

# PRESIDENT RUTHERFORD B. HAYES AND GILDED AGE POLITICS

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## INTRODUCTION

The Gilded Age is the period in American history between the end of Reconstruction in 1877 and the beginnings of the Progressive Era in the early 1900s. The era was named after Mark Twain's novel "The Gilded Age: A Tale of Today," in which he critiqued the time period for its troubling social and political problems. The Gilded Age was a time of rapid economic growth, industrialization, and urbanization. These trends allowed for both extreme wealth and immense poverty to coexist in American society. The population of the United States was simultaneously fascinated by money and yet fearful of its potential to corrupt all aspects of life. The economy was defined by a laissez faire economic system in which individuals were free to participate in the economic sphere without governmental interference. The United States, according to Jackson Lears, author of *Rebirth of a Nation: The Making of Modern America, 1877-1920*, was "a country lurching headlong into industrial development presented [with] myriad opportunities for the ambitious or the merely greedy."<sup>1</sup> While this era of new business seemed to encourage the accumulation of money, many were still fearful of the vast amounts of new wealth, and many more were not capable of achieving financial stability. The most recognizable business figures of this era were the so-called robber barons who created immense fortunes for themselves, such as John D. Rockefeller, Andrew Carnegie, and J.P. Morgan. The invention of the railroad system was a key component

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1. Jackson Lears, *Rebirth of A Nation: The Making of Modern America, 1877-1920* (New York: Harper Collins Publishers, 2009), 52.

of the Gilded Age and its expansion created monopolies and fueled the development of big business, while simultaneously providing work for poor Americans and new immigrants.

The politics and presidents of the Gilded Age are often forgotten, overlooked, or stereotyped. The Gilded Age tends to remain forgotten and misunderstood because of the rampant political corruption that overshadowed all other actions throughout the era. In most American history classes, students learn that the Gilded Age was a time of political corruption characterized by the spoils system, big business, and money. As historian Charles Calhoun explains, the name of the period itself “evokes notions of crassness, superficiality, pretense, and fraud.”<sup>2</sup> In many ways, the politics of the era were corrupt. The expanding money flow allowed for the creation of political machines that rewarded politicians’ supporters and enabled them to pay off opponents to ensure their economic gain and political success. Once in power, political leaders distributed jobs to those who had financially supported them, thus creating a perpetual cycle of money, power, and support. Furthermore, the government during the Gilded Age was deeply divided between the Democrats and the Republicans, often leading to political stalemates. Overall, the Gilded Age has been seen as a transition from the broken, corrupted, divided politics of the Civil War and Reconstruction to the modern, efficient, reformist politics of the Progressive Era.

While it is undeniable that the Gilded Age was characterized by vast political corruption, I argue that this is a misperception and an over-generalization of the era. To prove my point, I will focus on the politics and actions of President Rutherford B. Hayes, the 19th president of the United States. I will show that President Hayes was a dedicated, active, and honest president who was compelled to accommodate to a tough political climate with the end of Reconstruction and the deep divide between the Republican and Democratic parties. Furthermore, I will demonstrate that he worked diligently and passionately to resolve the corrupted political environment through his civil service reform platform despite the corrupted actions of Congress and major political parties. Essentially, I argue that President Hayes’ years in office provide an excellent case study to show that anti-corruption and other political

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2. Charles W. Calhoun, “Moving Beyond Stereotypes of the Gilded Age,” *OAH Magazine of History* (Summer 1999): 3, <http://maghis.oxfordjournals.org.proxy.libraries.smu.edu/content/13/4/3.full.pdf> (accessed November 18, 2014).

actions were implemented during the Gilded Age in an attempt to make sincere progressive political changes, thus ultimately paving the way for the political developments of the modern Progressive Era.

### HISTORIOGRAPHY

To understand the importance of this subject, one must understand the controversial historiography of the Gilded Age and how it has evolved over time. Throughout the Progressive Era and much of recent history, historians and scholars paid little to no attention to the politics of the Gilded Age, often writing the era off as an unimportant and forgettable time period in American political history between the larger, more consequential developments of the Civil War and the Progressive Era.<sup>3</sup> According to historian Vincent DeSantis, “most historians believe that at no other time in American history was the moral and intellectual tone of political life so uniformly low nor were political contests so preoccupied with patronage.”<sup>4</sup>

Historians of the Progressive Era tended to look down upon the Gilded Age, focusing on its corruption and social inequality rather than the positive initiatives for change, such as Hayes’ civil service reforms, and these views remained in place for most of the 20th century. Since the Gilded Age has often been compared with the Progressive Era, it has tended to be overshadowed by historians’ attention to the profound reform movements and political transformations of the early 1900s. Calhoun describes the supposed stark contrast between the eras by claiming the Gilded Age has been viewed as “the post-Civil War dark ages followed by the bright light of the early twentieth century.”<sup>5</sup> Furthermore, according to Calhoun, the presidents of the Gilded Age have been particularly criticized for their “debility and weakness, if not utter political impotence and ineptitude” and have been perceived as being “weak, isolated, and ineffectual.”<sup>6</sup> Furthering this view, political actions throughout the Gilded Age have been almost entirely accredited

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3. H. Wayne Morgan, *From Hayes to McKinley: National Party Politics, 1877-1896* (New York: Syracuse University Press, 1969), v.

4. Vincent DeSantis, “American Politics in the Gilded Age,” *The Review of Politics* 25, no. 4 (1963): 551, <http://www.jstor.org/stable/1405849> (November 18, 2014).

5. Charles W. Calhoun, “Reimagining the ‘Lost Men’ of the Gilded Age: Perspectives on the Late Nineteenth Century Presidents,” *The Journal of the Gilded Age and Progressive Era* 1, no. 3 (July 2002): 226, <http://journals.cambridge.org.proxy.libraries.smu.edu/action/displayJournal?jid=JGA> (accessed November 18, 2014).

6. Calhoun, “Reimagining the ‘Lost Men’ of the Gilded Age,” 225.

to Congress rather than the presidency. In general, there has been little effort to understand the politics of the late nineteenth century and little attention has been paid to the presidents of this era and their influence on the American political atmosphere.<sup>7</sup> This degradation of the politics and presidency of the Gilded Age has led to the common notion that it was the Progressive Era that marked a fundamental, unprecedented shift in politics toward a more active, progressive politics and a modern, enlarged, and indispensable role of the president.

However, as I suggested previously, recent historians have begun to reevaluate the politics of the Gilded Age and challenge longstanding assumptions in the historical scholarship. Thus, the recent trend in historical scholarship beginning in the late 1900s has focused on balancing the image of the Gilded Age previously entrenched by Progressive Era scholars.<sup>8</sup> Calhoun claims that among the worst stereotypes in United States history is the concept that the Progressive Era marked a great transformation in politics and the presidency. He asserts that the perception that “after a period of leaden inertia in the nation’s chief executives during the Gilded Age, the Progressive Era presidents wrought a profound transformation in the office, marking it not only ‘modern’ but also the undeniable and indispensable center of American political life ever after” is an untrue and unfair critique of the Gilded Age presidents.<sup>9</sup> Other historians have also begun to address the oversimplification of the supposed contrast between the Gilded Age and the Progressive Era, thus proving the key political figures of the Gilded Age to be far more active, sincere, progressive, and innovative than previously assumed. While no one dismisses the deep-seated corruption of the Gilded Age, recent scholars, such as Calhoun, “emphasize [Gilded Age] achievements in crisscrossing the nation with railroads, buildings factories, and transforming the country’s local and rural economy into a national, integrated, industrialized one.”<sup>10</sup> Worth Robert Miller also asserts that historians “have changed the emphasis from [corruption] to

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7. Ezra Paul, “Congressional Relations and ‘Public Relations’ in the Administration of Rutherford B. Hayes (1877-81)” *Presidential Studies Quarterly* 28, no. 1 (Winter 1998): 68 <http://www.jstor.org/stable/27551831> (November 18, 2014).

8. Worth Robert Miller, “The Lost World of Gilded Age Politics,” *The Journal of the Gilded Age and Progressive Era*, 1, no. 1 (Jan 2002): 50, <http://www.jstor.org/stable/25144285> (accessed November 18, 2014).

9. Calhoun, “Reimagining the ‘Lost Men’ of the Gilded Age,” 226.

10. Calhoun, “Moving Beyond Stereotypes of the Gilded Age,” 3.

the very real fact that Gilded Age politicians and parties truly engaged the American public on fundamental issues concerning the direction of the nation and the role government should play in national life.”<sup>11</sup> The biased perspective of Progressive Era historians led to a fundamental misunderstanding of Gilded Age politics, thus leaving most political reform attempts and presidential initiatives forgotten. In contrast, historians have now begun to argue that the Gilded Age presidents laid the groundwork for the modern American presidency and that the politics of the era represented a gradual transformation toward a new sense of political activity defined by concern regarding race relations, administrative powers, civil service reforms, and economic policies.

### **A BRIEF HISTORY OF THE CIVIL WAR AND RECONSTRUCTION**

An understanding of the Civil War and Reconstruction politics is essential when examining the Gilded Age, since the broken politics of the mid nineteenth century directly led to the corruption and deep party divides of the Gilded Age. The Civil War, which occurred between 1861 and 1865, threatened to tear the United States into two distinct nations with extremely different political, social, and economic ideologies. The Union and the Confederacy waged war with each other in defense of their differing views of authority, government, equality, and liberty. The Union fought for an indivisible nation with a powerful national government that upheld the concept that all men were created equal. The Confederacy, by contrast, fought for a confederation of sovereign states that would continue to allow the institution of slavery. These vastly different ideologies led to much resentment and drove a deep division between the northern Republicans and southern Democrats. After an incredibly violent and devastating war, the ideals of the Union prevailed, preserving the United States as a whole and ending the formal institution of slavery.

Reconstruction began immediately after the Civil War and lasted until 1877. The South was left in political, economic, and physical ruins and required significant assistance to rebuild itself. Reconstruction was characterized by greater federal government involvement in the governance of the southern states in attempt to implement the northern ideal of racial equality. Congress required the southern states to accept the passage of the 13th, 14th, and 15th Amendments, which ended

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11. Miller, 50.

slavery and guaranteed the citizenship rights of African Americans, in order to be restored to the Union. Despite the Union's victory during the war, white conservatives in the South refused to accept the mandates of the national government.<sup>12</sup> Throughout Reconstruction, political corruption was blatant and rampant on national and state levels.<sup>13</sup> For example, President Ulysses S. Grant, the last president during Reconstruction, led a scandal-ridden administration. He often turned a blind eye toward the southerners who ignored the new amendments to the Constitution. When begged by Republican political leaders to send troops to the South to reinforce the Enforcement Acts, which were intended to compel obedience to the newly ratified amendments, President Grant and his administration provided no help.<sup>14</sup> Furthermore, according to historian Ari Hoogenboom, whenever a scandal plagued his presidency, Grant would "proceed to put friends before principle and carefully ma[k]e certain that his implicated [administration] [would] receive[] no punishment."<sup>15</sup> On the state level, legislators and politicians accepted bribes and participated in blackmail in order to pass bills. By this point in time, political corruption was so familiar to the American public that Hoogenboom claims "many Americans thought that their society was suffering from a general malaise brought on by a growing sense of immorality" within the national and state governments.<sup>16</sup> Clearly, political corruption was not prevented or punished during Reconstruction.

The forceful nature of Reconstruction left many of the southern states resentful toward the North and the national government and led to deep divisions and conflicts between the Republican and Democratic parties. The South remained bitter after losing the war about being forced to abandon their fight for individual state sovereignty and the continuation of the institution of slavery. Throughout Reconstruction, the policies of the northern states were forced upon the southern states. Despite the new amendments and legislation, radical southerners still found way to work around the laws and continue to discriminate against

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12. Calhoun, "Reimagining the 'Lost Men' of the Gilded Age," 234.

13. Hoogenboom, Ari. *The Presidency of Rutherford B. Hayes* (Kansas: University Press of Kansas, 1988), 7.

14. Hoogenboom, 1-5.

15. Hoogenboom, 6.

16. Hoogenboom, 7.

African Americans. Southern Democrats actively and blatantly defied the 14th and 15th Amendments and were more than willing to harm, fight, or manipulate Republicans to get their way.<sup>17</sup> Furthermore, the Southern Democrats, who had diligently worked toward empowering state governments, resented the large and imposing national government that was forcing the South to reform.

### GILDED AGE POLITICS

The politics of the Gilded Age produced interesting relationships between the president and the legislature during a difficult time in politics characterized by party politics, inter-party divisions, and sincere congressional dominance.<sup>18</sup> During the Gilded Age, the Republicans and Democrats were constantly at odds with each other. Both received mass support from the public, resulting in a continuous shift in power between the two majority parties. This often created deadlock within Congress and the national government. Historian H. Wayne Morgan summarizes the two political parties of the time by stating that, “broadly speaking, the Republicans spoke for the emerging businessman-skilled labor-prosperous farmer coalition that triumphed in 1896” and that “[t]hey believed in federal economic subsidy, and a workable amount of regulation for the national interests” while the conservative, Democratic party “clung doggedly to ancient ideals of local rule - negative government that protected alleged individualism - and never understood the changes that covered American after the Civil War.”<sup>19</sup> Contrary to the contemporary Republican Party, the Republican Party during the Gilded Age was an activist party aiming toward a large, centralized national government. Furthermore, there was controversy within the Republican Party itself as some members, such as President Hayes, were far more progressive than other members. Miller claims that partisanship often devolved into “battles over meaningless issues designed to divert the masses from the very real problems of emerging industrialization”: corruption, and urbanization.<sup>20</sup> The Republicans and Democrats were constantly warring with one another, thus making it nearly impossible for any legislation to be passed.

The politics of the Gilded Age were undeniably corrupted. Political

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17. Hoogenboom, 19.

18. Paul, 68.

19. Morgan, vi.

20. Miller, 50.

actions centered around the spoils system and party patronage, through which federal and state office holders were essentially guaranteed lifelong tenure in exchange for making annual campaign contributions to party leaders, and government positions were filled based on the exchange of money, favors, and votes rather than the individual merit or ability of potential officeholders.<sup>21</sup> Miller explains the spoils system as being an “effective method of securing the committed cadre of party workers necessary to organize rallies, propagandize potential supporters, and distribute ballots on election day.”<sup>22</sup> Essentially, according to historian Ezra Paul, the national government was “an ineffective and corrupt bureaucracy whose middle and upper layers were largely the product of party patronage.”<sup>23</sup> Many Gilded Age Americans decried the political corruption of their day but held out little hope for its resolution. As W. H. Roberts, a journalist during the late 1900s, lamented: “it is sufficient to say that corruption in politics has grown to such magnitude and assumed such gigantic proportions as to invade the sanctity of the most sacred trusts committed to the public.”<sup>24</sup> Another journalist wrote in 1879 that there is a “great multitude who are sick of this whole machine business, and who devoutly wish that the country was rid of it” but that, “until [civil service reform] shall triumph, politics will be a trade, office-seeking a business, and everything connected with the making and the execution of the law will be – must be – tainted with corruption.”<sup>25</sup> Yet another journalist attributed the corrupted political environment to the common view that the “government is, or may be, converted into a machine for the making of money, and that the majority, who control it for the time being, may use it for that purpose, then there springs up from the ground a host of hungry adventurers, office-seekers, and public plunderers, bent on using the power or patronage of the government

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21. Paul, 70.

22. Miller, 54.

23. Paul, 70.

24. W.H. Roberts, “Political Corruption,” *Bedford’s Monthly and Democratic Review* (May 1892): 395. <http://proxy.libraries.smu.edu/login?url=http://search.proquest.com.proxy.libraries.smu.edu/docview/124524630?accountid=6667> (December 8, 2014).

25. “Improving Politics,” *Scribner’s Monthly XVII*, no. 6 (April 1879): 900. <http://proxy.libraries.smu.edu/login?url=http://search.proquest.com.proxy.libraries.smu.edu/docview/125527158?accountid=6667> (December 8, 2014).



for the enrichment of themselves.”<sup>26</sup> Overall, the deep-seated political corruption was prominent within the government and disliked by the American public.

This was the divided and corrupt political environment to which President Hayes would have to adapt. Throughout Hayes’ presidency, the Democrats controlled the House of Representatives by thirteen seats during the 45th session of Congress and by nineteen seats in the 46th session of Congress. The Republicans, however, held a majority of three votes in the Senate during the 45th session, with the Democrats regaining a majority of nine votes for the remainder of Hayes’ presidency.<sup>27</sup> The spoils system was a well-established institution and in full effect by the time president Hayes took office.

### **RUTHERFORD B. HAYES’ EARLY LIFE AND POLITICAL CAREER**

Throughout his early life and political career, President Rutherford B. Hayes worked diligently to help reform society. Rutherford Birchard Hayes was born in Delaware, Ohio on October 4, 1882. His father died before he was born, forcing his mother to raise Hayes and his three siblings on her own. He attended multiple schools as a child but eventually enrolled at Kenyon College in Gambier, Ohio in 1838. He then enrolled in Harvard Law in 1843. Upon graduation, he began to practice law and opened his own office in northern Ohio.<sup>28</sup> Hayes eventually moved his practice to Cincinnati where he married Lucy Webb.<sup>29</sup> He was an avid abolitionist, often working on behalf of fugitive slaves, thus making him popular within the Republican Party.<sup>30</sup> He refused the Republican nomination for a judgeship in 1856 but accepted the position of city solicitor in 1859. Hayes joined a volunteer company fighting in the Civil War and was quickly promoted to a major within the 23rd Regiment of Ohio Volunteer Infantry. He was promoted many times throughout his military career, ending with the title of brigadier

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26. “Corruption in Politics,” *The International Review* 4 (Jan 1877): 77. <http://proxy.libraries.smu.edu/login?url=http://search.proquest.com.proxy.libraries.smu.edu/docview/91079235?accountid=6667> (December 8, 2014).

27. Paul, 68.

28. Morgan, 9.

29. Hoogenboom, 9.

30. Hans L. Trefousse, *Rutherford B. Hayes* (New York: Times Books: Henry Holt and Company, 2002), 14-15.

general and brevetted major general.<sup>31</sup>

In 1864, while serving as a soldier, Hayes was nominated to run for the House of Representatives from Ohio's second congressional district. He refused to leave the military in order to campaign and instead wrote letters to the constituents explaining his position. His constituents understood the troublesome conditions of the war, forgave him for not campaigning, and elected him as their representative to Congress. During the 39th Congress, he voted to pass the 14th Amendment and supported the Radical Republicans Reconstruction policies to help reform the South after the Civil War and quickly grew to hate the politics of President Andrew Jackson.<sup>32</sup> In 1866, Hayes unsuccessfully advocated for a civil service reform bill, thus proving to be an activist early on in his political career. He resigned in 1867 to campaign for governor of Ohio. While the Ohio legislature fell to the Democrats, Hayes won the gubernatorial election and actively promoted Republican politics. However, the divided government limited his governing ability, especially since the Ohio governor had no veto powers. He was reelected for a second term with the Ohio legislature falling back into the hands of the Republicans. Hayes had intended upon retiring from politics in 1872 in order to spend time with his wife and children.<sup>33</sup> He was nominated for the House of Representatives again in 1872 but was content with losing the election to a close friend from college. In 1875, he was nominated again to resume his role as governor of Ohio. He returned to the governorship, thus gaining increasing popularity within the Republican Party.<sup>34</sup> The party's overwhelming support positioned him as one of the top candidates for the Republican nomination for the presidency.<sup>35</sup>

### **A PRESIDENTIAL CANDIDATE**

As a presidential candidate, Hayes remained humble through the election process and actively promoted his reformist ideals and his dedication to civil service reforms throughout his campaign. Once Hayes was inaugurated as the governor of Ohio, his campaign for the

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31. Morgan, 10.

32. Hoogenboom, 10.

33. Hoogenboom, 10-11.

34. Hoogenboom, 11.

35. Mark Wahlgren Summers, *The Era of Good Stealings* (New York: Oxford University Press, 1993), 90.

presidential nomination quickly gained support. Hayes' modesty was apparent during the entire process and, according to Hoogenboom, he "neither encouraged his supporters nor meddled with their efforts to organize on his behalf."<sup>36</sup> Hayes easily won the nomination at the Ohio Republican Convention. In a letter he wrote on April 2, 1876 to his dear friend Guy M. Byran, Hayes humbly stated:

I am now at the end of one stage of this political business. Without word or act of mine, the Ohio convention with absolute unanimity instructed for me. This, of course, is a gratifying endorsement. I have rather discouraged "the Hayes movement" from the first. I now would be glad to be satisfactorily out of it. But I suppose I shall continue a silent looker-on.<sup>37</sup>

Nationally, his main competitor was James Blaine of Maine, who had the majority of the Republican Party's support. While the first balloting for the nomination held Blaine in the majority, allegations of scandal began to spread about Blaine while Hayes' reputation remained untainted. These reputations ultimately ended up swaying many votes.<sup>38</sup> By the end of the campaign, Hayes won the Republican Party election by five votes and Blaine graciously supported Hayes' nomination.<sup>39</sup>

Hayes' letter of acceptance detailed his goals for a potential presidency. He explicitly approved the Republican Party platform, promised not to run for reelection, and guaranteed the South that he would aid its transition from the aftermath of the Civil War and Reconstruction to participation in normal national politics. The majority of his letter centered on the need for civil service reform and the demolition of the spoils system. Hayes wrote the following:

The old rule, the true rule, that honesty, capacity and fidelity constitute the only real qualifications for office, and that there is no other claim, gave place to the idea that party services were to be chiefly considered. All parties, in practice, have adopted

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36. Hoogenboom, 13.

37. Rutherford B. Hayes to Guy M. Bryan, Columbus, Ohio, April 2, 1876, in *The Diary and Letters of Rutherford B. Hayes, Nineteenth President of the United States*, ed. Charles Richard Williams (Ohio: Ohio State Archeological and Historical Society, 1922), 311.

38. Hoogenboom, 15.

39. Hoogenboom, 16.

this system. It has been essentially modified since its first introduction. It has not, however, been improved.<sup>40</sup>

Furthermore, Hayes nicely summed up his platform with the closing paragraph of his acceptance letter by summarizing:

With a civil service organized upon a system which will secure purity, experience, efficiency, and economy, a strict regard for the public welfare, solely in appointments, and the speedy, thorough and unsparing prosecution and punishment of all public officers who betray official trusts; with a sound currency; with education unsectarian and free to all; with simplicity and frugality in public and private affairs; and with a fraternal spirit of harmony pervading the people of all sections and classes, we may reasonably hope that the second century of our existence as a Nation will, by the blessing of God, be pre-eminent as “an era of good feeling,” and a period of progress, prosperity, and happiness.<sup>41</sup>

Clearly, Hayes had every intention of being an active, dedicated, and passionate president who sought to end the spoils system, aid the South, and help American society in all necessary aspects.

#### **THE ELECTION OF 1876 AND THE COMPROMISE OF 1877**

The election of 1876, a controversial political battle between Hayes, the Republican candidate, and Samuel J. Tilden, the Democratic candidate, is often used to depict the beginning of Gilded Age politics as being marked by manipulation and corruption. This election and subsequent compromise are often the only important historical events associated with President Hayes, overshadowing the important reform efforts he made throughout his presidency. However, the election was far less scandalous than it initially appeared and was simply the result of a congressional commission that determined the president. The resulting compromise was a continuation of Hayes’ attempts to aid the South with recovering from the Civil War and transition into a normal period of more stable politics after Reconstruction.

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40. Rutherford B. Hayes to Republican National Committee, Columbus Ohio, July 8, 1876, in *Letters and Messages of Rutherford B. Hayes, President of the United States Together with Letter of Acceptance and Inaugural Address* (Washington, 1881), 5.

41. Rutherford B. Hayes to Republican National Committee, Columbus Ohio, July 8, 1876, in *Letters and Messages of Rutherford B. Hayes*, 7-8.

The first returns of the popular vote determined Tilden to be the winner and eager newspapers quickly pronounced him the 19th president of the United States.<sup>42</sup> Hayes himself was skeptical of the election, as he wrote in his diary on October 22 that “another danger is imminent - a contested result.”<sup>43</sup> On the night of November 7th and the early morning of November 8th, after weeks of tallying the polls, telegraphers informed both national parties’ headquarters that it appeared that Tilden had won the election by a vast amount. From this, Democrats were comfortable in assuming that Tilden had received more than 200 electoral votes, a substantial amount more than the 185 needed to win the election. At this time, the votes from Florida, South Carolina, and Louisiana had yet to be counted. Together, they could allocate the 19 electoral votes Hayes needed to win the majority.<sup>44</sup> Oregon, too, had yet to be counted. Quickly, Republicans sent messages to the Republican leaders of these states. Michael F. Holt, a historian and author of *By One Vote: The Disputed Presidential Election of 1876*, claims the messages contained only two brief sentences that urged “with your state sure for Hayes, he is elected. Hold your states.”<sup>45</sup> Ultimately, Tilden did not receive a majority of votes from the Electoral College. The states in question were Republican dominated but were often controlled by Democrats through corruption and violence. Thus, an Electoral College controversy quickly arose with the Democrats and Republicans alike attempting to sway and tamper with the allocation of votes. To avoid any further delay, Congress created an Electoral Commission made up of five senators, five members of the House, and five Supreme Court Justices.<sup>46</sup> Congress had intended to create a commission with seven Republicans, seven Democrats, and one neutral member in order to come to an unbiased, final decision. However, the Commission ended up casting eight Republican votes and seven Democratic votes, with most of the members voting along their party lines to elect Hayes as the

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42. Joseph M. Rogers, “How Hayes Became President,” *McClure’s Magazine* XXIII, no. 1 (May 1904): 76.

43. Rutherford B. Hayes, October 22, 1876, in *The Diary and Letters of Rutherford B. Hayes*, 374.

44. Michael F. Holt, *By One Vote: The Disputed Presidential Election of 1876* (Kansas: University Press of Kansas, 2008), 172.

45. Holt, 173.

46. Rogers, 76.

next President.<sup>47</sup> Several Democratic senators refused to vote on the Commission's decisions and threatened a filibuster, thus prolonging the political deadlock and debate.

However, the deadlock of the contested election was finally broken through a compromise between Hayes and the Southern Democrats that is known as the Compromise of 1877. The compromise declared that Southern Democrats would acknowledge Hayes as president as long as he met certain demands. According to Morgan, the points of contention were as follows:

A Republican president would remove federal soldiers from Louisiana and South Carolina, the last remaining “unredeemed” states, and recognize local rule; as part of a long-term program, Republicans would extend federal patronage to the South, construct levee and harbor improvements, help complete the Texas and Pacific Railroad, and welcome the South into national life; southern politicians would not obstruct certain Republican programs, and would help elect Garfield speaker of the House, obey the Constitution [including the newly ratified 13th, 14th, and 15th amendments], and guarantee Negroes civil rights.<sup>48</sup>

President Hayes was the first president since the Civil War to preside over the United States as a seemingly whole, unified nation. The Civil War had divided the nation into two halves and Reconstruction had forced Republican, northern ideals upon the southern states, resulting in harsh feelings and severe resentment between the two parties. The compromise marked a shift in American politics from the pre-Civil War fragmentation and division of the United States to the unified modern nation. While this was a great shift in American history, it began out of a controversial, corrupted election. Calhoun explains that, “in the grossest form the story states that Hayes abandoned reconstruction of the South and protection of the former slaves in order to secure his seat as president.”<sup>49</sup> While the compromise was intended to reunify the nation, it did so at the expense of racial justice and equality. However, in his diary on February 18, 1877, President Hayes explained his sentiments and goals for the South by writing that “[his] course [was]

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47. Rogers, 76.

48. Morgan, 18.

49. Calhoun, “Reimagining the ‘Lost Men’ of the Gilded Age,” 239.

a firm assertion and maintenance of the rights of the colored people of the South according to the Thirteenth, Fourteenth, and Fifteenth Amendments, coupled with a readiness to recognize all Southern people, without regard to past political conduct, who [would] now go with [him] heartily and in good faith in support of these principles.”<sup>50</sup> Thus, it is necessary to highlight that President Hayes explicitly agreed to the compromise with the understanding that the South would abide by the Civil War Amendments, thus suggesting he did not ignore the issue of racial injustice, but momentarily valued the reunification of the nation more.

It is of the upmost importance to understand that the Gilded Age began with a seemingly corrupt presidential election, a theme that would permeate the rest of the era and eventually come to define the time period. However, this election also shows that President Hayes actively worked to combat corruption. While the election initially appears corrupt, in reality, Reconstruction was already ending since the Democrats had already regained a majority in most of the southern states. Thus, Hayes merely responded to the South’s demands to end Reconstruction by withdrawing the few troops remaining in the South. Historian Mark Wahlgren Summers explains that any potential corruption “if such it was, was one of the kinds most widely accepted and defended in that day: a partisanship” that worked for the betterment of the system.<sup>51</sup> Essentially, this means that Hayes’ actions were not corrupted, but rather meant to help end the deep party divisions between the Republicans and Democrats.

Calhoun explains that from the very beginning of the election Hayes had asserted that “he would favor a restoration of ‘local government’ in the South, but that southerners must pledge to uphold the parts of the Constitution ‘that are no less than the parts that are old,’ that is, the civil rights amendments.”<sup>52</sup> This shows that even this controversial election that is often described as being corrupted and manipulated has a story explaining the need for such an agreement and thus proves that Hayes did not merely change his stance on the South to gain the vote, but rather followed through with the plan to aid the South that he promoted at the

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50. Rutherford B. Hayes, February 18, 1877, in *The Diary and Letters of Rutherford B. Hayes*, 417.

51. Summers, 288.

52. Calhoun, “Reimagining the ‘Lost Men’ of the Gilded Age,” 240.

outset of the election. The controversial election of 1877 essentially provides a starting point for examining Hayes' presidency as he always strived to lead in an active, fair manner with the interests of the nation in mind.

### INAUGURAL ADDRESS

President Hayes was officially declared the winner of the Presidential election at 4:20 A.M. on March 2, 1877. The Senate had assembled and announced that Hayes and his Vice Presidential candidate, Wheeler, had won the election in the Electoral College, 185 votes to 184 votes.<sup>53</sup> President Hayes' election resonated well in the press and the public. An article in the *New York Times* in 1877 declared that "Governor Hayes' name [was] upon everybody's lips and there [was] no doubt that the inauguration ceremonies of the President-elect w[ould] be conducted with as much enthusiasm and general satisfaction as ha[d] characterized any previous inaugural ceremonies."<sup>54</sup> Another journalist, again writing for the *New York Times*, declared that Hayes' brief speech at his inauguration "[was] likely to meet with approval throughout the country" and, furthermore, that his message was "perfectly patriotic; it [was] free from narrowness and partisan bias; it [was] enlightened; and it [was] independent."<sup>55</sup> President Hayes' inaugural address resonated with the American public and gave people hope that his administration would not be extraordinarily patrician and would work diligently toward ending political corruption.

On Monday, March 5, 1877, Hayes delivered his Inaugural Address to the people of the United States. Reiterating the major points of his acceptance letter, Hayes declared that he would focus his administration on reforming the South, improving education, resolving the currency question, and most prominently, focusing on civil service reforms. In addressing the end of federal Reconstruction, Hayes declared that "the evils which [were] afflict[ing] the Southern States c[ould] only be removed or remedied by the united and harmonious efforts of both races,

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53. Hoogenboom, 50.

54. Special Dispatch to the *New-York Times*, "The New Administration," *New York Times* (1857-1922) (Mar 4, 1877). <http://proxy.libraries.smu.edu/login?url=http://search.proquest.com.proxy.libraries.smu.edu/docview/93581898?accountid=6667> (November 18, 2014).

55. "Mr. Hayes Inaugural Address," *New York Times* (1857-1922) (Mar 6, 1877). <http://proxy.libraries.smu.edu/login?url=http://search.proquest.com/docview/93587583?accountid=6667> (December 7, 2014).



actuated by motives of mutual sympathy and regard.”<sup>56</sup> He promised to do so in accordance with the agreements made in the Great Compromise, and stated, “I am sincerely anxious to use every legitimate influence in favor of honest and efficient local self-government as the true resource of those States for the promotion of the contentment and prosperity of their citizens.”<sup>57</sup> This statement reveals that Hayes sought to help reform the South in an effort to have the local and state governments work toward protecting the rights of all citizens in a legitimate manner. Essentially, he endowed the Southern Democrats with the power they so desired while simultaneously holding them accountable for honest and efficient governmental policies. About civil service reforms, Hayes proclaimed the following:

I ask the attention of the public to the paramount necessity of reform in our civil service --a reform not merely as to certain abuses and practices of so-called official patronage which have come to have the sanction of usage in the several Departments of our Government, but a change in the system of appointment itself; a reform that shall be thorough, radical, and complete; a return to the principles and practices of the founders of the Government.<sup>58</sup>

By this assertion, Hayes meant that his administration would take the appointments of governmental offices seriously, only appointing those who were worthy of the position based on their merit rather than wealth of party association. Furthermore, the founders of the United States’ government, which he so clearly alluded to, believed that partisanship needed to be countered so that ambitions countered ambitions amongst political leaders, such that legislation and actions would not be for the benefit of one party, but rather for the benefit of the entire people. According to a newspaper article from March 22, 1877, Hayes’ Inaugural Address was “met with an almost unanimous concurrence from all shades of political opinions, North and South.”<sup>59</sup> He clearly outlined his intentions for his time in office. He presented himself as a president willing and eager to improve the current state of

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56. Rutherford B. Hayes, Inaugural Address, March 5, 1877, in *Letters and Messages of Rutherford B. Hayes*, 13.

57. Hayes, Inaugural Address, 13.

58. Hayes, Inaugural Address, 13.

59. “Article 2,” *Zion’s Herald* 54 no. 12 (Mar 1877): 92.

political affairs through constitutional means.

### **CIVIL SERVICE REFORM**

Throughout the entire election process, Hayes had dedicated much of his campaign toward the effort to reform the civil service. This, arguably, was the most important issue to President Hayes during a time of immense political corruption. Hayes' passion for civil service reform stands out as the best example of his continuous efforts to change politics throughout his presidency rather than merely allowing Congress to control the government and do as it pleased. He devoted much of his inaugural address to articulating his ambitions and goals for the civil service system and the general appointment process. Furthermore, President Hayes "called for a system in which federal appointments would be made solely on the basis of candidates' qualifications, in which employees would be guaranteed tenure given their competence and honesty, and in which departmental officials would be free from partisan influence."<sup>60</sup> President Hayes declared that a government officer should "be secure in his tenure as long as his personal character remained untarnished, and the performance of his duties satisfactory."<sup>61</sup> As a civil service reformer, President Hayes understood the spoils system and patronage to be unbecoming for the government and actively promoted the need to abolish the spoils system, to appoint worthy, qualified people to public offices, and to grant tenure in order to ensure an end to partisanship.<sup>62</sup> Since civil service reform was his passion, he conducted a highly publicized campaign against the spoils system and patronage and enlightened the public on the issues of corruption. He constantly reiterated the need for anti-corruption legislation in letters, speeches, declarations, and his annual message to Congress, thus leaving the general public wary of political officials and critical of governmental corruption. For instance, Paul quotes Hayes during his first annual message to Congress on December 3, 1877, as proclaiming the following:

The organization of the civil service... has for a number of years attracted more and more of the public attention... I have fully believed these declarations and demands [for reform] to be the expression of a sincere conviction of the intelligent masses of

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60. Paul, 71.

61. Hayes, Inaugural Address, 14.

62. Miller, 54.

the people upon the subject, and that they should be recognized and followed by earnest and prompt action on the part of the legislative and executive departments of the government, in pursuance of the purpose indicated.<sup>63</sup>

Unlike his predecessors, President Hayes only sought to fill vacant federal positions and only wished to dismiss those government employees who were incompetent and unsatisfactorily fulfilling their duties. Hayes wished to appoint the important federal positions himself, rather than adhering to party allegiance. While he remained conscious of his party affiliation, Hayes sought to end appointments solely based on political consideration. Writing in his diary on April 22, 1877, Hayes proclaimed that “we must limit and narrow the area of patronage. We must diminish the evils of office-seeking. We must stop interference of federal officers with elections. We must be relieved of congressional dictation as to appointments.”<sup>64</sup> Miller asserts that President Hayes “made major inroads against the spoils system by insisting that certain positions were too important to allow senators that courtesy of naming the recipient.”<sup>65</sup> His selection of cabinet members proves how dedicated he was to appoint members based on merit rather than party alliance.

Hayes embodied his ideals for governmental appointments with the selection of his presidential cabinet. He appointed William A. Wheeler as his vice president and appointed William M. Evarts, a lawyer who had extensive experience in foreign affairs, as secretary of state. In a highly controversial decision, he appointed Carl Schurz as the secretary of the interior. Schurz had been an avid and dedicated campaigner for Hayes on both the state and national levels. However, he was loathed by other Republican Party members for attempting to prevent Grant from taking a second term in office. Next, Hayes attempted to appoint General Joseph E. Johnston, a southern Democrat, as the secretary of war; however, this selection proved to be highly controversial and failed to be passed. Hayes then appointed George W. McCrary to the position. Next, he appointed David M. Key, a Southern Democrat, as postmaster general. Finally, he appointed John Sherman as his secretary of the treasury, Charles Devens as his attorney general, and Richard

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63. Paul, 71.

64. Rutherford B. Hayes, April 22, 1877, in *The Diary and Letters of Rutherford B. Hayes*, 430.

65. Miller, 54.

W. Thompson as his secretary of the navy.<sup>66</sup> Hayes purposefully chose not to offer cabinet positions to those whom he had competed with for the Republican nomination or their associates and also did not appoint any of Grant's cabinet members.<sup>67</sup> His bold tactics and refusal to confer with previous administrators led to hostility toward Hayes within the Republican Party. His appointments were controversial at the time because they were not the expected appointments, which led to opposition from the Republican leaders of Congress.

Furthermore, President Hayes actively attempted to counter the divided, deadlocked politics of Congress to further his political reforms. He made innovative use of the public's opinion and sentiment to force members of Congress into action. He also used the public's opinion to limit Congress' ability to pass corrupted legislation. However, if he was unable to persuade Congress, which happened quite often, he resorted to the veto power to discourage and prevent Congress from passing unwanted, potentially corrupted legislation.<sup>68</sup> His most useful tactics, however, were far less drastic measures, such as sending congressmen notes that advanced or rejected arguments for particular bills, blatantly dropping hints at different social gatherings, mobilizing and encourage approval or disapproval of pending legislation, and, of course, casually threatening with his veto power.<sup>69</sup> Furthermore, as a previous governor and congressman himself, President Hayes understood how congressional politics worked and was able to use his past experience to his advantage in forming alliances and attempting to further his politics.

However, while Hayes actively worked to enact civil service reforms and persuade Congress to pass legislation, he constantly met great opposition from Congress and corrupt party leaders. According to historian Vincent Desantis, it is obvious that the most detrimental and important constraint on Hayes' plan "was the sharp contest between the parties and the failure of either to have control of the national government for any appreciable length of time."<sup>70</sup> While the divided Congress had trouble agreeing upon legislation, Hayes' intended program for the South and for civil service reform caused a deep divide

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66. Hoogenboom, 52-53.

67. Hoogenboom, 51.

68. Paul, 69.

69. Paul, 69.

70. DeSantis, 555.

within his own Republican Party.<sup>71</sup> Hayes was often unable to persuade his fellow Republicans, let alone the opposing Democrats, to enact civil service reforms that went against their own narrow-minded political interests. Despite the difficulties he faced in passing legislation, Hayes still managed to take some steps to eliminate political corruption. In his diary on August 6, 1878, Hayes commented on his own efforts:

It is plain that the Civil Service reform has made some progress. 1. No assessments on office-holders are now allowed. If it is charged in any case, the officer concerned hastens to deny it. Even the enemies of reform in the party now give it up. 2. Office-holders have in great degree ceased to interfere in party management. If accused of it, they deny it. 3. Appointments are no longer regarded as belonging to Congressmen. 4. No relatives are appointed to office by the President. 5. No misconduct of any sort, no corruption in office, is covered up by the Administration. All officers understand that a betrayal of trust will lead “to speedy, unsparing, and thorough prosecution and punishment.” 6. Appointments less partisan than any time before since [J. Q.] Adams’ time. 7. No partisan Service required of any public officer.<sup>72</sup>

According to Paul, President Hayes ended his term as president by using his last annual message to Congress “to make a passionate appeal for enactment of legislation requiring that hiring of federal bureaucrats be based on candidates’ performances on competitive evaluations.”<sup>73</sup>

During his presidency, Hayes lost support from his fellow Republicans for becoming too proactive with his attempted civil service reforms. Many politicians were blinded by their own self-interest and unable to see the corrupted atmosphere surrounding them. Hayes wrote about this conundrum in his diary on February 14, 1879. He proclaimed, “impressed with the vital importance of good administration in all departments of government, I must do the best I can unaided by public opinion, and opposed in and out of Congress by a large part of the most

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71. DeSantis, 556.

72. Rutherford B. Hayes, Columbus, Ohio, August 6, 1878, in *The Diary and Letters of Rutherford B. Hayes*, 495.

73. Paul, 72-73.

powerful men in my party.”<sup>74</sup> A journalist writing retrospectively in 1915 claimed, “that time has justified those features of [Hayes’] policy which brought the immediate wrath of a large section of his own party heavily upon his head.”<sup>75</sup>

While he might not have successfully passed legislation during his time in office, Hayes paved the way for future civil service reform laws, most notably the Pendleton Act of 1883. Paul asserts that “the administrative and personnel regulations that were implemented during his tenure constituted a significant precedent, as well as political impetus, for the *Pendleton Act of 1883*.”<sup>76</sup> This important act essentially created a bipartisan Civil Service Commission. The Commission administered a system of competitive exams and set professional standards for all new federal employees. Furthermore, the Pendleton Act ended the practice of requiring federal bureaucrats to contribute financially to campaigns. While the act originally only applied to approximately ten percent of federal positions, it marked a milestone in the Congressional passage of anti-corruption legislation.<sup>77</sup>

#### WHY IS HE FORGOTTEN?

President Hayes will never be considered one of the great presidents, but according to historian Hans L. Trefousse, “he managed to serve out his originally disputed term without scandal and with considerable competence. He deserves to be remembered.”<sup>78</sup> President Hayes is typically a forgotten American president since he was understandably only capable of accomplishing very minimal reforms during his presidency. While he had high aspirations and goals, he was unable to achieve them due to congressional corruption and deadlock. A journalist during the Gilded Age describes Hayes’ struggles by stating, “it is quite possible that the President has not done so much as we expected of him toward a reform in the civil service, but it should be remembered in his favor, or as partly an explanation of the fact, that he has to fight

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74. Rutherford B. Hayes, February 14, 1879, in *The Diary and Letters of Rutherford B. Hayes*, 521.

75. “A Half-Forgotten American President,” *The Dial: A Semi-monthly Journal of Literary Criticism, Discussion, and Information* LVIII (April 1915): 262.

76. Paul, 73.

77. Paul, 73.

78. Trefousse, 2.

every step of the way.”<sup>79</sup> Frankly, under the controversial conditions of party politics and patronage, it is amazing President Hayes was capable of accomplishing all that he did. Furthermore, Hayes was easily overshadowed by his successor, President Garfield, who was quickly assassinated after his inauguration, thus leaving news sources and the public focused on a scandalous murder and a new president rather than on the accomplishments of Hayes’ previous administration.

### CONCLUSION:

I have attempted to show that the Gilded Age does not receive the credit it is due. While it was undoubtedly a time of political corruption, the United States underwent a period of profound transformation toward a more progressive, reformist society that would remain throughout the following century. While Hayes never completed his mission to reform the civil service system, Paul argues that “a strong case can be made that he did succeed in bringing to a close the vicious cycle of presidential weakness and congressional dominance” that had defined the office of his predecessors.<sup>80</sup> Hayes was president during a time of diminished presidential prestige, support, and authority and had to compromise his efforts with a stubbornly divided Congress. President Hayes entered office at a point in time when corruption and the spoils system were in full swing, thus forcing him to work under severe circumstances and limitations that are often overlooked and under-appreciated.<sup>81</sup> He sought to encourage change to the best of his abilities and he implemented tools, such as influencing public opinion, implementing his power to veto, and selecting a well-qualified cabinet to overcome the limitations and boundaries of the era’s political corruption. President Hayes’ time in office exemplifies the reform efforts made by leading politicians throughout the Gilded Age despite the rampant political corruption. The Progressive Era, which immediately followed the Gilded Age, has been characterized as a time of rampant anti-corruption action and its progressive politics have long been juxtaposed against Gilded Age politics. The policies, politics, and legislation of this turn of the century era found its base within President Hayes’ diligent anti-corruption efforts. Rutherford B. Hayes was not a lackadaisical, inefficient, and narrow-minded office holder, but rather an active reformer who sought

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79. “Improving Politics,” 900.

80. Paul, 83.

81. DeSantis, 556.

to fundamentally change the political atmosphere of the Gilded Age and greatly influenced further eras like the Progressive Era.