithfully executed."[3] Thus, the president has the power to appoint executive officials, and from the First Congress onward, the consensus was that he likewise has the power to remove them. However, if government jobs are little more than grist for the patronage mill, then the president must be responsive to the needs of his political coalition and, in many instances, must defer to their demands. Consequently, the spoils system replaced the barriers erected by the Constitution with a sieve through which power would flow from the president to those in his coalition.

This redistribution of power only grew larger over time. Patronage began as a hassle for presidents in the Jacksonian era, which lasted from the 1820s through the 1850s, but it soon evolved into a regularized and systematized redistribution of governing power, one that eventually privileged the Senate. After the Civil War, patronage became the financial basis for powerful state political machines, usually helmed by senators. Sitting at the nexus of federal and state power, they were well positioned to direct federal patronage to maximum political effect. And presidents inclined to object would do well to think twice because renomination required the acquiescence of the party convention, which was dominated by the state parties that were overseen by these very senators. So it was that, by the 1870s, Adams saw the transformation of Madison's balanced constitutional system into one in which the Senate was a hegemonic institution.

This report will detail this argument first by carefully examining patronage in the presidency of James K. Polk. The most successful Jacksonian president besides Old Hickory himself, Polk led an administration that was nevertheless weakened by the demands for spoils. And Polk knew it. He kept a detailed diary of his administration that identifies the danger of patronage and anticipates the diminution of the executive branch. The subsequent section will focus on the Civil War and Reconstruction eras. Although Abraham Lincoln had effectively employed patronage as a tool for governance, the evolution of the system weakened the president in just the ways Polk had predicted. The Tenure of Office Act of 1867, enacted to stop President Andrew Johnson from undermining Radical Reconstruction, became a tool for senatorial barons to resist presidential meddling in their patronage-financed fiefs. President Grant was inclined to cede dominion to the Senate bosses, and it took a great deal of political capital from President Rutherford Hayes, as well as the assassination of President James A. Garfield, to finally bring about much-needed reform.

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President Polk took office in March 1845, roughly the midpoint of the Jacksonian era. During this period, the federal government budget grew dramatically, but not primarily due to the government taking on new functions. Instead, the country's geographical and population growth required existing federal operations to scale up. It needed many new government officials—to collect tariffs, manage the land offices where Western territory was sold, and administer justice across a country that, by the end of the period, spanned a continent.

This massive expansion of government occurred simultaneously with the emergence of a new party system, one in which Democrats and Whigs competed for votes from Maine to Florida, New York to California. The parties that emerged were not centralized, as the Jeffersonian Republicans had been under Thomas Jefferson and Madison; rather, a tug-of-war took place within each coalition among three interrelated institutions—Congress, the president, and the state party organizations.

Polk's ascension to the presidency was a sign that the president need not be the dominant player in such contests. Commonly remembered as the first dark horse presidential nominee, nobody expected Polk to be the choice of the Democratic Party in 1844. The front-runner that year was Martin Van Buren, who had lost the election in 1840 but remained the titular head of the party. Yet Van Buren had opposed the annexation of Texas, a position that infuriated a large swath of the party. When Democrats assembled for their convention in May 1844, Van Buren's opponents secured passage of a rule change requiring a two-thirds majority to win the nomination. Although Van Buren had a clear majority on the first ballot—146 of 266 delegates—he fell short of a two-thirds majority by 32 votes. His position collapsed thereafter, and the convention turned to Polk, the former Speaker of the House.

Over the next 80 years, the convention system would create surprises such as the Polk nomination, and the Democratic requirement for a two-thirds majority often made for more drama than in the Whig and Republican Parties. This system made for great historical narratives with surprising twists and turns, but it served to limit presidential power. Ultimately, the president owed his position to not simply the electorate but the convention and, by extension, the state party organizations that controlled it.

An important way for incumbent presidents to secure their political position—and consequently, renomination—was the proper management of patronage. The most prominent of such gifts were nominations to major positions, such as the secretaryship of state, which required senatorial confirmation. But the president also had say over countless minor offices that did not require senatorial confirmation—jobs at the ports, land offices, and, especially during the Mexican-American War, the military.

Patronage had existed in modest amounts in the Federalist and Jeffersonian periods, but for the most part, presidents allotted jobs based on merit. Jackson changed that practice during his administration when he announced that "rotation in office" was, in principle, good for a democratic republic because it ensured that public administration reflected the values of the people rather than simply those of the people in office.[4] But then Jackson proceeded to rotate his own supporters into office and his opponents out of office. Patronage, or the spoils of office, thus became a way to reward loyalty to the party.

The president's power to nominate officers to the executive branch, in theory, expanded his power. Alexander Hamilton had suggested as much at the Constitutional Convention, where he argued that the president should have some ability to nominate members of Congress to executive positions. Following the British system of the age, in which the prime minister had access to royal patronage to win over members of Parliament, Hamilton thought this would be a way to induce members of Congress to do the right thing:

> We have been taught to reprobate the danger of influence in the British government, without duly reflecting how far it was necessary to support a good government. . . . Take mankind as they are, and what are they governed by? Their passions. There may be in every government a few choice spirits, who may act from more worthy motives. One great error is that we suppose mankind more honest than they are. Our prevailing passions are ambition and interest; and it will ever be the duty of a wise government to avail itself of those passions, in order to make them subservient to the public good.[5]

It follows from Hamilton's logic that the political dispensation of patronage would help the president govern effectively. But as Polk concluded after four years in the White House, the opposite was true. Patronage sapped the president of energy, undermined his administration's influence, and created needless divisions within his party.

A large amount of Polk's efforts were dedicated to receiving job seekers—so much that it often surprises contemporary students of history. The president held open office hours most days, and hardly a day went by in his four-year tenure when he was not pestered by some seeker for a job. On the one-year anniversary of his inauguration, Polk recorded in his diary, "I am ready to exclaim, will the pressure for office never cease! . . . I sincerely wish that I had no offices to bestow. If I had not it would add much to the happiness and comfort of my position." Even at the end of his term, Polk as a lame duck was still being harassed by office seekers, writing on February 24, 1849, "I am thoroughly disgusted with the herd of hunters after places who infest the seat of Government."[6]

Because Polk held open office hours for visitors, he had to entertain requests from people off the street. This practice was a hassle, but members of Congress were a political problem. Many members felt free to harangue Polk on behalf of their family and friends. In March 1847, for instance, New York Senator Daniel Dickinson approached Polk and threatened that if he did not appoint an ally, "[Dickinson] would resign his seat in the Senate," an "attempt to bully" the president that made Polk "indignant."[7]

Polk also struggled to deal with Missouri Senator Thomas Hart Benton, who time and again sought offices or favors for his family, including his son-in-law John C. Frémont. A national celebrity by the time of Polk's administration thanks to his well-publicized explorations of the West, Frémont had seized the initiative when war was declared against Mexico to accept the surrender of Spanish forces in California. He later came to clash with General Stephen Kearny, appointed the commanding officer in California, a rivalry that resulted in Frémont's court martial in 1847. Benton went directly to Polk to plead for Frémont, forcing the president to choose between appeasing a senatorial ally "who manifests much excitement on the subject" and doing his "duty in the case, without favour or affection." In October 1847, Polk received Thomas Hart Benton, the senator's son, asking for an appointment to lieutenant. When Polk demurred on the matter, the junior Benton "rose to his feet, & was impertinent," finally leaving the office "in quite a passion, & very rudely swearing profanely." Polk did not hear exactly what Benton said as he stormed out, but another visitor reported to the president that Benton had sworn, "By God I will have vengeance."[8]

It was not simply that these indignities took their toll on Polk (who, it must be remembered, died just months after leaving the White House); they also drained his political influence. The problem was not so much those who acquired the offices, although Polk noted acerbically how ungrateful they often were, but those who lost out in the scramble. As he recorded in his diary in August 1847 after hassles regarding military appointments in Tennessee,

> The dispensation of the patronage of the Federal Government, and especially in the appointments to military offices, has given offense to many leading men in the State, who have been lukewarm & inactive. All the leading men in Tennessee know me personally, and many of them aspire to high commands in the army who could not be gratified. It illustrates beyond doubt the truth of the opinion which I have long since formed that the Patronage must necessarily [weaken] any President. Many of the leading [men] of the Democratic party whose political principles hang loosely about them, and who have sought office from me and have been disappointed, not [only] in Tennessee but throughout the Union, have taken ground & led off in favour of Gen'l [Zachary] Taylor.[9]

Zachary Taylor would go on to be the Whig nominee for president, and he replaced Polk in the White House in 1849.

If patronage made for political enemies, it also created divisions even within the cabinet. James Buchanan—Polk's secretary of state, who won the presidency in 1856—was already nurturing presidential ambitions a decade earlier. He saw his position in the cabinet as a way to build his own political machine and sought to control as much patronage as possible. This objective immensely frustrated Polk, who had required

cabinet members to pledge not to use their position to campaign for the presidency. Yet Buchanan "desired to control my patronage with that view." Polk insisted on making his "own appointments without reference to the succession," even if that left Buchanan "dissatisfied." Were Buchanan to resign in protest, Polk recorded in his diary, "I shall not regret it."[10]

Patronage also degraded the quality of public administration, for which Polk had a constitutional responsibility. After a day when he had "never been so harassed and annoyed," Polk wrote glumly in his diary,

> Members of Congress and others occupying high positions in Society, make representations to procure appointments for their friends, upon which I cannot rely, & constantly lead me into error. . . . Some selfish or petty local feeling seems to influence even members of Congress in their recommendations for office, much more than principle. When I act upon the information which they give me, and make a mistake, they leave me to bear the responsibility, and never have the manliness to assume it themselves. . . . There is more selfishness and less principle among members of Congress, as well as others, than I had any conception [of], before I became President of the U.S.[11]

It was enough to cause Polk, "more than I ever have, to distrust the disinterestedness and honesty of all mankind."[12]

All in all, Polk's administration must be judged a success by the standards of the day. During his four years in office, he settled the Oregon boundary dispute, acquired vast swaths of territory in the Mexican-American War, lowered tariff rates, and reinstated the independent Treasury system that Van Buren had installed after the destruction of the Bank of the United States. But these successes were despite, not because of, the president's patronage policies.

Polk was no doubt the author of his own misfortune, at least in part. He was not terribly adroit at the game of patronage politics. His insistence on making decisions himself meant he was constantly harassed by office seekers, and ultimately, he was responsible for the hurt feelings of those who did not acquire patronage. Outsourcing difficult decisions to trusted aides or having a secretary field requests from people off the street would have made his administration run more smoothly. Moreover, his commitment to elevating qualified individuals—and, in some cases, retaining qualified officials who were Whigs—was a noble embodiment of the president's job to execute the law faithfully; nevertheless, it created political headaches that could have been avoided with a little more compromise.

Polk was also hampered by the number of offices at his disposal. Although the government was expanding, there were more claimants than available jobs. This gap between supply and demand was reinforced by the vehemence of Democratic office seekers. The party had been out of power for four years, and everybody who had contributed even marginally to the victory in 1844 felt entitled to some of the spoils. The number of offices, though expanding, was not yet enough to satisfy the many claimants.

Nevertheless, Polk was right that patronage had diminished the presidency. In 1846, he recorded in his diary that "the patronage of the Government greatly weakens any President . . . so much so, indeed, that I doubt whether any President will ever again be re-elected."[13] This was a prescient prediction. Between Jackson's institution of the spoils system in 1829 and the passage of the Pendleton Civil Service Act in 1883, just three presidents won reelection: Jackson, Lincoln, and Grant. Admittedly, a few presidents died in office, and others refused a second term. Nevertheless, the number of one-term presidents between Jackson and Grover Cleveland is striking.

What Polk grasped was that the spoils system had invited the legislature into the traditional domain of the executive. The president has a duty to enforce the laws, which implies that he possesses authority over hiring and firing executive officials. The patronage system, by introducing purely political considerations into executive staffing, drew the attention of members of Congress. They possessed influence over the president in those decisions—not simply because the president needed their votes to get his legislative program enacted but because they wielded extensive influence in state party organizations, whose support was essential to the president's renomination. Thus, the president was faced with either ceding an essential aspect of his power to Congress or risking his political future by standing athwart the legislature. This choice was

the source of Polk's dilemma, which no doubt would have been worse if he had sought reelection. Indeed, it is remarkable to consider that, despite Polk's successes in office, he likely would have struggled to win renomination by his party.

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Polk was caught between his sense of constitutional obligation and the demands of political exigency and could never find a way to resolve that tension, but that does not mean that such a resolution did not exist—at least in theory. A president with greater political acumen could have found ways to balance political and constitutional considerations, and a president with more jobs at his disposal would have more leeway to maneuver.

Such was the case with Lincoln, who, more than anybody during this period, embodies Hamilton's vision of a natural aristocrat, combining a broad view of the public interest and good intuitions about politicians' motivations. Lincoln proved to be an adroit spoilsman who was careful to consult congressmen, senators, and key newspaper editors in the dispensation of patronage, always with an eye to the crisis of the Civil War. And thanks to the war, Lincoln had many more jobs to give away: The executive branch neared 200,000 jobs by 1865. Perhaps Lincoln's most extraordinary use of patronage was in his enactment of the 13th Amendment. He secured two votes from New York congressmen in support of abolition by giving away jobs collecting internal taxes and at the Port of New York.

Of course, as Madison warned, "enlightened statesmen will not always be at the helm."[14] And so it was that Johnson became president when Lincoln was slain in April 1865. Johnson boasted an impressive biography in many respects, overcoming extreme poverty as a youth and demonstrating courage in siding with the Union over his home state of Tennessee in the Civil War. Nevertheless, he lacked the temperament required of a president in that moment, and he clashed with congressional Republicans over Reconstruction. Congress finally sought to hamper Johnson's ability to undermine its program by enacting, over the president's veto, the Tenure of Office Act. Henceforth, the president would have to seek senatorial approval before removing any officers who had been confirmed by the Senate.

Intended as a stopgap measure to protect Reconstruction, the Tenure of Office Act was a monumental alteration to executive-congressional relations. The Constitution is silent on the question of the removal power, but the consensus in the First Congress was that this power belonged to the president as an essential aspect of his executive authority. An effort to repeal the act easily passed the House after Johnson left the White House, but it failed narrowly in the Senate and was replaced with a compromise that enabled the president to suspend officers and designate successors until the Senate acted. Although this compromise restored some measure of executive power, it still was a substantial diminution relative to the pre-Johnson period. In his first State of the Union address, President Grant called for the repeal of the Tenure of Office Act:

> It could not have been the intention of the framers of the Constitution, when providing that appointments made by the President should receive the consent of the Senate, that the latter should have the power to retain in office persons placed there by Federal appointment against the will of the President. The law is inconsistent with a faithful and efficient administration of the Government. What faith can an Executive put in officials forced upon him, and those, too, whom he has suspended for reason? How will such officials be likely to serve an Administration which they know does not trust them?[15]

But the law stayed on the books. Combined with the existing tradition of patronage, it facilitated a massive increase in senatorial power in the Gilded Age. The president now had to consider Senate politics when not only appointing even the most inconsequential of officers but also removing corrupt or incompetent officers. Senators, in turn, used this massive influence to build sprawling political machines that controlled their states and responded to their direction. The administration of government, for all intents and purposes, migrated from the president to a new class of barons in the Senate.

A president with the political skills of a Lincoln might have been able to avoid this outcome, but Grant was not such a president. Although his legacy has recently enjoyed a rehabilitation—due, in part, to his commitment to civil rights—he was much better at reading enemies across a battlefield than supposed allies across the way in Congress. His chronic habit of trusting the

wrong people led to an endless stream of scandals in his administration, from which he profited not at all. And in matters of patronage, Grant reinforced the institutional dynamics created by the Tenure of Office Act; he was happy to delegate to his friends in the Senate. And they, in turn, used that trust to build state machines the likes of which the country had never seen before.

The Grant era had half a dozen or so senatorial barons, including Simon Cameron of Pennsylvania, Zachariah Chandler of Michigan, John "Black Jack" Logan of Illinois, and Oliver Morton of Indiana. The most illustrative and interesting of these bosses was Roscoe Conkling of New York.

Most Northern states became solidly Republican after Lincoln's first election. Pennsylvania, for instance, voted Republican in nearly every election between 1860 and 1932, bucking tradition only in 1912 to support Teddy Roosevelt's Bull Moose candidacy. New York, on the other hand, was consistently on the knife's edge between the Democrats and Republicans, due in large measure to its demographic divisions. New York City was the home of Irish Democrats under the dominion of Tammany Hall, a social club turned political machine that dominated Gotham politics between the Civil War and the Great Depression. Upstate New York, on the other hand, was Protestant and Republican, organized and mobilized by the machine Conkling and the New York Republicans built. The two sides were roughly even in presidential elections, and New York—by far the most populous state in the union during this period—became *the* must-win state, especially after Reconstruction.

Conkling, one-time mayor of Utica, New York, was elected to the Senate as a Radical Republican in 1866. Although he was not especially congenial in social situations, he and Grant were easy friends, and Conkling took it upon himself to guide the great general through the unfamiliar world of federal politics. Grant repaid him with the greatest spoils plum of all: control over the Port of New York. In 1871, Grant appointed a Conkling lieutenant named Chester A. Arthur its collector. The Port of New York was by far the biggest international port in the United States. Millions of dollars' worth of imported goods came into the country through New York City, and almost all federal revenue at this point was from the tariff—which gave Conkling and Arthur opportunities for graft that stagger the contemporary imagination.

The government employed a moiety system at the port to incentivize enforcement of the laws, wherein federal agents received about half of the seizures from concealment or fraud. Agents could thus initially undervalue imports then later make an "official" discovery of fraud, which would forfeit the entire value of the goods and thus incentivize merchants to cut deals. Customs agents could earn up to $50,000 per year (almost $1.5 million in 2025 dollars), with a portion of the profits kicked up to the Republican machine.[16] Customs officials were also expected to contribute to the party's campaign efforts and volunteer during election time. Those who refused were told in no uncertain terms that if anybody refused, the party could find dozens of men eager to serve as replacements.

The New York Customs House in effect housed a massive skim operation over much of the United States economy—akin to the mafia in Las Vegas in the 1950s–1970s. Goods would flow into New York, but before they were redirected to the rest of the nation, the New York Republicans took a cut for themselves. They used this money to build a party machine that had the resources to compete with Tammany Hall.

The difference between what Conkling built in New York and other senators built in other states was one of scale, not kind. This situation was an institutionalization of the threat to the constitutional system that Polk had seen. Whereas the challenge for the executive branch had been the constant clamor of office seekers, now it was in senatorial satrapies that Grant had allowed to come into being. Their powers were enormous, much broader than anything Polk had dealt with. Nothing was outside the scope of their influence.

Senators controlled the machines because they stood at the nexus between the federal government and the states, directing federal patronage to localities where it would secure them essentially unchallenged rule. With their perches in the upper chamber secure, they could influence House delegations through their control of nominations. They controlled state parties as well and so, by extension, had the final say over who could run for president. They directed patronage during campaign season, ensuring that their full cooperation was necessary for electoral victory. And just in case a reform-minded president wanted to change the system, the party bosses could always deny him renomination at the next convention.

This situation is the context for Adams's recollection of senators. The American system of checks and balances was intended to enable the House, Senate, and president to defend their institutional prerogatives. But thanks to the patronage system and the distorting effect of the Tenure of Office Act, the Senate could do, as Adams noted, "permanent and terrible mischief." It would be a "troublesome task" to restore the constitutional equilibrium and bring the "Senate back to decency." Grant, despite his many positive attributes, was not the president to do that. At least when it came to federal patronage, he "avowed from the start," as Adams noted, "a policy of drift; and a policy of drift attaches only barnacles."[17]

It would take a new president to expend enormous political capital—and more than that. Ultimately, the assassination of a president would bring down the federal patronage system, but even then, the political machines it birthed managed to survive.

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Public reaction to corruption built throughout President Grant's tenure—so much so that in 1876, even the Republican Party was publicly calling for reform of the civil service. "The invariable rule for appointments should have reference to the honesty, fidelity, and capacity of the appointees," it declared without a hint of irony in its platform. The governing party should have the power to choose officers whereby "harmony and vigor of administration require its policy to be represented," but otherwise, offices should be distributed solely by "the efficiency of the public service."[18] In truth, the party was internally divided. "Stalwart" Republicans who favored the old ways backed Conkling for president, reformers supported former Treasury Secretary Benjamin Bristow, and "Half-Breeds," who wanted to move beyond patronage politics toward a closer connection with big business, supported House Speaker James G. Blaine. Early balloting showed Blaine with a lead but not enough for a majority. Eventually, the anti-Blaine factions rallied behind Ohio Governor Hayes, who had few enemies in the party. Hayes won a narrow Electoral College victory only after extensive disputes were resolved through a deal with Democrats to bring an end to military Reconstruction of the South.

Hayes entered the White House under an ethical cloud, although he had reformer instincts. Conkling's machine and its stranglehold over the New York Customs House made for an obvious target. Without the Tenure of Office Act, Hayes could have easily cleaned house, a mere matter of firing Arthur and Conkling's other lieutenants. But the best Hayes could do was suspend Arthur in 1877 and submit a replacement nomination to the Senate. Senate Republicans stuck with Conkling, Hayes's efforts were rebuffed, and Arthur stayed in office. In 1879, Hayes tried again. Republicans stood with Conkling, but Southern Democrats, happy to let their opponents fight among themselves, backed Hayes.

Like Polk, Hayes refused to run for a second term and would surely have struggled mightily to win renomination. Conkling and his Stalwart faction, desperate to retain their patronage sources, pushed to nominate Grant for an unprecedented third term. Blaine again led the Half-Breeds. Once more, the party rejected both the Stalwarts and the Half-Breeds, preferring a little-known dark horse who had broader appeal. Ohio Representative Garfield won nomination on the 36th ballot. As a sop to Conkling and the Stalwarts, Arthur was named the vice presidential nominee. The party adopted a pro-reform position on civil service in its platform, even as it relied heavily on Conkling to deliver an exceedingly narrow victory in New York over Democrat Winfield Hancock (21,000 votes out of more than one million cast).

President Garfield initially tried to compromise with Conkling over the New York Customs House, but the New York senator refused. The president eventually named William Robertson, a Blaine ally, to the position of collector. Most Republican senators supported Conkling over Garfield, and Southern Democrats again tipped the balance of power to Garfield. Conkling responded by resigning his seat in protest—with the expectation that the New York legislature would overwhelmingly return him to office. It was meant to be a show of force that Republicans in New York, the must-win state, stood solidly behind their boss. Maybe that gamble would have worked, but a few weeks later, Garfield was shot by Charles Guiteau, an insane man who claimed to be a Stalwart who had been rejected for a job.

Arthur became president, and in one of the greatest ironies of American politics, it was this infamous spoilsman who signed the law that destroyed the spoils system. Congressional Republicans, cognizant of how badly patronage had undermined their reputation,

passed a bill introduced by Ohio Democratic Senator George Pendleton. The Pendleton Civil Service Act established a list of positions closed to patronage and allowed the president to expand the list. Over the next 15 years, the presidency changed hands between the parties four times, and each outgoing president placed as many of his appointees as he could on the protected list, resulting in the swift destruction of the federal patronage regime.

That it required nothing less than the assassination of a United States president to bring the spoils system to an end illustrates just how powerful and entrenched it had become. The system was no longer a Jacksonian rotation in office, a way to prevent the development of a permanent bureaucratic class with values different from average Americans. It was no longer the disorganized scramble for plunder that enervated Polk. It had become the fount of power for political machines whose influence extended so wide and deep that they could interfere with the president's constitutional powers.

The history of the spoils system in the United States is deeply ironic. It is ironic that Hamilton, the great theorist of the executive branch at the founding, was wrong to think that executive patronage would bring Congress to obedience. It is ironic that Jackson, one of the most vigorous executives in the nation's history, would sanction a system that would sap the presidency of so much power. It is ironic that Grant, the man who saved the Republic on the Civil War battlefields, would do so much to institutionalize the constitutional imbalances of the patronage system. And it is ironic that Arthur—the notorious spoilsman—would be the president to reform the spoils system.

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If somebody in 1880 were to evaluate the state of power relations within the federal government, "Congress lost" would not be the conclusion; rather, one would be forced to conclude that Congress had triumphed—the Senate especially. Senators had transformed into a kind of aristocracy, exercising sweeping powers over their states and interfering with core functions of the executive branch. The reasons are varied and multifaceted, but as this report makes clear, patronage was a central factor. By politicizing the distribution of jobs, contracts, and licenses, patronage gave politicians an incentive to meddle in the executive branch. The democratization of the presidency, particularly the emergence of the convention system, created an environment in which the president was obliged to curry favor with these politicians, lest they diminish the president's chances of renomination. What had been a mere hassle for Polk had, in the ensuing generation, transformed into a systematic exploitation of federal resources for the benefit of state machines controlled by sitting senators. Conkling's New York machine was remarkable in its scope only, not in the form of its power.

Remarkably, these machines would survive the end of federal patronage—and their continued power will be the subject of the next report in this series. The spoils system had unbalanced constitutional checks and balances, but its end would not rebalance the system. Enterprising Republican senators and the state machines they helmed cast about for alternative funding sources. They soon forged an alliance with big business, in which corporate America would fund Republican politics in exchange for high tariffs and lax regulation.

The next generation of Republican bosses—Thomas Platt of Pennsylvania, Matthew Quay of Pennsylvania, and, especially, Nelson Aldrich of Rhode Island—would be even more powerful than Conkling and Cameron. The Senate's power would continue to grow at the expense of not only the other branches but the public itself, whose demands for reform were rebuffed repeatedly by the upper chamber. Desperate to "return the Senate to decency," as Adams had put it, progressives began to advocate a reinvigoration of the executive branch.[19]

About the Author

Jay Cost is the Gerald R. Ford Nonresident Senior Fellow at the American Enterprise Institute, where he focuses on political theory, Congress, and elections. He is also a visiting scholar at Grove City College and a contributing editor at the *Washington Examiner*.

Notes

1. Henry Adams, *The Education of Henry Adams* (Houghton Mifflin, 1918).
2. *Federalist*, no. 51 (Alexander Hamilton), https://founders.archives.gov/documents/Hamilton/01-04-02-0199.
3. US Const. art. II, § 3.
4. Andrew Jackson, "First Annual Message," speech, American Presidency Project, December 8, 1829, https://www.presidency.ucsb.edu/documents/first-annual-message-3.
5. Alexander Hamilton, "Constitutional Convention. Remarks on the Ineligibility of Members of the House of Representatives for Other Offices," speech, Philadelphia, June 22, 1787, https://founders.archives.gov/documents/Hamilton/01-04-02-0106.
6. James K. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849* (A. C. McClurg, 1910), 1:259, 4:353.
7. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 1:404.
8. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 3:205, 216.
9. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 3:120.
10. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 1:190, 201.
11. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 2:277–78.
12. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*, 2:278.
13. Polk, *The Diary of James K. Polk During His Presidency, 1845–1849*.
14. *Federalist*, no. 10 (James Madison), https://founders.archives.gov/documents/Madison/01-10-02-0178.
15. Ulysses S. Grant, "First Annual Message," speech, American Presidency Project, December 6, 1869, https://www.presidency.ucsb.edu/documents/first-annual-message-11.
16. See Jay Cost, *A Republic No More: Big Government and the Rise of American Political Corruption* (Encounter Books, 2015), 100.
17. Adams, *The Education of Henry Adams.*
18. Republican Party, "Republican Party Platform of 1876," speech, June 14, 1876, https://www.presidency.ucsb.edu/documents/republican-party-platform-1876.
19. Adams, *The Education of Henry Adams*.