

Those Who Have Borne the Battle: Civil War Veterans, Pension Advocacy, and Politics

James Marten

Follow this and additional works at: <http://scholarship.law.marquette.edu/mulr>



Part of the [Law Commons](#)

Repository Citation

James Marten, *Those Who Have Borne the Battle: Civil War Veterans, Pension Advocacy, and Politics*, 93 Marq. L. Rev. 1407 (2010).
Available at: <http://scholarship.law.marquette.edu/mulr/vol93/iss4/40>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized administrator of Marquette Law Scholarly Commons. For more information, please contact megan.obrien@marquette.edu.

THOSE WHO HAVE BORNE THE BATTLE: CIVIL WAR VETERANS, PENSION ADVOCACY, AND POLITICS

JAMES MARTEN*

One of the most divisive political issues of the 1880s and 1890s was the pension system for Civil War veterans. This essay briefly explores how this issue, and the startlingly brutal rhetoric that it inspired, fit into Abraham Lincoln's legacy in its political contexts.

In addition to the more traditional issues that had long divided the Republican and Democratic parties and that were clearly part of the context in which pensions were debated—such issues including tariffs, government bureaucracy, and civil service reform—pensions sparked one of the first debates over a government entitlement. Union army veterans became active participants in the political system, with the largest veterans' organization, the Grand Army of the Republic, and the score or more veterans' newspapers published in the 1880s and 1890s leading the fight to expand the coverage and the size of veterans' pensions. During the Gilded Age, pensions became something of a wedge issue, much like modern welfare reform, or Medicare and Medicaid, or social security—all of which, like pensions for disabled volunteer soldiers, are generally considered necessary and proper, but can excite broad arguments for and against.

Here is where the “legacy” part comes in. Veterans traced the pension system to this passage in the famous final paragraph of Abraham Lincoln's Second Inaugural Address:

[L]et us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and a lasting peace, among ourselves, and with all nations.¹

Indeed, the masthead of the *National Tribune*, one of the leading newspapers published by and for Civil War veterans, featured the

* Professor of History, Marquette University.

1. Abraham Lincoln, Second Inaugural Address (Mar. 4, 1865), in 8 THE COLLECTED WORKS OF ABRAHAM LINCOLN 332, 333 (Roy P. Basler et al. eds., 1953).

phrase “To care for him who has borne the battle, and for his widow and orphans.”² Another soldiers’ paper, published in Iowa, the *Grand Army Advocate*, chose “With Malice Toward None, With Charity for All,” but included “Our Liberties We Prize and Our Rights We Will Maintain.”³ The crowded masthead also included a phrase defining *whose* rights would be maintained: “Devoted to Veteran Soldiers, Army Stories, and the Interest of the Soldiers Widows and Orphans.”⁴ Thus, although Lincoln had little to do with pensions themselves, veterans frequently invoked his name and words in arguing the justice of their cause.

The principle of entitlement was almost completely foreign to Americans of the late nineteenth century. But most Union veterans came to believe that, in fact, they were entitled to pensions—this was especially true with disabled veterans, but many other veterans also advocated a “service” pension for anyone who had served for a minimum term—and they used the political process to obtain them. Moreover, they and their allies—the pension agents who processed claims and profited from them—acted, through veterans’ organizations, as lobbyists. As a result, although the premise upon which the pension system rested was often described in the emotional rhetoric of gratitude and patriotism, it was actually a rather clear-eyed and direct attempt to redefine the purpose of politics and the true responsibilities of government.

Lincoln’s suggestion that the nation should care for the Northern victims of war became, for many, an irrevocable vow following his assassination and the victorious close of the war. Although the system was tweaked a number of times, three main laws shaped the pension liabilities of the government. A law first passed in 1862,⁵ and amended several times,⁶ established pensions for widows and orphans of soldiers and a precise table of conditions and amounts covered by pensions for soldiers disabled as a direct result of military service. Over the years, rates were changed, specific conditions were added, and the percentage of disability was altered from fractions of eight to eighteen.⁷ The major systemic revision of this general law came with the Act of 1890, which extended pensions to any disabled man who had received an honorable

2. *E.g.*, NAT’L TRIB. (Wash., D.C.), Jan. 7, 1882, at 1.

3. *E.g.*, GRAND ARMY ADVOC. (Des Moines, Iowa), Apr. 18, 1889, at 1.

4. *Id.*

5. Act of July 14, 1862, ch. 166, 12 Stat. 566.

6. *E.g.*, Act of Mar. 3, 1873, ch. 234, 17 Stat. 566.

7. *Id.* at 569.

discharge after serving at least ninety days.⁸ His disability need not have been the result of military service, but it could not be the result of “vicious habits.”⁹ Early in the twentieth century, an order of the Secretary of the Interior¹⁰ and several laws¹¹ made age a disability.

Eventually pensions became the largest single item in the federal budget; indeed, their costs would eventually dwarf the actual cost of the war itself.¹² That would be enough to make the matter controversial, but a number of other forces converged to ensure the politicization of the pension issue: the tariff revenues filling the treasury, the country’s increased commitment to civil rights and manhood suffrage, and the revival of two-party politics all came together to bolster veterans’ belief that, as one stated, pensions were “an *obligation*,” not a “*gratuity*.”¹³ The Grand Army of the Republic made pensions a perennial issue. This association was not only a fraternal organization and charitable body; it was also a “special interest . . . lobby” that recruited members with the promise of expanding and increasing pensions for Civil War veterans.¹⁴

Opponents of enlarged pensions denied the claim that the government owed volunteers—at least those who had not been crippled—anything more than heartfelt gratitude. They often made their point by criticizing the veterans themselves. A rather extreme example appeared in the *Chicago Times* after Democratic President Grover Cleveland’s 1888 veto of an extension of the pension program for Union veterans: “Thank God! [T]he claim-agents, the demagogues, the dead-beats and . . . deserters and coffee-coolers and bounty-jumpers, composing our great standing army of volunteer me[n]dicants have been defeated!”¹⁵ The *Times* refuted the claim that the veterans had “saved” the country: “No country, no nation, political constitution, system, or establishment, has ever been saved by . . . citizens that are not in the

8. Act of June 27, 1890, ch. 634, 26 Stat. 182.

9. *Id.*

10. Order No. 78, in U.S. DEP’T OF THE INTERIOR, REPORT OF THE SECRETARY OF THE INTERIOR FOR THE FISCAL YEAR ENDED JUNE 30, 1904, at 71 (1904). See also *Pension Age at 62*, N.Y. TIMES, Mar. 17, 1904, at 9.

11. *E.g.*, Act of Feb. 6, 1907, ch. 468, 34 Stat. 879.

12. LARRY LOGUE, *TO APPOMATTOX AND BEYOND: THE CIVIL WAR SOLDIER IN WAR AND PEACE* 123–24 (1996); DORA L. COSTA, *THE EVOLUTION OF RETIREMENT: AN AMERICAN ECONOMIC HISTORY, 1880–1990*, at 161–62 (1998).

13. CECILIA ELIZABETH O’LEARY, *TO DIE FOR: THE PARADOX OF AMERICAN PATRIOTISM* 45–46 (1999).

14. *Id.* at 40–41.

15. *Defeat of the Grand Army of Beggars*, CHI. TIMES, Feb. 26, 1887, at 4.

habit of depending on themselves.”¹⁶ Indeed, the “army of pension-beggar[s]” was “more dangerous . . . than undisguised rebels.”¹⁷ Ex-rebels, deprived of the opportunity of living off government pensions, had become thrifty, hard-working, independent men. The majority of Union veterans, on the other hand, encouraged by Republican Party demagogues, had been “indoctrinated . . . with the pestilent notion that it is becoming to a savior of his country to fulfill the character of a dependent upon its bounty . . . of a pauper without character or self-respect.”¹⁸ The article concluded that “[i]t will be a happy day for the republic when the last beggar of the Grand Army humbug is securely planted.”¹⁹

Puck magazine, in the rather grotesque style of the late-nineteenth century, periodically and mercilessly attacked the pension system in the 1880s and 1890s. *Puck* cartoonists several times portrayed unnecessary generosity and outright fraud within the system with full-color cover illustrations. The first, in December 1882, featured “The Insatiable Glutton,” a many-armed man wearing a Civil War-era forage cap labeled “U.S. Pensioner,” crouching on the floor, scooping coins out of an overflowing bowl labeled “U.S. Treasury.”²⁰ The sleeves on the two dozen or so arms are stitched with “Fraudulent Attorney,” “Bogus Widow,” “Bogus Grandpa,” “Bogus Grandma,” “Bogus Orphan,” and “Agent.”²¹ A few years later, a sinister-looking Pension Commissioner Tanner was depicted outside the U.S. Treasury building, holding a horn of plenty—whose long tail, labeled “Pension Bureau,” snaked back into the building—from which coins, bills, and bags of money spilled into dozens of grasping hands.²²

Veterans gave as good as they got. They insisted that their pensions had been part of the promise made by their states and the federal government when they volunteered. The *American Tribune*, perhaps the leading soldiers’ newspaper, offered, “While patriotism was the essential moving power to their action it was heightened by the belief that its reward would also be personal; that for this service they would be remembered substantially by the Government.”²³ Indeed, promises

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.*

20. *The Insatiable Glutton*, PUCK (N.Y.), Dec. 20, 1882, at cover.

21. *Id.*

22. C.J. Taylor, *The Horn of Plenty*, PUCK (N.Y.), May 29, 1889, at cover.

23. *A Change Needed*, AM. TRIB. (Indianapolis, Ind.), July 12, 1889, at 4.

made during the war, “apparently by authority,” had allowed the raising of the large armies necessary to put down the rebellion.²⁴

At a Michigan reunion in 1890, a speaker laid out pensions as a simple transaction: “The soldier was not a subject of charity but a preferred creditor, and the government was honestly and earnestly trying to pay the veteran just what it honestly owed him.”²⁵ This was not necessarily what most veterans believed; indeed, reducing pensions to a rather banal exchange of money for services rendered undercut much of the power of the veterans’ argument that they were not mercenaries. And yet this pragmatic description of veterans’ thinking about the pension did represent a growing assumption.

Criticism of the pension in general and of veterans in particular prompted veterans to respond in kind. One veteran put a song called *Their Pensions Shall Be Paid in Full* to the tune of *Marching Through Georgia*, laying out the basic veterans’ position on the pension issue:

When peril came through deadly foes who tried to crush
our land[,]
The nation saw there must be raised a mighty soldier
band,
And so they said, “We’ll care for you, if in the breach
you’ll stand,
Oh! save the Flag of Liberty!”
Chorus—
Hurrah! Hurrah! to promises be true!
Hurrah! Hurrah! give veterans their due!
It’s small enough the nation votes to martyrs saving you,
Now be their pensions paid in full!²⁶

Less musical and more aggressive was this from the *Soldiers’ Tribune*: “There is not power enough in this nation nor on the earth to effectually rebuke the veterans,” it thundered in late 1887, responding to a Chicago newspaper’s suggestion that the veterans end their “bold attempt upon the National Treasury.”²⁷ Nothing inspired old soldiers to band together more effectively than threats from outside their band of

24. *Id.*

25. RAYMOND J. HEREK, *THESE MEN HAVE SEEN HARD SERVICE: THE FIRST MICHIGAN SHARPSHOOTERS IN THE CIVIL WAR* 350 (1998).

26. J.C.O. Redington, *Their Pensions Shall Be Paid in Full*, in *ACME HAVERSACK* (Syracuse, N.Y.), Sept. 1889, at 2.

27. *SOLDIERS’ TRIB.* (Lyons, Kan.), Dec. 29, 1887, at 8.

brothers; they had defeated their enemies in 1865 and would again a generation later.

A useful summary of the veterans' position appeared in an 1891 article in the *North American Review*. "The men who fought to save the Union," the former commissioner of pensions, Green Raum, assured his readers, "were not mercenaries. They did not preserve this country for the purpose of looting its treasury."²⁸ Moreover, their pride would not admit to receiving unwarranted charity. "They feel that an old soldier can receive a pension as a recognition of honorable service with a feeling of pride, while he would turn his back with shame upon an offer of charity."²⁹ No new taxes would be required to pay these pensions; the United States government's fiscal situation was fine. The public debt had dropped from over \$60 per American in 1865 to less than \$10.³⁰ The country's population was soaring, its economic power was multiplying, and its institutions had become the envy of the world.³¹ And Americans needed to understand that these developments were due in large measure to the men receiving the pensions of a few dollars a month: "The generation of people who have come upon the stage of action since the war closed should understand that the blessings of peace and prosperity now enjoyed by the people of the United States are due to the patriotism and valor of the soldiers of the Union."³²

Despite living in an era when old-age pensions and welfare were virtually unknown to all but the most hard-pressed citizens, when the laissez-faire of the brutal world of business was easily adapted to social relations, and when the federal government rarely intruded into the lives of individual citizens, Union veterans insisted that their disabilities and service had earned them nearly unprecedented consideration and that the statements of their commander in chief in 1865 and subsequent acts by Congress essentially established a contract between them and the United States. Although the idea of an "activist" government and Republican Party providing economic opportunity for all—as described in this symposium by Heather Cox Richardson³³—does not appear explicitly in pro-pension rhetoric, it appears to have been one of the veterans' underlying assumptions. They often complained that their

28. Green B. Raum, *Pensions and Patriotism*, 153 N. AM. REV. 205, 210 (1891).

29. *Id.* at 211.

30. *Id.* at 214.

31. *Id.*

32. *Id.*

33. Heather Cox Richardson, *Abraham Lincoln and the Politics of Principle*, 93 MARQ. L. REV. 1383, 1392 (2010).

service during the war had caused them to miss out on the opportunities provided by the booming wartime economy; they had fallen behind their peers; and their disabilities, large and small, had rendered them unable to compete fully with the rising generation. A generous pension system would help them recover *some* of that lost potential. And they believed it entirely appropriate that they shape the political system through lobbying and advocacy which, in turn, helped to change the nature of politics in Gilded Age America and beyond.