"Great Injustice": Social Status and the Distribution of Military Pensions after the Civil War[1]

Russell L. Johnson, University of Otago

In recent years, historians have paid increased attention to the Civil War pension system created for Union army soldiers and their families. It has come to be seen as a milestone in the evolution of U.S. social policy. Despite the overall appearance of generosity and of unbiased treatment for applicants, however, individuals actually experienced the system very differently based on the social status of the soldier involved. Looking at pension legislation, its implementation, and nearly one thousand pension claim files, this article argues that three types of status discrimination appeared in the distribution of pensions: Pension laws paid larger amounts to officers and their families, the Pension Bureau used ability to perform manual labor to determine the level of disability regardless of the applicants' true ability to earn a living, and claims based on the service of officers generally were decided more quickly and more favorably than those of enlisted men. Because military ranks reflected the soldiers' civilian social position—most manual laborers served as enlisted men, for example—these biases meant that individuals of higher social status received significantly better treatment than those of lower civilian status.

> The thing which strikes any one who examines our pension laws most forcibly is the inequalities which he finds existing in them. Great injustice grows out of great inequality.
>
> —Rep. Adoniram J. Warner (D-OH)[2]

On December 9, 1891, John Kuntz, a bricklayer in Dubuque, Iowa, died of injuries he sustained when a portion of wall on which he was working collapsed, and he fell seventy feet off a scaffold. This apparently ordinary man had done one great thing in his life: In August 1862, he enlisted in the army to help put down the Southern rebellion and preserve the Union. Physically impaired as a

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[2]*Congressional Record*, 49th Cong., 2nd sess. (Jan. 17, 1887), 740.

result of his service and unable to earn an adequate living, in 1866 he applied for one of the pensions that the federal government provided for those of its defenders disabled in the service. The Pension Bureau quickly rejected his case, and for the next twenty-one years, Kuntz struggled to establish his claim while his physical condition deteriorated. In 1887, he finally satisfied the bureau that he developed rheumatism in the army and began receiving a $2 per month pension. However, the bureau continued to reject his other claim, that exposure during a sand storm while in the service damaged his eyes, leaving him nearly blind by the 1880s. Kuntz continued to press his claim, and a year later, the bureau relented, increasing his pension to $14 per month. Even with the pension, Kuntz and his family depended for their survival on local charities and the occasional work he could secure through fellow members of the bricklayers' union and from sympathetic building contractors. One such sympathetic contractor gave him the job laying bricks on the new Dubuque County Courthouse, which put Kuntz, sixty years old and all but blind, atop the scaffold that fateful day in 1891.[3]

Recent years have witnessed a revival of interest in the pension system created for Union army veterans like John Kuntz after the Civil War. Theda Skocpol, for example, analyzes the pension system as an episode in the development of the American welfare system. Civil War pensions, she argues, represent an example of "honorable, crossclass, and crossracial social provision," and thus the pension system offered an early model for broader social legislation. In contrast to Skocpol's polity-centered approach, Donald R. Shaffer and Megan J. McClintock examine the experiences of African Americans and women (widows) with the pension system and indicate some of the ways the system fell short of being a model "crossracial" and crossgender program. Both African Americans and women in the system faced close scrutiny of and discrimination against their claims, and both were expected to uphold white, middle-class standards of behavior to maintain their eligibility. Many possibly deserving pension claims were rejected as a result of a failure to meet or adhere to bourgeois norms.[4]

[3]Fourteen dollars in 1888 had the purchasing power of about $320 in 2009. John Kuntz pension, invalid app. 98019 cert. 376508, widow app. 536332 cert. 356604, National Archives, Records of the Veterans Administration, RG 15, Civil War and Later Pension Files (CWLPF). Pension files are stored at the National Archives by type (invalid, widow, minor child, dependent parent, other dependent) and by application (app.) and certificate (cert.) numbers. All pension claims were assigned an application number; a certificate number was assigned only to those whom the Bureau approved.

[4]Theda Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," *Political Science Quarterly* 108 (Spring 1993): 85–116, quotation 116; Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge,

Although negative experiences with the pension system based on gender and race have attracted social historians' attention, the third of their usual categories of analysis—class—has proved more elusive in the study of pensions. For one thing, no easy way exists to identify pension applicants by social class. Nearly all African American soldiers served in designated "colored" regiments, and women generally only applied as widows or dependent mothers of soldiers. Hence their pension claims made clear the applicants' race and gender.[5] However, neither the military nor the Pension Bureau imposed a strict separation of individuals based on social class. Further complicating a class analysis of pensions, the Pension Bureau failed over the years to record systematically even the most basic necessary information. In his investigation of the success or failure of disability pension applications across a range of factors, for instance, Peter Blanck finds that more than half of the cases in his sample data contained no information on the soldiers' civilian occupations.[6] Although for a short time the Pension Bureau considered "dependence" in adjudicating widows' claims, it never attempted to assess veterans' wealth as part of their eligibility for pensions and therefore did not collect any relevant data.[7]

However, one piece of evidence that the Pension Bureau did collect for every claim opens the door, if not to a full class-based analysis with all that implies, then at least to an inquiry on the fate of pension applications based on the social *status* of the applicant: military rank. As one of its first steps in processing a claim, the bureau contacted the War Department for a copy of the soldier's military service record. Military rank, in the overwhelmingly volunteer Union army, reflected the soldiers' pre-service social positions. Using soldiers from the Iowa cities of Dubuque and Des Moines who could be located in the 1860 census, for example, an analysis of the soldiers' military ranks compared to their

MA, 1992); Donald R. Shaffer, "'I Do Not Suppose That Uncle Sam Looks at the Skin': African Americans and the Civil War Pension System," *Civil War History* 46 (June 2000): 132–47; Donald R. Shaffer, *After the Glory: The Struggles of Black Civil War Veterans* (Lawrence, KS, 2004); Megan J. McClintock, "Civil War Pensions and the Reconstruction of Union Families," *Journal of American History* 83 (Sept. 1996): 456–80; Megan J. McClintock, "The Impact of the Civil War on Nineteenth-Century Marriages" in *Union Soldiers and the Northern Home Front: Wartime Experiences, Postwar Adjustments*, eds. Paul A. Cimbala and Randall M. Miller (New York, 2002), 395–416.

[5]Some African Americans did serve in (otherwise) "white" regiments, and some women disguised themselves as men to enlist in the army. Such instances potentially complicate the matter of identifying pensions by the race and gender of the applicant, but in either case the numbers are small.

[6]Blanck used data from the Inter-University Consortium for Political and Social Research (ICPSR). Peter Blanck, "Civil War Pensions and Disability," *Ohio State Law Journal* 62 (2001): 110–241, esp. 166–69; for his data source, ICPSR, "Civil War Veterans Series," http://webapp.icpsr.umich.edu/cocoon/ICPSR-SERIES/00192.xml (accessed Dec. 7, 2004).

[7]The "dependency" provisions in pension legislation will be detailed more fully below.

1860 occupations yields a strong correlation between the two variables.[8] Moreover, the strength of the correlation actually *increased* over the course of the men's service, being greater between 1860 occupations and the ranks the men held when they left the army than it was for their ranks entering the army.[9] Further, for Dubuque's soldiers, a statistically significant correlation existed between ranks (both entering and leaving the army) and property ownership before the war. The much lower correlation coefficient between ranks and property ownership for Des Moines' soldiers was not statistically significant.[10]

In the absence of systematic data on civilian occupations and wealth collected by the Pension Bureau, military ranks thus offer a reasonable approximation of civilian status. As some observers at the time noted, pension claims based on the service of officers and enlisted men did seem to fare very differently at the Pension Bureau. In 1890, for example, an editorial in the *Iowa State Register*, published in Des Moines, exclaimed, "It has not been so difficult for those who bore commissions, drew larger pay, and had more privileges and comforts than privates throughout the war, to prove up their claims!" In contrast, the same editorial asserted, "The private soldiers, those who were the actual 'sinews of war,' have been shamefully neglected."[11] An analysis of nearly one thousand pension claim files relating to soldiers from Dubuque and Des Moines for this essay suggests the validity of at least part of the *Register*'s assertion. Officers and their dependents generally did receive more favorable decisions on their claims, and after a faster review than enlisted men or their dependents. Although the latter were not exactly "neglected," the Pension Bureau's treatment of their claims suggests that social status, like race and gender, played a role in determining access to Civil War pensions.[12]

[8]The (future) soldiers in each city in 1860 were divided into two groups, those living in households headed by a parent or parents and those living independently. The occupational data used in this analysis come from the parent(s) in the former cases and the soldiers themselves in the latter.

[9]The correlations described in the text are all statistically significant at the 0.01 level, using Pearson's correlation test. Two military rank categories were used, officers (lieutenants and higher) and enlisted men (privates through sergeant-majors). Similarly, two occupational categories were used, nonmanual (including professionals, proprietors, clerks, and other white collar jobs) and manual (skilled and unskilled workers and farmers).

[10]The correlation between ranks and property ownership for Dubuque's soldiers was statistically significant at the 0.01 level; for Des Moines, significance tests failed, even at the 0.05 level. For this analysis, two simple categories of property ownership were used: those who owned property and those who did not. As with occupations, the property data come from parents if the soldiers were living in their parents' household and from the soldiers themselves for those living independently. However, if the soldiers' own property is used in every case, it yields a statistically significant correlation (at the 0.1 level) between ranks and property ownership among soldiers from both cities.

[11]*Iowa State Register*, May 2, 1890.

[12]Specifically, the pension files in this analysis are those related to soldiers of all ranks, races, and branches of service who originally enlisted from Des Moines or Dubuque and who could be found in

Before presenting the detailed analysis of pension claims, this essay begins by describing the legislative framework of the pension system in order to place the differing treatment of officers and enlisted men's claims in context. It then presents evidence of two other status-related biases in the system. First, the laws themselves discriminated between the service of officers and enlisted men, offering larger payments to officers and their dependents. A second bias emerged in the implementation of the laws, as the Pension Bureau adopted *impairment for manual labor* as its standard measure of disability, despite the fact that most officers did not earn their living as civilians performing manual labor. The analysis of the decisions in the pension cases of Dubuque and Des Moines soldiers and their dependents follows and underscores the inequalities built into the system. Overall, this essay argues that most pensions, not just those involving African Americans and women, were viewed with suspicion in the Pension Bureau and even by segments of the public. The greatest scrutiny, however, was reserved for the claims of enlisted men and their families.

The legislation behind the Civil War pension system shaped its implementation by the Pension Bureau. The original pension law passed in 1862 simply extended the provisions of the pension system used for the pre-war regular army to soldiers in the new crisis. The law limited pension coverage to disabilities or deaths specifically traceable to the soldiers' military service. Called the *invalid system*, a soldier claimant had to prove his good health before he entered the service, demonstrate the occurrence of the disability in the service, and show the continuation of the disability up to the time he applied for the pension. Similar proof was required in a widow or other dependent's claim. In addition to proving prior good health and occurrence of death during or as a result of the soldier's service, however, a widow also needed to prove her marriage to the soldier and obtain testimony that she never divorced the soldier before his death, whereas other dependents had to show that the soldier had actively supported them before he died.[13]

either the 1860 or 1870 census for the cities, regardless of where the veterans or their dependents lived when they applied for their pensions.

[13]If a soldier's widow wanted to add minor children (eligible up to age 16) to the claim, she had to provide testimony about each child's birth and about the soldier's acceptance of the child or children as his own. In addition to the Dubuque and Des Moines pension case files, sources used for this and the next paragraph include William H. Glasson, *History of Military Pension Legislation in the United States* (New York, 1900), esp. 70–124; Glasson, *Federal Military Pensions in the United States* (New York, 1918), esp. 124–280; and Claudia Linares, "The Civil War Pension Law," Center for Population Economics Working Paper No. 2001–6 (Dec. 2001), http://www.cpe.uchicago.edu/publication/lib/pension_cpe.pdf (accessed Jan. 13, 2005).

The requirement to prove the service origins of a disability or death remained in place until 1890. In that year, Congress passed and President Benjamin Harrison, himself a Union army veteran, signed into law the Dependent Pension Act, creating a *disability system*. This law opened pension eligibility to nearly all Union army veterans disabled for manual labor regardless of when, where, or how the impairment began, excluding only disabilities traceable to an individual's own bad habits, especially heavy drinking or venereal disease. If deceased, a soldier's family could claim a pension regardless of the cause of that death, again excluding only deaths hastened by a soldier's personal habits. Finally, in 1907, a *service pension* law came into effect that paid a pension to all veterans age sixty-two and over who had served at least ninety days in the Union army. The man's age would determine the rate of his pension. An amendment to the service pension provision in 1912 tied pension rates to length of military service as well as age. So, for instance, a sixty-two-year-old man with ninety days of service was paid $13 per month, whereas a sixty-two-year-old man who had served for one year would receive $14, and a seventy-five-year-old man with one year of service was paid $24.[14]

On the surface, these pensions appear very generous. In 1893, almost one million people—disabled veterans, widows, orphans, and other soldiers' dependents—received payments from the Pension Bureau, and those payments consumed more than 40 percent of the entire federal budget.[15] The appearance of broad coverage and monetary generosity is deceiving, however. For one thing, the money flowed primarily into northern and western states because, of course, only Union army veterans or their families were eligible for pensions from the national government.[16] More significantly here, most individuals received only small payments, as low as $1 per month, while the inequalities in the laws and their interpretation often resulted in the poorest veterans and families having the hardest time getting their claims approved.

[14]Executive Order No. 78 in 1904 authorized the Pension Bureau to pay disability pensions based solely on age, but actual codification into law did not occur until 1907. See Glasson, *Federal Military Pensions*, 258, for age plus length of service examples in text.

[15]Historians especially seem to like the 1893 example. It appears in Skocpol, *Protecting Soldiers*, 128–29; McClintock, "Civil War Pensions," 458; Stuart McConnell, *Glorious Contentment: The Grand Army of the Republic, 1865–1900* (Chapel Hill, 1992), 153; and Maris A. Vinovskis, "Have Social Historians Lost the Civil War? Some Preliminary Demographic Speculations," *Journal of American History* 76 (June 1989): 54.

[16]Skocpol, *Protecting Soldiers*, 133, 135–38, covers northern and western states as the primary beneficiaries of pension money. For attempts to gain federal pensions for Confederate service, which eventually succeeded—in 1958—see Jeffrey E. Vogel, "Redefining Reconciliation: Confederate Veterans and the Southern Responses to Federal Civil War Pensions," *Civil War History* 51 (Mar. 2005): 67–93.

The first bias in the granting of pensions based on the social status of the soldiers appeared from the beginning of the Civil War. The original invalid pension system made officers and their families eligible for higher monthly payments than enlisted men and their families. For a "total disability" (or death), enlisted men (or their widows) received a maximum rate of $8 per month, whereas officers' maximums started at $15 per month for second lieutenants and peaked at $30 per month for lieutenant colonels and higher ranking officers. Disabilities rated less than total received the appropriate fraction of the maximum. Thus, for example, a private judged one-half disabled would receive $4 per month. This discrimination in pension rates can be traced to the first pension law passed in the United States during the American Revolution. Copying the English model, the Continental Congress set the maximum monthly pension rate at one-half of the soldier's monthly salary, defining officers' rates as higher than enlisted men's simply because of the difference in their salaries. This bias in favor of officers then remained a feature of subsequent American military pension laws in the nineteenth century.[17]

Prior to the First World War, military pensions represented a social *assistance* system, not a social *insurance* scheme. For the Civil War, military service in the Union army ending with an honorable discharge was sufficient to make an individual or his family eligible for a pension under the various laws. No monetary contributions were required, and hence the different rates based on service as an officer or an enlisted man under the invalid law did not result from different levels of input into the system. Even after the change to a social insurance model for veterans' compensation beginning in the First World War, the existing social assistance laws for earlier veterans, including those from the Civil War, remained in force.[18]

During the debates over the initial Civil War pension law in 1862, the social assistance character of military pensions in the nineteenth century led several Democratic members of the House of Representatives to challenge the "great injustice" of offering differing pension rates to officers and enlisted men.

[17]Under the pension laws, "enlisted men" comprised privates and non-commissioned officers (corporals, sergeants, and those of equivalent rank such as commissary sergeants). In the Revolutionary War, Congress added even more for the officers, voting them half-pay retirement pensions for life, regardless of disability. Glasson, *Federal Military Pensions*, 19–50. For text of the 1862 invalid law, *Congressional Globe*, 37th Cong., 2nd sess., app. 405–06.

[18]Claire H. Liachowitz, *Disability as a Social Construct: Legislative Roots* (Philadelphia, 1988), 48, for social assistance versus social insurance; for World War I policies, see K. Walter Hickel, "Medicine, Bureaucracy, and Social Welfare: The Politics of Disability Compensation for American Veterans of World War I" in *The New Disability History: American Perspectives*, eds. Paul K. Longmore and Lauri Umansky (New York, 2001), 236–67.

These members supported the establishment of a uniform maximum pension, arguing that doing so would end "a discrimination borrowed from the Old World"; $13, $11, and $10 per month were variously suggested. The Democrats conceded that, although regrettable, discrimination in salaries in the army was "founded on the necessity of [military] discipline." Pensions were a different matter, however. Pensions, according to Indiana's William Steele Holman and others, represented "a mere bounty or gratuity from the Government—just and reasonable, but still a bounty." No possible reason existed to discriminate between the service of privates and officers in distributing the bounty of the government, unless one wanted to assert "that the officers are better as a class than the private soldiers." Besides, another member asked, "Does it cost more to maintain the widow of an officer than it does to maintain the widow of a private soldier?"[19]

Seeing pensions as an integral part of an effective recruiting system, opponents of the uniform maximum rate accused the Democrats of being less interested in fairness to soldiers than in obstructing the Union war effort by slowing passage of the legislation. These members of Congress, mostly Republicans though a Democrat and two "Unionists" also weighed into the debate, offered three basic arguments against a uniform pension rate. First, they correctly pointed out that the United States had always paid pensions at different rates to officers and enlisted men. Further, they argued that "many" soldiers would never bother to apply for pensions regardless of need or disability. Men joined the Union army, one House Republican asserted, "to give their services, and, if need be, their lives, to aid their country in this crisis, and they never entered into the calculation whether they should get eight or thirteen dollars" as a pension. Finally, the opponents of a uniform rate rejected the Democrats' assertion that pensions were a gratuity. "A pension," according Charles Biddle, a Pennsylvania Democrat and Union army officer, "is a compensation for a pecuniary loss." Therefore, because officers were paid more than enlisted men, the disability or death of an officer necessarily represented a greater financial loss to his family than the disability or death of an enlisted man. This last argument lost much of its force, however, when supporters of a uniform rate reminded opponents that the ranks of enlisted men included bankers, attorneys, and others whose civilian incomes had exceeded those of some or many of the men serving as officers. What about their pecuniary loss?[20]

[19]*Congressional Globe*, 37 Cong., 2nd sess. (May 13, 1862), 2102–06 [quotations, in order, from 2106, 2102, 2102, 2105, 2104, 2105].
[20]Ibid, 2104–05. For Biddle as a Union army officer, see his entry in the Congressional Biographical Dictionary, online at: http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000439 (accessed Apr. 3, 2009).

The Democrats' proposed amendment to equalize pension rates in the 1860s lost in the House of Representatives, but the principle prevailed in the later disability system. The 1880s saw a number of bills introduced into Congress to expand the Civil War pension system to cover disabilities and deaths that were not easily or directly traceable to the effects of military service. One common thread among these bills was a uniform pension rate regardless of military rank, with suggested maximum amounts varying from $8 to $24 per month. The first such bill to pass both houses of Congress included a $12 maximum rate. President Grover Cleveland vetoed this bill in 1887, but after he lost his re-election bid in 1888, a very similar bill became law as the Dependent Pension Act in 1890. The new law offered all disabled veterans coming under its purview a maximum of $12 per month and all widows $8 per month.[21]

Little effort was expended in Congress in the 1880s arguing the merits of the uniform maximum pension rate. The principle had been established in an 1871 disability law covering survivors and widows of the War of 1812 and was used in comparable legislation for the Mexican War enacted in 1887. The Congress paid more attention in the 1880s to the relatively new idea of establishing a reasonable *minimum* pension rate. Under the 1862 law, some veterans received payments as low as $1 or $2 per month despite being able to trace their disabilities directly to their military service. In 1888, for instance, about one-tenth of the disabled pensioners on the roll received $2 or less. Some pensioners considered the small amounts of their pensions insulting. Rated at $4 per month in 1861 and increased to $5.33 in 1863, Private William K. Bird from Des Moines refused to collect his pension beginning in 1865 because, as he told the Pension Bureau, the amount represented a "great injustice." He waited more than twenty-five years before advancing age led him to reclaim his pension money. Advocates of pensions in Congress agreed that small pensions were ridiculous and worked to correct this perceived wrong. The bill that Grover Cleveland vetoed in 1887 would have permitted no fractional rating of pensions. It offered the full $12 per month pension to anyone even partially unable to earn a living by their own exertions, regardless of whether they could earn, say, four-fifths or only one-quarter of the income necessary to support themselves and their families. Cleveland cited this provision as one reason he could not approve the bill.[22]

[21]No roll call vote was taken on the attempt to establish a uniform pension rate in 1862, but tellers reported a 70–28 margin against the idea; *Congressional Globe*, 37th Cong., 2nd sess. (May 13, 1862), 2106. For text of the vetoed 1887 bill, see "The New Pension Law," *Iowa State Register*, Feb. 3, 1887; "The Dependent Pension Bill," *Army and Navy Journal*, July 19, 1890, 884–85, provides the text of the 1890 law.

[22]Glasson, *Federal Military Pensions*, 109–12 [1871 law], 116–18 [1887 Mexican War law]; George L. Kilmer, "Union Veterans and their Pensions," *Century Magazine*, Aug. 1889, 636 [1888 numbers]; Addenda to Declaration for Restoration and Increase of an Invalid Pension,

Although the White House had a new occupant in 1890, the dependent bill of that year addressed Cleveland's objection by setting a minimum disability pension of $6 per month, or one-half of its $12 maximum rate. Although supporters of the minimum pension intended that anyone rated as disabled to any degree would receive no less than $6, in practice the Pension Bureau treated 50 percent as the minimum level of disability required to claim a pension under the new law. Anyone physicians rated less than one-half disabled saw their claims rejected with "no ratable disability" (as opposed to no disability at all). Among the veterans from Dubuque and Des Moines, nearly two-thirds of the disability claims initially rejected under the 1890 law cited no ratable disability as the reason. This determination denied pensions to the people who probably needed them most—manual laborers. Physical debility or old age would reduce the earning power of manual laborers more quickly than for persons in nonmanual occupations. Manual laborers, moreover, already earned less than many nonmanual workers, and consequently even $6 a month could make a difference to their standards of living.[23]

The difference between manual and nonmanual work points to a second type of social status bias in the pension system. Enlisted men typically came from pre-war manual labor backgrounds, whereas officers most often came from nonmanual civilian backgrounds. The same pattern held for the postwar working lives of veterans. Looking at veterans living in Dubuque and Des Moines in 1870, the correlation between their postwar occupations and the ranks they had held in the army remained strong; some correlation between ranks and property ownership in Dubuque also continued in 1870.[24] Definitions of disability thus become important. The 1862 invalid law simply used the term "disabled" to describe pension eligibility. The vetoed 1887 bill was similarly vague, saying "incapacitate[d] . . .

Mar. 6, 1891 in William K. Bird pension, invalid app. 16951 cert. 34559, CWLPF; Grover Cleveland, "Veto of the Dependent Pension Bill" in *The Writings and Speeches of Grover Cleveland*, ed. George F. Parker (1892; New York, 1970), 384–96, esp. 390–91. For minimum pension discussion leading to the 1887 Civil War bill, *Congressional Record*, 49th Cong., 1st sess. (May 17, 1886), 4578–86, (May 19, 1886), 4669–76.

[23]Specifically, 43 of 68 rejections of disability claims under the 1890 law among Dubuque/Des Moines veterans cited no ratable disability. This refers only to cases where the soldier's first claim for a pension came under the 1890 law, excluding anyone who had previously applied for a pension under the 1862 law. For minimum pension in 1890, see *Congressional Record*, 51st Cong., 1st sess. (Feb. 28, 1890), 1800–02, (June 11, 1890), 5947, (June 12, 1890), 5968; and for one senator accurately predicting how the Pension Bureau would treat the minimum pension, *Congressional Record*, 50th Cong., 1st sess. (Feb. 27, 1888), 1502–03.

[24]The correlations between 1870 occupations and military ranks were significant at the 0.01 level for both cities. The property correlation in Dubuque in 1870 was significant at the 0.05 level. As with the 1860 data presented earlier, the occupations and property ownership are the veterans' own if they lived independently in 1870 or their parents' if the veterans still lived with them.

and dependent upon their daily labor for support." In practice, almost from the beginning the Pension Bureau employed a standard of the degree of disability for *manual labor*, and the 1890 law specified disability for "the performance of manual labor." When defined this way, the standard of disability favored those with nonmanual occupations, mostly officers, who might be totally incapacitated for manual labor, yet able to earn the same income as if they had no disability.[25]

Individual cases make the point more clearly. Two Dubuque soldiers—Lieutenant John H. Alexander, a civilian lawyer, and Sergeant Ernst Pitschner, a painter—were each pensioned for a gunshot wound in the thigh. Alexander's wound likely impeded his career less than Pitschner's did, however. Pitschner complained that he had difficulty standing for the long periods required by painting work, whereas much of Alexander's work as a lawyer could be done sitting down. For his wound, Alexander received a pension of $11.25 per month as three-quarters disabled for manual labor. Pitschner, in contrast, initially received $4 per month and was reduced to $3 in 1867 when an examining surgeon decided he was only three-eighths disabled for manual labor instead of one-half. Another example of an officer not having his civilian career derailed by disability is Lieutenant David B. Henderson, another lawyer from Dubuque. Henderson had his left foot amputated as a result of being wounded in 1862 and received a pension of $17 per month beginning in 1863. That Henderson's disability did not substantially impede his career can be seen from the fact that in 1882 he was elected to the House of Representatives from Iowa and in 1899 was elevated to Speaker, the most powerful position in the House and, arguably, the second most powerful position in the U.S. government. In sum, officers received larger pensions but, because of their civilian occupations, perhaps needed them less. A better measure of disability might have been a broader *inability to earn a living* standard, which some in Congress advocated unsuccessfully over the years.[26]

[25]The term "manual labor" entered the law in 1866, though discussion of it continued into the 1880s. *Congressional Globe*, 37th Cong., 2nd sess., app., 405–06 [1862 law text]; *Iowa State Register*, Feb. 3, 1887 [1887 bill text]; *Report of the Commissioner of Pensions for 1874*, quoted in Glasson, *Federal Military Pensions*, 131 [1866 adoption of "manual" standard]; *Army and Navy Journal*, July 19, 1890, 884–85 [1890 law text].

[26]John H. Alexander pension, invalid app. 189906 cert. 173088, widow app. 1028327 cert. [none]; Ernst Pitschner pension, invalid app. 5094 cert. 10863, widow app. 819093 cert. 592260; David B. Henderson pension, invalid app. 19920 cert. 17408, widow app. 907331 cert. 667865—all CWLPF. For inability to earn a living standard see, e.g., discussions around the Dependent Pension legislation: *Congressional Record*, 49th Cong., 1st sess. (May 13, 1886), 4464–66, (May 18, 1886), 4629–31, (May 19, 1886), 4677–78; *Congressional Record*, 51st Cong., 1st sess. (June 11, 1890), 5946–47.

It should be noted, however, that an enlisted man with the same disability as David Henderson would have received almost the same pension as he did. Beginning in 1866, the law was amended periodically to provide higher rates for certain specific injuries. Loss of a foot or hand, for example, was set at $15 per month in 1866, and total blindness merited $25 per month regardless of military rank. By 1874, these rates were $24 and $50 per month. Although these rates treated enlisted men equally with officers, such severe disabilities were relatively rare. According to data in the Commissioner of Pensions' report for 1888, for instance, two-thirds of the disabled pensioners on the roll received $8 (the standard total disability rate for enlisted men under the invalid system) or less per month, whereas almost half of the disabled received no more than $6. The latter group averaged pensions of just $3.50 per month; Ernst Pitschner still received only $3 per month in 1888. By way of comparison, the *National Labor Tribune* reported in 1887 that Pennsylvania coal miners, not necessarily a high-wage group, earned an average of between $7 and $9 *per week*, depending on whether they were paid by the day or by the ton.[27]

Thus, in contrast to suggestions that the Civil War pension system was very generous when examined as a total system and in comparison to other pension schemes, participants in the system, especially enlisted men and their families, knew from experience that it was inadequate to shield disabled veterans or the dependents of the deceased from the need to work. Throughout the years much flowery rhetoric flowed both inside and outside of the Congress about caring for those who bore the burden of the nation's battles "when they were strong and the government was weak." However, Republican representative Robert McKnight of Pennsylvania best captured the reality as early as 1862: "It is not supposed that this [pension] will be the only means of subsistence they [veterans or their dependents] will have. Most of them will be able in part to gain a livelihood by their own exertions." In short, pensions were meant to supplement, not replace, earnings through labor—even for those judged to have a "total" disability.[28]

[27]Eight dollars in 1888 had the purchasing power of approximately $183 in 2009. Kilmer, "Union Veterans," 636 [1888 numbers]; Glasson, *Federal Military Pensions*, 130–36 [specific injury rates]; Ernst Pitschner pension, invalid app. 5094 cert. 10863, widow app. 819093 cert. 592260, CWLPF; *National Labor Tribune*, Jan. 1, 1887.

[28]The "generous" interpretation of Civil War pensions is especially significant to Theda Skocpol's analysis of the system; see, e.g., Skocpol, *Protecting Soldiers*, 107, 131–35, 155–59; Skocpol, "America's First Social Security System," 86, 92–95, 115. *Iowa State Register*, May 2, 1890 ["when they were strong"]; *Congressional Globe*, 37th Cong., 2nd sess. (May 13, 1862), 2103 [McKnight].

McKnight's view was fairly widespread, certainly in the 1860s. As early as 1861, for example, the United States Sanitary Commission (USSC), a private organization established to assist the war effort by sending supplies to the soldiers in the field, outlined its view on aid to disabled veterans. The "utmost endeavor" should be made, the USSC asserted, "to promote the healthy absorption of the invalid class into the homes and into the ordinary industry of the country." Two years later, a USSC report on other nations' institutional arrangements for disabled soldiers concluded that the greatest flaw of European practices was "the failure to provide regular civil occupations" to the inmates of soldier asylums. Based on his observations, the report's author suggested that the disabled from the Union army could be helped best by offering them preferences in civil service appointments and by the creation of an "invalid industrial village" in every state. Ultimately, the USSC opted not to follow these suggestions. Instead, as historian Patrick J. Kelly details, it employed the language of domesticity and "home" to build support for a federally funded network of soldiers' asylums, eventually called the National Homes for Disabled Volunteer Soldiers, without a specific work requirement.[29]

The rhetoric of domesticity in the National Homes, however, should not obscure the extent to which economic productivity—work—remained central to thinking about disabled veterans especially. As the war neared its end in 1865, the *Army and Navy Journal*, a publication directed toward volunteer and professional military officers, offered four pieces of advice to "all discharged, and especially to all seriously disabled" soldiers. The first point—to "preserve a soldierly bearing"—was unspecific, but the others stressed the needs of work. Soldiers were advised to "select quickly some fitting employment," to "fit yourself for such employment immediately," and to "try and make up in energy, decision, and mental vigor" what they "have lost in body." Those who had lost a leg should practice their penmanship. Those who had lost their right hand should not be "too inert to learn to write with the left." Indeed, left-handed penmanship contests for soldiers attracted much attention after the war: "[N]o Yankee loses his heart with his arm," asserted *Harper's Weekly*. *Scientific American* also entered the discussion of work for the disabled in 1865. Arguing that the war had created a "new class of laborers," the disabled, *Scientific American* asserted that "it is indisputable that thousands of able bodied men are employed on work which should be

[29]Richard Severo and Lewis Milford, *The Wages of War: When America's Soldiers Came Home—From Valley Forge to Vietnam* (New York, 1989), 135 [quotation from 1861 report]; U.S. Sanitary Commission, Document No. 67, Stephen H. Perkins, *Report on the Pension Systems and Invalid Hospitals of France, Prussia, Austria, Russia and Italy* (New York, 1863), 15, 18; for domestic imagery, Patrick J. Kelly, *Creating a National Home: Building the Veterans' Welfare State, 1860–1900* (Cambridge, MA, 1997).

transferred to the disabled." Specifically, the journal cited positions as "clerks, book-keepers, messengers, letter carriers, watchmen" in "Government offices, Navy Yards and Custom Houses" as those which should be taken from the able-bodied and given to disabled veterans. Thus, as with the earlier ideas of civil service preference and industrial villages, disabled Union army veterans should be given jobs, perhaps at the expense of able-bodied non-veterans.[30]

As for pensions, the USSC's 1863 report on other nations' arrangements for their veterans stressed the "importance of fixing such a scale of pensions that the pensioners cannot live on them in idleness." Otherwise, according to *Scientific American*, pensions would "make paupers of our soldiers," and paupers, as everyone in the nineteenth century knew, were the poor people least deserving of support from government or philanthropy. Often called the *unworthy* poor, paupers comprised people able to work to support themselves but unwilling to do so because of laziness, intemperance, or other reasons; they legitimately could be denied relief or stigmatized for receiving it. In contrast, the *worthy* poor included people whose poverty was no fault of their own, making them fit recipients of assistance. The physically disabled generally fell into the worthy category. In the late nineteenth century, however, charity organizations and the middle and upper class women who supplied so much of their personnel especially feared, as one scholar puts it, "the spectre of a militant, organized, and undeferential working class" demanding relief as a right or entitlement. If the working class could rely on government or charity for support, the entire American work ethic could be undermined. Accordingly, charity organizations stressed that even the physically disabled worthy poor needed to be reminded of their duty to work to the limits of their abilities.[31]

Low pension rates and limiting pension eligibility to only those clearly disabled during their military service accomplished something similar for veterans from lower social status and working class backgrounds, forcing them to stay in the workforce if possible. A visit to a construction site in Dubuque in the 1880s, for example, might have uncovered many disabled veterans trying to ply their

[30] *Army and Navy Journal*, Jan. 28, 1865, 356; *Harper's Weekly*, Apr. 7, 1866, 211; *Scientific American*, Feb. 4, 1865, 86. For more on left-handed penmanship, see *Army and Navy Journal*, Mar. 17, 1866, 475; *Harper's Weekly*, July 29, 1865, 467; Frances Clarke, "'Honorable Scars': Northern Amputees and the Meaning of Civil War Injuries" in *Union Soldiers and the Northern Home Front*, eds. Cimbala and Miller, 361–94.

[31] Perkins, *Report*, 31; *Scientific American*, Feb. 4, 1865, 86. There is a large literature on late nineteenth-century poor relief; see e.g., Michael B. Katz, *In the Shadow of the Poor House: A Social History of Welfare in America* (New York, 1986) [quotation from 58]; also Walter I. Trattner, *From Poor Law to Welfare State: A History of Social Welfare in America*, 4th ed. (New York, 1989).

trades: carpenters George Buehler, Henry Beadell, Asa J. Davis, Frederick Hazelton, Robert McKinlay, Henry J.F. Small, William Smith, and Thomas Stewart; painters William Cumpton and Ernst Pitschner; and bricklayers Henry Fulmer and John Kuntz. Likewise, construction workers in Des Moines' disabled veteran population included plasterers Elijah W. Attmore and Vincent S. Martin; carpenters John A. Fullerton and Solomon Stutsman; and painters William H. Kessler, Frank R. Thurber, and John S. Walker. All of these men from the two cities applied for and received invalid pensions during the 1870s or 1880s but continued to work. Marble polisher Patrick Berrill of Dubuque also resumed his job after the war. Although his disability, near total deafness, had no impact on his skill as a marble polisher, Berrill claimed that his employer took advantage of his disability to pay him less than other workers.[32]

Still, despite the evidence that veterans with pensions would continue to work, critics of expanding the pension system in the 1880s and 1890s focused on the danger such an expansion allegedly represented to the nation's work ethic. The *Savannah (Georgia) Morning News* asserted that if the dependent bill of 1887—with its $12 per month maximum rate—became law, "Thousands . . . who are now earning a living, will take advantage of it to lead lives of idleness." Although it was a Southern newspaper and hence predisposed to oppose pensions for Union soldiers, the *News*' view found echoes in the North. "For one deserving soldier or sailor who might be legitimately served through the agency of this measure," said the politically independent *Philadelphia Telegraph* in 1887, "a thousand would be pauperized." How would pensions have this effect? "It is so

[32]George Buehler pension, invalid app. 6852 cert. 17931; Henry Beadell pension, invalid app. 44852 cert. 35574; Asa J. Davis pension, invalid app. 180132 cert. 126900, widow app. 313117 cert. 242199; Frederick Hazelton pension, invalid app. 8295 cert. 23921, widow app. 304268 cert. 279097, minor app. 581820 cert. [none]; Robert McKinlay pension, invalid app. 105843 cert. 291094; Henry J.F. Small pension, invalid app. 377719 cert. 221315, widow app. 798519 cert. 598294; William Smith pension, invalid app. 80400 cert. 68549, widow app. 968259 cert. [none]; Thomas Stewart pension, invalid app. 400415 cert. 298082, widow app. 983930 cert. 742814; William Cumpton pension, invalid app. 550363 cert. 929494, widow app. 697642 cert. 489184; Ernst Pitschner pension, invalid app. 5094 cert. 10863, widow app. 819093 cert. 592260; Henry Fulmer pension, invalid app. 53950 cert. 97559, widow app. 920081 cert. 684228; John Kuntz pension, invalid app. 98019 cert. 376508, widow app. 536332 cert. 356604; Elijah W. Attmore pension, invalid app. 656805 cert. 427507; Vincent S. Martin pension, invalid app. 514761 cert. 337053, widow app. 855205 cert. 626485; John A. Fullerton pension, invalid app. 443918 cert. 227248, minor app. 755,543 cert. [none]; Solomon Stutsman pension, invalid app. 607526 cert. 390231, widow app. 1057896 cert. 876259; William H. Kessler pension, invalid app. 409287 cert. 266209; Frank R. Thurber pension, invalid app. 280969 cert. 270807; John S. Walker pension, invalid app. 551796 cert. 329441, widow app. 1119402 cert. 852332; Patrick Berrill pension, invalid app. 155661 cert. 282267, widow app. 501873 cert. [none]—all CWLPF.

easy for any one to persuade himself that he is not able to work when he finds it is not necessary to work," according to the influential reform journal, *The Nation*. The Republican *Pittsburgh Times* added that, despite the nation's obvious debt to its defenders, "[w]e owe something to the living by whose labor the money to support this generosity is paid into the Treasury." The *Republican*, an independent newspaper in Springfield, Massachusetts, took the criticism to its logical conclusion. Although the dependent pension idea was "ostensibly . . . a patriotic measure," it was in fact "a long step toward the grand communistic principle that the State owes every man a living and is bound to provide for him." In short, a politically diverse and influential segment of opinion held that no veteran should be supported "merely because of his service," as *Harper's Weekly* put it, because of the danger such support represented to the nation as a whole.[33]

The work ethic factored into Civil War pensions in other ways. For one thing, the Invalid Pension Act of 1862 had a technical requirement that pensions would be paid only for disabilities received, or deaths that occurred "while in the service of the United States, and in the line of duty"—in other words, while doing legitimate work in the army. Sometimes this requirement was scrupulously observed; at other times it was not. Because Private Thomas Mullins was killed by sentries as he tried to sneak back into camp after an unauthorized night out, for instance, Mary Mullins of Dubuque required a special act of Congress to get a pension under the 1862 law. Private Joseph L. Carter of Dubuque, on the other hand, was pensioned for a gunshot wound that cost him the first two fingers on his right hand, even though the wound was self-inflicted through negligence in handling his gun while off duty.[34]

Further, the invalid law implicitly, and the later disability law explicitly, allowed the rejection of claims or the diminution of payments if a soldier's disability or death could be shown to result from, or be aggravated by, his "vicious habits."[35] As a result, nearly all pension files contain perfunctory assertions of the soldier's

[33] *Savannah Morning News* and *Springfield Republican* quoted in *Public Opinion*, Feb. 12, 1887, 371, 372; *Philadelphia Telegraph* quoted in *Public Opinion*, Feb. 19, 1887, 395; "Our Standing Army of Pensioners," *Nation*, Feb. 3, 1887, 92; *Pittsburgh Times* quoted in "Generosity that Maketh Poor," *National Labor Tribune*, Feb. 19, 1887; *Harper's Weekly*, Mar. 5, 1887, 162.

[34] *Congressional Globe*, 37th Cong., 2nd sess., app., 405; Thomas Mullins pension, widow app. 25059 cert. 163365, CWLPF; Joseph L. Carter pension, invalid app. 120906 cert. 101646, widow app. 501057 cert. [none], CWLPF.

[35] A morals feature of pension law directed toward widows—namely that they could be dropped from the pension roll for "open and notorious adulterous cohabitation"—is omitted from the discussion here because it is not specifically work-ethic related. *Army and Navy Journal*, July 19, 1890, 884 ["vicious habits"]; John C. Black, U.S. Commissioner of Pensions, *Laws of the United States Governing the Granting of Army and Navy Pensions* (Washington, 1888), 51 ["cohabitation"].

good habits because even one accusation of alcoholism or venereal disease could derail a claim, as Dubuque's Lieutenant Orson W. Bennett and Private John Lambert discovered. In 1879, Bennett sought an increase in his one-half disability pension ($8.50 per month) for asthma. The doctor who examined him for the increase agreed that Bennett was more than one-half disabled but asserted that "his disease is mostly caused by his intemperate & vicious habits." Bennett responded that he only used alcohol in limited quantities to relieve his symptoms and supplied depositions testifying to his sobriety from sixteen leading citizens of Le Mars, Iowa, where he lived. Nevertheless, the Pension Bureau rejected his claim for increase in 1882. A few years later, Bennett did secure the increase to total disability ($17), and the bureau backdated it to 1879 when he first asked for it. Similarly, John Lambert applied for a pension in 1894 under the 1890 law, but his claim was rejected twice because of indications that he might have contracted syphilis. The Pension Bureau ruled that his disability—rheumatism and heart disease—could not be separated from the effects of venereal disease. Seven years passed before Lambert successfully refuted the syphilis accusation and received a two-thirds disability pension. In Lambert's case, however, the pension was not backdated to the original date of application.[36]

One difference between the Bennett and Lambert cases—the officer's claim was backdated and the enlisted man's was not—points to a final way that social status discrimination appeared in the operation of the pension system: the Pension Bureau's specific handling of the claims of officers compared to enlisted men. In applying the 1862 invalid law, for instance, the Pension Bureau required all applicants to supply an affidavit from an officer as to the circumstances under which the disability or death occurred in the service. If the relevant officers themselves were deceased or otherwise unreachable, the applicant could submit instead his or her own sworn statement to that effect plus the affidavits of two other comrades of the soldier. In short, the sworn statement of one officer was equal to that of two enlisted men. Similarly, a claimant had to secure an affidavit from the medical personnel of the soldier's regiment or explain in a sworn statement the absence of such affidavit. As with affidavits from officers, surgeons' affidavits could be difficult to secure for a variety of reasons. Some surgeons refused to make statements; others had died or relocated beyond the reach of the pension applicant. In other cases, the claimants stated they received

[36]H. Clay Evans, U.S. Commissioner of Pensions, *A Treatise on the Practice of the Pension Bureau Governing the Adjudication of Army and Navy Pensions* (Washington, 1898), 98–99; Orson W. Bennett pension, invalid app. 228921 cert. 161540, widow app. 798487 cert. 575008, CWLPF [quote from Dr. W.B. Porter to J.A. Butler, May 12, 1879]; John Lambert pension, invalid app. 1161426 cert. 1018091, widow app. 760150 cert. 557240, CWLPF.

no treatment in the army, an admission frequently fatal to claims, especially disability claims.[37]

These requirements gave officers and surgeons significant power to determine which enlisted men or their families received pensions and how long it took to secure those pensions. In the late 1870s, for example, Lieutenant Reese Wilkins from Des Moines stopped providing affidavits for enlisted men from his company. With numerous questions being raised about the validity of claims initiated many years after the war, Wilkins declared, "I have nothing but friendship for my old comrades . . . [but] we should deal honestly with our government." Private Matthew F. King from Dubuque saw his disability claim under the 1862 law rejected because the surgeon from his regiment decided that "he will not do anything for any one nor sign any affidavit for any one." Without his surgeon's testimony, King, who claimed to have contracted small pox in the army as well as diseases of his eyes and "urinary organs," had to wait until the passage of the 1890 Dependent Pension Act before he could get a pension.[38]

A number of examples also can be cited where claims seem to have received preferential treatment in the Pension Bureau based on the rank of the soldier involved. One might, for instance, compare the claims of two widows from Dubuque, Annie T. Clark and Elizabeth Hazelton. In 1873, Annie Clark, widow of Major William Hyde Clark, applied for a pension. According to his death certificate, Clark died of congestion of the brain, but his widow obtained medical testimony that the "exciting or immediate cause," as one doctor put it, was chronic diarrhea contracted in the army. Some evidence did exist that William had contracted diarrhea, but he never applied for a disability pension, and only limited evidence (one doctor's statement) indicated that he continued to suffer from diarrhea from his discharge to his death seven years later. Nevertheless, the Pension Bureau approved Annie's claim. Even a subsequent accusation from another doctor that William was "a hard and constant drinker" and that this habit was the exciting cause of his death could not block the widow's pension.[39]

[37]For a case that illustrates Pension Bureau evidence requirements, see, e.g., John Wyss pension, invalid app. 85489 cert. [none], CWLPF.

[38]Reese Wilkins to Pension Bureau, June 20, 1879 in David M. Strain pension, invalid app. 227022 cert. 184072, widow app. 1599581 cert. [none] for quotation; see also Reese Wilkins to Pension Bureau, May 12, 1887 in John C. Taylor pension, invalid app. 38843 cert. 365555; Matthew F. King to Commissioner of Pensions, n.d. [1892] in Matthew F. King pension, invalid app. 515497 cert. 721775—all CWLPF.

[39]William Hyde Clark pension, widow app. 212810 cert. 170120, CWLPF [quotations from General Affidavit by Dr. J.W. Sprague, Apr. 2, 1874, and Dr. William Watson to Commissioner of Pensions, Aug. 29, 1881].

For her case, Elizabeth Hazelton, the widow of an enlisted man, Corporal Frederick Hazelton, also supplied medical testimony to establish a link between a disability her husband suffered in the service, a left scrotal hernia, and his seemingly unrelated cause of death, apoplexy. The bouts of apoplexy, which ultimately killed Frederick, began after an occasion when his truss slipped, his hernia came down, and as a result he fell off a building on which he was doing carpentry work. Therefore, his doctor argued, Frederick's hernia effectively caused his death. Further, unlike in the Clark case, the proof of Frederick's disability already existed: Pension Bureau had granted him an invalid pension of $2 per month, which began in 1863 and continued until his death twenty years later. However, even though no questions existed about the reality, cause, and continuation of Frederick's disability and even though the link between hernia and apoplexy seems no less tenuous than that between diarrhea and congestion of the brain, the Pension Bureau rejected Elizabeth's claim. She later received a pension under the 1890 law, though it was lower than it would have been under the 1862 law ($8 per month rather than $12).[40]

Bias against enlisted men and in favor of officers could even appear within a single case. John H. Looby of Des Moines enlisted in 1861 as a private in the Second Iowa Infantry and was wounded in the chest in 1862. In 1871, he received a total disability pension of $8 per month for his wound, but the Pension Bureau rejected his claim for paralysis, which first affected him in 1870, because it lacked a clear connection to his military service. Following his service as a private, Looby had re-enlisted as a second lieutenant in the Eighteenth Iowa Infantry and subsequently became a captain in the Sixty-second U.S. Colored Infantry. In 1875, a special act of Congress instructed the Pension Bureau to treat Looby's gun shot wound as if it had occurred while he held higher rank, increasing his pension to $20 per month, the total disability rate for a captain. Looby then tried again in 1879 to have his pension increased because of his paralysis. Whether or not his paralytic condition had worsened in the intervening years, Looby still could not establish a service-related cause. Even so, the Pension Bureau approved his 1879 claim and increased his pension to $50 per month. In other words, when he filed a claim as an enlisted man for a disability that struck him several years after his service ended, the bureau rejected his claim. Once Looby was on the pension roll as an officer, however, his paralysis apparently became pensionable.[41]

[40]Frederick Hazelton pension, invalid app. 8295 cert. 23921, widow app. 304268 cert. 279097, minor app. 581820 cert. [none], CWLPF [esp. Elizabeth Hazelton to Secretary of Interior, received Nov. 5, 1888, which presents the argument of Dr. Asa Horr].
[41]John H. Looby pension, invalid app. 165601 cert. 116164, CWLPF.

Table 1

Results of Civil War Pension Applications Based on the Service of Soldiers from Dubuque and Des Moines, Iowa.

		Invalid Law of 1862			Disability Law of 1890		
			Length of time to initial decision			Length of time to initial decision	
		Initial rejection rate (percent)	1 year or less (percent)	5 years or more (percent)	Initial rejection rate (percent)	1 year or less (percent)	5 years or more (percent)
Disabled Veterans	Enlisted men	37.7	15.5	23.2	28.5	56.0	4.7
	Officers	18.6	18.8	14.6	17.5	77.1	0
Widows	Enlisted men	29.8	39.4	15.2	15.7	60.8	4.0
	Officers	43.3	25.0	16.7	18.8	74.1	0

Sources: Iowa Adjutant General's Office, *Roster and Record of Iowa Soldiers in the War of the Rebellion* (6 vols., Des Moines: E.H. English, State Printer, 1908–1911); Compiled Military Service Records Civil War, Records of the Adjutant General's Office, 1780s–1917, RG 94, National Archives; Civil War and Later Pension Files, Records of the Veterans' Administration, RG 15, NA; and U.S. Census Office, Population Schedules for Dubuque and Polk Counties in Iowa, 1860 and 1870.

In 1890, the Dependent Pension Act leveled pension rates and theoretically made it easier for enlisted men among Des Moines and Dubuque pension applicants to secure pensions by removing the requirement to prove the origins of a disability in the service. However, in practice the new law failed to eliminate the bias that favored claims based on the service of officers over claims from enlisted men and their dependents. Two measures can be used to assess the comparative treatment of officers and enlisted men's cases at the Pension Bureau: the percentage of initial decisions that resulted in rejection of the claim (whether or not it was subsequently approved) and the length of time it took to make that initial decision in the case. These measures can be applied separately to veterans' claims for disability pensions and to their widows' claims (Table 1).[42]

Among the disabled veterans, in general, rates of rejection for initial claims were lower under the 1890 disability law than the 1862 invalid law, and decisions came faster. Enlisted men's fortunes improved dramatically, especially by the measure of initial rejection rates. One in ten fewer enlisted men had their claims rejected under the disability law than under the invalid law. Although the gap in rejection rates closed, enlisted men's claims continued to be rejected under the 1890 law at a much higher rate than those of men who had completed their service as officers. The 1890 law also saw enlisted men receiving speedier decisions on their claims, but they still had to endure longer waits than officers for those decisions. Under the 1890 law, fully three-quarters of the officers had their cases decided within the first year of applying, compared to just over one-half of the enlisted men. Furthermore, a small percentage of enlisted men continued to endure delays of five years or more for their claims to be adjudicated, whereas no officer among the Dubuque and Des Moines veterans waited even three years.[43]

Widows experienced the law change differently than disabled soldiers. Women who had been the wives of enlisted men actually held an apparent advantage over widows of officers under the 1862 law, whether considering rejection rates or waiting times, but they lost most or all of that advantage under the 1890 law. Although enlisted men's widows continued to receive fewer rejections

[42]It would also be possible to examine cases involving the children or other dependents of soldiers. Children were eligible up to age sixteen if there was no eligible widow (if she was dead, remarried, or otherwise disqualified). Other dependents also could attempt to claim a pension if the soldier had no surviving widow; these other dependents were usually elderly parents, although the sister of Dubuque soldier Richard Raw unsuccessfully tried for a pension in 1866. Due to limited numbers of cases and missing data, however, analysis of minor and other dependents' cases is omitted here. Richard Raw pension, sister app. 136191 cert. [none], CWLPF.

[43]In this discussion, men who began their service as enlisted men but ended as officers (e.g., John Looby) are counted among the officers' cases; the same is true in the widows' cases described below.

than officer's widows, the difference in initial rejection rates shrank from almost 14 percent to just 3 percent. Widows of officers, moreover, started receiving their decisions much faster than widows of enlisted men under the 1890 law. Nearly three-quarters had a decision within a year and, as was the case among the officers themselves, no widow of an officer waited even three years for a decision under the 1890 law. Meanwhile, just three-fifths of enlisted men's widows received a decision within a year, and a small percentage continued to wait more than five years.

Contemporaries cited many reasons for the often slow rejection of so many claims. Some blamed the Pension Bureau itself. Before it became a leading critic of the pension system, *The Nation* concluded in 1879 that "an actual hostility to the applicant" pervaded the Pension Bureau and that the then Commissioner of Pensions James Bentley viewed himself as "the enemy of the pensioners." Similarly, Republican senator Charles Van Wyck from Nebraska complained in 1887 that it was "the nature of the pension department to curb and curtail and deny the privileges of a generous law to those who need it most." Others, such as Commissioners of Pensions J.C. Black (1885–1889) and James Tanner (1889), blamed the delays on the failure of the Congress to make adequate appropriations for clerical staff in the bureau. Many people, however, wanted to blame the pension applicants themselves for the delays and rejections, citing their failure to supply promptly the evidence required by the bureau. Enlisted men and their widows, often from working-class backgrounds, were perhaps more likely to fall short for a variety of reasons, including lack of resources, lack of personal connections, limited literacy or knowledge of their rights, and adherence to the value of self-reliance.[44]

On the other hand, compared to the experience of disabled soldiers, the Pension Bureau adjudicated the claims of widows with alacrity, especially under the 1862 law (Table 1). A quarter of widows of officers and two-fifths of widows of enlisted men had decisions in their cases within a year of applying. Of course, widows' cases under the law could be decided more easily, because issues of degree of disability did not complicate the picture. Soldier husbands were either dead or not. At the same time, however, the speed of decisions in widows' cases may also reflect late nineteenth-century views of the roles of women who faced fewer expectations about work and self-reliance. Widows of enlisted men seemed particularly to benefit from speedy decisions—and fewer rejections—perhaps reflecting a further assumption that these women were less likely to have been

[44]*Nation*, Nov. 6, 1879, 308–09; *Congressional Record*, 49th Cong., 2nd sess. (Jan. 27, 1887), 1074; 51st Cong., 1st sess. (June 23, 1890), 6376–77, 6382 [opinions of Black and Tanner], and 6380 [for an example of blaming the applicants].

provided for by their now deceased spouses, the majority of whom came from working-class backgrounds.

Widows of officers gained much greater access to pensions under the 1890 law. The rejection rate for their claims fell dramatically, and their claims were decided much more rapidly than under the 1862 law. Although the reason for this pattern remains unclear, it contradicts what might have been expected, because the 1890 law included an early form of means testing. Only a widow "without other means of support than her daily labor" could claim a pension under the new law. Because of the generally higher civilian occupational status of their husbands, who might be expected to leave behind greater property, insurance, or bank accounts, means testing probably should have affected most the claims of officers' widows, but the reverse seems to have been true. Among the widows of Dubuque and Des Moines soldiers, only one of the eight claims rejected due to the woman's "non-dependence" pertained to the service of an officer; the other seven were widows of enlisted men. Thus, an unintended consequence of the law may have been to deprive enlisted men's widows of pensions. Legislation to remove dependence as a condition for widows' pensions passed in 1908.[45]

Finally, whatever their initial experience with the Pension Bureau, nearly every veteran or widow who applied for a pension received one—eventually—due to periodic expansions of eligibility under the law and their own advancing age. Tillie L. Mitchell, widow of Sergeant Edwin Mitchell of Des Moines, waited longest among the Dubuque and Des Moines claimants. She initially applied in 1891 but did not begin receiving a pension until 1922, and then only after a special act of Congress granted it. Overall, among cases relating to Dubuque and Des Moines soldiers, 93.3 percent of the disability claims yielded a pension for the claimant sooner or later, as did 90.2 percent of the widows' claims.[46] Broadly comparable national data on pension approval rates come

[45]Although the 1890 law was called the Dependent Pension Act, the dependence provision for veterans was removed from the bill in the course of reconciling House and Senate versions of the legislation. The 1890 law left the measure of a widow's dependence vague, but a 1900 law fixed the eligibility cut-off at an income (or a potential income for property owners) of $250 per year or more beyond the woman's own labor. For widows and dependence, see "The Dependent Pension Bill," *Army and Navy Journal*, July 19, 1890, 884 [quote in text]; *Congressional Record*, 51st Cong., 1st sess. (Feb. 28, 1890), 1804–05; Glasson, *Federal Military Pensions*, 232–33 [1890 law], 243–44 [1900 law], 251 [1908 law removing dependence condition].

[46]Analysis of the gender difference in success rates is beyond the scope of this article, though part of the difference surely stems from pension rules that allowed a widow to pursue a pension claim on behalf of her deceased husband, whereas only minor children could continue a widow's claim after

from a random sample that Donald R. Shaffer created to measure the success rates of claims by race. Shaffer found that 92.6 percent of white veterans who applied for disability pensions and 83.7 percent of their widows received a pension at some point under one or another law or, like Tillie Mitchell, via special act of Congress.[47]

Although nearly every veteran or widow of a veteran who applied for a pension eventually got one, Civil War pensions offered at best limited, unequally distributed benefits to individuals, belying the overall appearance of generosity and fairness. Social status as well as race and gender biases were obvious throughout the pension system. Officers and their families received more pension money—and more easily—than enlisted men and their families. At the same time, owing to their generally higher civilian status and non-reliance on physically demanding manual labor, officers as a group had less need compared to enlisted men. Perhaps inevitably, pensions for Union army veterans and their families fell into familiar categories of poor relief in the late nineteenth century. Officers and doctors then played the role of benevolent elites separating the worthy from the unworthy pensioners. The requirement under the invalid law that officers verify all claims gave those with greatest access to pensions control over who else received them. For their part, doctors rated disabilities—parsing the difference between someone three-eighths versus one-half disabled for manual labor—and decided whose personal habits were appropriate to merit government assistance. As the system expanded over the years to cover disabilities and deaths not directly caused by military service, many people even began questioning the honorableness of pensions. "Great injustice," as Democratic representative Adoniram J. Warner of Ohio observed in 1887, did indeed grow "out of great inequality" in the pension system.[48]

her death and then only while they were under age 16. Edwin Mitchell pension, widow app. 525979 cert. 922657, minor app. 562979 cert. [none], CWLPF.

[47]Shaffer, "I Do Not Suppose," 134 (table 1). Shaffer found African American applicants faring much worse than whites, with only 75 percent of veterans and 61 percent of widows eventually succeeding in their pension claims. The Dubuque and Des Moines pension data include a total of six claims—two (both successful) from disabled veterans and four (three successful) from widows or minor children—based on the service of four African American men. Because of the small number of claims, these were merged with the general data for the two cities in the analysis.

[48]*Congressional Record*, 49th Cong., 2nd sess. (Jan. 17, 1887), 740.