The history of Civil War invalid pension policy is byzantine. But even a brief overview clarifies why a program created to encourage volunteer enlistment in the Union army became a flashpoint in turn-of-the-century debates about social welfare. The earliest piece of Civil War pension legislation was the General Law of 1862, which granted pensions to veterans disabled in the line of duty and to the widows and orphans of fallen soldiers. Initially, claimants could receive up to $8.00 per month, a sum roughly equivalent to 30 percent of the earnings of an unskilled laborer. This amount rose by leaps and bounds over the next two decades, and by 1883 a claimant deemed “totally disabled” could receive $30.00 per month, almost completely replacing the average worker’s income. As rates of pay increased over the years, eligibility requirements were likewise relaxed. Among the most significant revisions were those wrought by the Dependent and Disability Pension Act of 1890, which opened the program to all veterans who had served ninety days, had been honorably discharged, and were now incapacitated for manual labor. Crucially, claimants no longer had to prove that their disabilities resulted from the war; any disability not caused by intemperate or otherwise “vicious habits” was covered. An even more significant milestone was reached in 1904, when veterans were invited to file on their sixty-second birthday regardless of health or employment status. With age now a compensable disability, the Civil War invalid pension system had reached a turning point. What began as a limited program of income maintenance for wounded veterans and their dependents had become a comprehensive system of disability, old-age, and survivor benefits that accounted for nearly 40 percent of the federal budget. Initially, given the respect commanded by wounded veterans and
deep-seated convictions about the moral debt they were owed, the liberalization of pension policy found broad public support. Before long, though, worries about interlopers, imposters, and idlers became difficult to ignore, as did gut-level misgivings about a program that seemed to encourage would-be laborers to leave the workforce.

This is the story that social scientists and historians tell about the rapid growth of the Civil War invalid pension system across the turn of the twentieth century. It is a peculiarly American tale in which certain social needs are deemed legitimate and others are not. As Theda Skocpol argues, the expansion of veterans’ pensions into a sweeping program of disability and old-age provision created a “precocious” US welfare state that predated the New Deal and shared little with the welfare systems emerging in Europe. Whereas countries like France and Germany awarded benefits to those in greatest need, the US system supported those who “by their own choices and efforts as young men had earned aid.” In later years, social reformers and trade unions endeavored to transform the Civil War pension system into a universal program of publicly funded benefits for all workers. These efforts never found traction, however. Nor did invalid pensions survive in the armed forces. In the first few decades of the twentieth century, reservations about the expense of providing for wounded veterans gave way to dire warnings about the ethical peril involved in doing so. Building on this momentum, Progressive reformers and military officials successfully lobbied to replace invalid pensions with mandatory physical and vocational rehabilitation. At once more economical and morally up-to-date, advocates promised, these programs would help disabled veterans rely on their own wage-earning capacities instead of federal largesse. Before long, the Civil War invalid pension would be remembered as little more than a blunder of extravagance and a costly affirmation of what still remains a truism of US social welfare policy: that only those who work deserve help.

A different legacy of the Civil War pension system comes into view, however, when we focus not on the benefits won by disabled veterans and their dependents but on how those benefits were administered. This story is still about work and who can be honorably exempted from the obligation to work. But told from this perspective—strange though it might sound—the story is also about narrative, textual, and even literary labor. We might well expect that evaluating a pension claim was a more or less straightforward affair, so prominent are visual images of injury and maiming in the cultural memory of the Civil War. Either an applicant was wounded or he was not, we might suppose. Only rarely, though, was the
merit of a given claim decided using medical or military documentation alone. Not only were records commonly lost or damaged during the war, but physical exams were often far from conclusive. As a result, personal narratives were the primary source of evidence used by the Pension Bureau. These documents included first-person statements from claimants—stories about their bodies before, during, and after the war—and affidavits from friends, family, and comrades. All told, it was not uncommon for claims to run one hundred pages and more. A narrative construction of the most literal kind, disability was thus for the Pension Bureau a bureaucratic status granted not to particular bodies but to bodies about which particular stories could be credibly told and sufficiently corroborated.

Given the bureau's reliance on personal affidavits, it would be tempting to describe the pension claim as a kind of life writing. Considering the substantial sums of money that hung in the balance, it may have been the most profitable mode of autobiography in the postbellum era. But most veterans and their dependents, of course, turned to the pension claim as a bureaucratic necessity first and as a vehicle for individual expression only second, if at all. And in public culture at large, the genre was best known not as an exercise in self-portraiture or an exploration of “what it’s like to have or to be, to live in or as, a particular body,” but for the social fiction it propped up. The pension claim assured an anxious public that disability benefits were not gratuitous alms or “handouts.” They were earned entitlements akin to back wages or the disbursement of a contributory retirement plan. The peculiarly narrative genre of the pension claim, in other words, was defined above all by how—on paper—it transformed pain or suffering into compensable labor. To claim a pension was to assert not only “I have been wounded” but also “I have worked,” which amounted to the same thing. The success of this narrative alchemy depended less on how a given claimant’s story was told than on public faith in the bureaucratic state. And when that faith faltered, public attention focused anew on the textuality of the pension claim and the pride of place it gave to narrative evidence. Hardly transforming injury into compensable work, a growing chorus argued, the pension claim was an exercise in merely literary labor that threatened the sanctity of real work.

Bureaucratic necessity or literary indulgence, ideological cover for the work society or ticket out of the labor force: as the Civil War pension claim became a fixture of postbellum culture, debates about the genre’s narrative status reflected deeper disagreements about the means and ends of social welfare provision. At base, the thorny questions about work, injury,
and writing that shaped reception of the pension claim were freighted with the difficulty of reconciling society’s compassionate desire to help people in need with its ideological commitment to the labor market as the only legitimate arbiter of deservingness. But like other genres in the print culture of social welfare, the pension claim emerged to mediate between individuals and institutions—here the federal Pension Bureau—while also circulating promiscuously across the culture at large. Indeed, to map the trajectory of the pension claim is to chart a history of formal encounter that blurs the boundaries between the documentary and the literary and interrogates the relation between and among seemingly incommensurate experiences of injury. Whether as a foil for proponents of Black industrial education or a sourcebook for the formerly enslaved people who inaugurated the reparations movement, the pension claim sutured postbellum racial politics to the disability history of the precocious welfare state. Across these disparate discourses and social milieus, the genre fostered a wide-ranging meditation on how suffering becomes (a sign of) work, as well as on how social welfare—and social justice—might be imagined beyond the compensatory logic of the market.

As such, the forgotten history of the Civil War invalid pension claim reveals how the industrial print genres created to mediate between individuals and social welfare institutions across the turn of the twentieth century were never merely bureaucratic. On its face, this insight is not new. But by building on foundational scholarship in media and paperwork studies, this chapter explores how taking stock of the pension claim’s peculiar metaphysics helps us reframe ongoing debates about liberal citizenship and the politics of pain. As scholars from Wendy Brown to Jasbir Puar and Alexander Weheliye maintain, progressive efforts to find redress for social injury within the liberal state inevitably reinforce many of the practices, discourses, and ideologies that cause social injury in the first place.10 These conversations elaborate compelling new ways of articulating the relationship between pain and politics, suffering and solidarity. But they often neglect the fundamental role that ideas about work and productivity play in what Lauren Berlant calls “the epistemology of state emotion.”11 If the liberal state only recognizes social injuries that affirm the ideal of white, heterosexual, able-bodied citizenship, any redress offered must bolster the productivist ideology of the work society. In this regard, the social fiction at the heart of the pension claim illuminates how the liberal politics of pain—though often couched in the language of moral obligation—is at root an economic transaction. By the same token, however, that genre’s
unlikely prominence across turn-of-the-century public culture marks a history of vernacular efforts to rethink the work of redress and even to rethink redress beyond work.

**The Anatomy of a Claim**

Looking back at the expansion of the pension system in 1907, some forty years after the end of the Civil War, Mark Twain reached a conclusion shared by many of his generation. The system originally created to repay the nation’s wounded veterans had given way to a corrupt scheme of depraved charity seeking. “At first we granted deserved pensions,” Twain observed, “righteously, and with a clean and honorable motive, to the disabled soldiers of the civil war. The **clean** motive began and ended there. We have made many and amazing additions to the pension list, but with a motive which dishonors the uniform and the Congresses which have voted the additions.”

That unclean motive, as Twain saw it, was greed pure and simple, and with plenty of blame to go around. While deceitful claimants and their attorneys hoped for an easy payday, politicians sought to secure votes with targeted expansions. Twain and other critics pointed to the Arrears Act of 1879 as a watershed for all parties. In addition to their monthly checks, with the passage of this measure enrollees could receive immediate and generous lump sum payments. Claims skyrocketed, as did the program’s costs. In the ensuing outcry, the pensioned veteran was scorned as never before. As one observer noted, “every Union soldier is ‘a suspect’ in the eyes of his countrymen. He is regarded as a pension-grabber, and as a patriot who desires to commute his military glory for a stipulated sum in cash.”

Though intended as an insult, the idea of the “pension-grabber” aptly captures the cultural logic of the pension system. To claim a pension was indeed to translate (or “commute”) injury (or “military glory”) into cash. But in suggesting an act of physical theft, “pension-grabber” obscures the specifically textual concerns that fueled public misgivings about Civil War pensions. The widespread suspicion that it was easy to “add one’s name to the pension rolls” is closer to the mark. Here, though, writing is imagined as a singular event and not the almost ceaseless production of documentary materials that the process usually entailed. Rather than inscribing names on a scroll—as the phrase *pension roll* would suggest—the Pension Bureau maintained a vast archive of printed and written documents that until 1913 were folded and bundled for storage (figure 1.1).
These materials were initially housed in the Patent Office Building, but the need for more room led to the construction of the Pension Bureau Building in 1877, then the largest such structure in the world. This massive edifice was a monument not only to the nation’s commitment to Union veterans but also to the bureaucratized social order of the postbellum United States. To be sure, the use of documentary records to administer military pensions was not new in itself. But in the wake of the Civil War, the Pension Bureau—like many other government agencies, private corporations, and civic organizations—adopted new methods of record keeping and bureaucratic management. In this dawning era of rapid technological change and economic consolidation, the pension claim took its place alongside other novel forms like the death certificate, the report, and the memo.

The prominence of the pension claim in public life was also rooted in the late nineteenth-century rise of job printing and the ubiquity of preprinted forms or blanks, which reshaped how individuals interacted with institutions. As Lisa Gitelman argues, “preprinted blank forms help[ed] triangulate the modern self in relation to authority: the authority of printedness, on the one hand, and the authority of specific subsystems and bureaucracies on the other hand.” The blanks included in a pension claim were printed by the federal government but also by job printers for attorneys, claims agents, and other clerical go-betweens. Many of these were used to solicit discrete pieces of information, from the dates of a claimant’s military service to the number of children in the charge of a widow. Other blanks were prompts for narrative elaboration. Lined sections invited veterans and witnesses to describe how an injury was sustained or whether a claimant had avoided “vicious habits.” It was not uncommon for these responses to continue on a separate sheet of paper or for narratives to be submitted on unlined stationery. The visual contrast between printed and handwritten text might suggest an epistemological contest between institutional and individual knowledge. In practice, however, the pension claim folds the handwritten contributions of veterans and witnesses into the “authority of printedness,” giving them a gravitas they might not otherwise possess—as if mirroring the physical creasing and accordion-style folding together of all the documents, printed and handwritten, into a single package, with the outermost sheet serving as a jacket.

The first piece of writing a claimant filed was the “Declaration for Original Invalid Pension,” a blank that recorded the veteran’s name, age, place of residence, dates of military service, physical description, circumstances of injury, and medical treatment received (figure 1.2). The declaration
1.1 Accordion-fold jacket for an invalid pension claim. National Archives, Washington, DC.

1.2 Declaration for Original Invalid Pension, filed on behalf of Amos Boyden on August 13, 1885. National Archives, Washington, DC.
also included a more or less abbreviated personal statement by the claimant, a narrative that would be augmented over the course of the review process, typically in response to bureau requests for further information. In a handwritten affidavit updating his original declaration, for instance, Henry Moore admitted that he was wounded while “rest[ing] under the shade of a large tree” in a training camp near Nashville but insisted that “was as much in the line of duty as if [he] were drilling” (figure 1.3). Statements from family, friends, and comrades were also part of the initial submission, and many veterans seem to have created informal affidavit-writing networks to support their claims and reciprocate favors. The letters exchanged by Will Eastman and Ziba Roberts, for instance, both of the Twenty-Eighth New York Infantry Regiment, convey how elaborate these collaborations could be: “Where is Aron Southworth? I Believe he would help you. You can get his address by writing the commission of pensions…. If you can’t do any better, get up some special affidavits and send me a copy and I’ll [be] strong in your case and we will punch them up. I did that in Will Lever’s case, and he got his pension.”18 In other instances, particularly where veterans used pension agents, notary publics, or other clerical intermediaries, writerly collaborations were not always entered into intentionally. John Douglass, for instance, who joined the Massachusetts Fifth Calvary after escaping slavery in West Virginia, described his background in rather straightforward terms. A later insertion to his “General Affidavit,” however, presumably made by a pension agent, transformed his statement into a slave narrative of sorts: “I was born a slave in …” (figure 1.4).

An original pension claim also included narrative affidavits from physicians, which were often treated like any other narrative affidavit. The Pension Bureau, in fact, distinguished between just two kinds of evidence, “record” and “parol.” The former included the files of the War Department and the certificates of disability issued by military hospitals during the war. Parol evidence, by contrast, was submitted by a witness (“lay evidence”) or by a physician (“medical evidence”).19 If not exactly interchangeable, these two kinds of parol evidence supplemented each other during the bureau’s review of “testimony of any character, other than record,” regardless of whether an affidavit was processed. To be sure, every claim included a “surgeon’s certificate,” complete with a line drawing of the human form, front and back, on which ailments and injuries were noted (figure 1.5). But even bureau surgeons recognized that physical examinations were subjective and the standard formula used to rate disability as a percentage
1.3 First page of a supplementary personal affidavit submitted by Henry Moore on January 31, 1889.

1.4 A general affidavit sworn to by former slave John Douglass of Portland, Maine, in support of his own pension claim.
of incapacitation was arbitrary. One veteran seen by ten doctors might receive ten different disability ratings. Many physicians, moreover, relied heavily on personal recollection when drafting their own affidavits. The ledger book kept by Dr. Nathan Smyth also suggests that many physicians wrangled personal reflections into formulaic language that varied little from one affidavit to the next. Of three hundred affidavits Smyth wrote from 1890 to 1893, almost all reproduced the same narrative template. Facing such boilerplate, Pension Bureau officials would certainly have read Smyth’s affidavits alongside those filed by other acquaintances to flesh out their understanding of the claim at hand. As field manuals note, statements by classmates or childhood friends “with whom [the claimant] bathed” were of particular interest.

For claimants and witnesses, as for the Pension Bureau itself, the effort involved in bolstering the documentary value of narrative evidence could not help but point in the other direction as well—to mounting public discomfort with the bureau’s methods and to misgivings about the social fiction the pension claim was meant to sustain. In time, many of these concerns came to coalesce around the idea of the literary and literariness as such. To many skeptics, there could be no way of knowing for sure whether the personal narratives the bureau solicited were not in fact simply works of fiction. Given the conventionality of the stories told by veterans, dependents, and witnesses, after all, what was to prevent undeserving or duplicitous claimants from learning how to game the system—or from soliciting help from attorneys and claim agents whose business it was to master these narrative forms? All of the effort that inevitably went into submitting a pension claim—from drafting or dictating a personal statement to soliciting corroborating affidavits and records to answering the questions raised by bureau officials—also cast doubt on the whole enterprise. Would disabled veterans and their dependents not be better off investing this time in something productive? Far from transforming battlefield injury into respectable back wages, critics argued, the pension claim was a literary ruse—a farcical but nonetheless regretfully effective means of writing one’s way out of the obligation to “really work.”

Public mistrust of the Pension Bureau’s reliance on narrative evidence often focused on the complicity of family and friends but also the paid services of lawyers and claims agents. As one writer for the Century observed in 1884, “Men asked to do the neighborly act of witnessing a pension paper are always compliant, and seldom particular as to what they certify to.” Congressman John De Witt Warner fretted that affable collusion
had long since given way to a cottage industry of counterfeit affidavits. “Any one can now have a seal manufactured for two or three dollars,” he cautioned, “bearing his name or an assumed name, and, to his heart’s content either forge affidavits or certify to false ones—all of which will be accepted by the Pension Office—without even giving a clue to his own identity, and with perfect confidence that no one executing an affidavit before him can be convicted of perjury.”

Not only did many Americans fear that the bureau’s reliance on narrative affidavits opened the system to...
abuse, but many also complained that these procedures made it impossible for the honorable veteran to claim a pension without jeopardizing his reputation.26

Shared by bureau officials and veterans alike, this latter criticism found expression in prominent fraud trials, such as the 1893 prosecution of William Newby. After calling 150 witnesses to the stand, the court concluded that the real Newby died on the battlefield decades earlier and that the man drawing his pension—evidently with the willing collusion of Newby’s wife and family—was a ne’er-do-well from a neighboring town. The Newby case became synonymous with pension fraud of the most flagrant sort but also with the bureau’s procedural failings. Well after the trial’s conclusion, many Americans continued to believe that the condemned man was the real Newby, a soldier who had fought bravely for his country only to fall victim to the Pension Bureau’s red tape. Like G. J. George, author of *William Newby, alias “Dan Benton,” alias “Rickety Dan,” alias “Crazy Jack,” or The Soldier’s Return; a True and Wonderful Story of Mistaken Identity* (1893), Newby’s champions put the Pension Bureau itself on trial. The system stood accused of providing deserving veterans no means of distinguishing themselves from the tricksters and cheats whose lucrative ploys required but a narrative sleight of hand.27

Criticism of its methods did not go unheeded at the Pension Bureau. Some of the earliest warnings about the dangers of its reliance on narrative testimony, in fact, came from within the bureau. Commissioner J. A. Bentley led the charge by declaring that the “cumbersome and expensive” method of evaluating narrative affidavits provided “an open door to the Treasury for the perpetration of fraud.” The corporate attorneys who processed most of these claims “gave themselves little concern as to the character of the affidavits they gathered and presented,” which as a consequence had “the same appearance to the officers of the Bureau, whether true or false.”28 After several proposals for revamping the claims process were abandoned in the face of opposition from veterans’ organizations and attorneys, however, in 1881 the bureau created a new regulatory system that answered the problem of narrative with more narrative. Dubious claims were now to be handled by the Division of Special Examination, which sent agents into the field to assess the credibility of individual claimants and witnesses. The process of special examination could last several weeks, depending on how many interviews were necessary and where the interviewees lived. Once their inquiries were complete, special examiners compiled their conclusions in narrative and tabular form.29 These files then
served as reading guides when the original claims were returned to Washington for final review.

Special examination was thus at root an exercise in fact-finding, as agents sought to resolve inconsistencies flagged during a claim’s initial evaluation. But special examination could also become an exercise in writerly collaboration, essentially blurring the lines between the documentary and literary that the bureau was otherwise concerned to police. As one examiner described his work in the field:

A soldier’s statement when his initial examination was finished contained from one thousand to ten thousand words and sometimes more, and the special examiner in several instances, on finishing his statement and reading it over to him, made him feel so proud, if his history had been honorable throughout, that he ventured to state that he would give a liberal sum for a copy of it, that he might have it printed in pamphlet form, or a booklet, to leave with his family, as it was the only correct record of his life reduced to writing.30

The outcome of special examination was certainly different for veterans whose histories were less than honorable. A negative report could cause a claim to be put on hold or dismissed altogether, and veterans already on the pension roll could have their benefits revoked or face criminal charges. Nonetheless, as agents’ memoirs and bureau guidelines attest, special examination was not simply a punitive project. In addition to reducing fraud, examiners were also tasked with distinguishing the deserving claimant from the canny manipulator of documents. The former, it was believed, should be able to claim a pension without being subjected to the shame and scorn rightfully visited upon the latter. As such, special examination was at base an effort to redeem both the Pension Bureau and the disabled veteran by curating—or coauthoring—a set of personal narratives that were irreproachable in their authenticity and honesty. Indeed, these narratives rethink the relation between the literary and the documentary such that the perfectly accurate personal statement itself becomes a thing of beauty.

Literary collaborations of this sort were less common when agents investigated claims filed by ex-slaves. In this regard, the Division of Special Examination reproduced the structural biases of the Pension Bureau itself. For although federal pension law granted the same disability benefits to every soldier, bureaucratic procedure and the attitudes of individual officials created unique difficulties for Black veterans.31 The relative scarcity
of official documentation was foremost among these challenges. Lacking birth and marriage certificates as a matter of course and often appearing only intermittently in War Department records, Black veterans were disproportionately dependent on witness testimony to substantiate their claims. And because affidavits as such were widely associated with fraud, the claims filed by Black applicants were especially suspect and subject to inordinate scrutiny. Illiterate claimants were also deeply reliant on the clerical services of claim agents, notoriously profit-driven middlemen. Rather than investigating the facts at hand, many claim agents contrived false cases for Black claimants by using what one official aptly described as “ready made affidavits.” Once discovered by the bureau, such practices compounded the already pervasive mistrust of Black claimants and witnesses. Voicing a belief probably shared across the bureau, one examiner stated his reservations: “The reputation for truth of all witnesses who are colored cannot be rated higher than ‘fair.’” Those who could “be counted reliable and absolutely truthful” were allegedly fewer still—“a rarity indeed.”

As a consequence of both structural racism and individual bigotry at the Pension Bureau, Black claimants were disproportionately targeted for special examination. Blackness as such became a marker of the pension claim’s suspect literariness. At the same time, however, the mixed messages that special examiners received about ex-slave testimony could also lead to collaborative investigations in which the literary served as an index of white supremacy. Bureau field manuals, for instance, acknowledged the lack of material evidence available to Black claimants and urged examiners to be mindful of how life was organized under slavery. The timing of events, for example, might be established by asking informants about holidays or memorable storms rather than calendar dates. Because marriages among enslaved people were rarely documented, moreover, agents were advised to consult local opinion to determine whether a given relationship should be recognized as marital. Special examiners were also told, however, never to give Black claimants or witnesses the last word. “More accurate and satisfactory” information could be found, the bureau assured, in the testimony of “former owners or members of the owner’s family.” These instructions give the lie to the race-neutral wording of federal pension legislation. But they also make clear that the bureau’s antifraud mandate coincided with postbellum racial politics. By subordinating the affidavits of ex-slaves to the memories of ex-slave owners, special examiners reproduced the pervasive skepticism about both Black autonomy and Black
participation in the Civil War. These, of course, were the very stories told in the pension files of Black veterans. Special examiners thus rewrote the pension claims of Black veterans not as the valorous boutique memoirs they crafted for white veterans but as “romances of reunion” often coauthored with former slave owners.36

In response to what were perceived as the intertwining threats of blackness, literariness, and fraudulence, the Pension Bureau set out to establish ever more robust systems of narrative checks and balances. Public discourse, on the other hand, ginned up the same racist fears in order to call for the program’s outright elimination. Like Thomas Fleming’s *Around the Capital with Uncle Hank* (1902), works of popular literature commonly made their case by marshaling the tropes of blackface minstrelsy (figure 1.6). Fleming’s book is a boisterous send-up of “the foibles and vagaries of public life in Washington” as observed by a salt-of-the-earth white veteran from rural New England whose rural dialect is meant to underscore his no-nonsense moral clarity. After sniping at the lavishness of the Pension Building, a common target during the postbellum era, Hank comes upon two Black veterans struggling to decipher a sign hanging in a claim agent’s window: “Pension Vouchers Executed.” Pausing over the last word, the man engaged to testify for his friend about their experiences during the war wonders whether he will be put to death for his statement, which readers are led to believe may not be entirely truthful. Relishing his exegetical authority, Uncle Hank settles the matter of the sign’s import: “Et means thet they’ll hang ye ef ye don’t tell th’ truth when ye ’pply fer a penshun.”37 Featuring a white interlocutor flanked by two pension-seeking end men, this scene retools minstrel iconography in order to lampoon disabled veterans. The warning to white readers is clear: to submit a pension claim is not only to blacken up, it is also to commit a crime of writing by monetizing one’s honor. Uncle Hank, who was injured in the war but never sought a pension, is by contrast truly white both because he earns his own living and because he prefers folksy satire to groveling autobiography.

Another strand of popular condemnation invoked plantation mythology, not to satirize the extravagance of federal pension legislation but to imagine counterfactual alternatives to a mode of social provision dependent on narrative affidavits. These critics commonly contrasted the easily gamed pension system with the compassionate accountability of Southern paternalism. The latter, it was supposed, could better accommodate Black veterans and their dependents. Such is the argument at stake, for example, in the *New York Times* coverage of the 1893 trial of William H. Taylor,
a case that “brought up a vanished phase of American life and history and filled the courtroom with figures from antebellum days.” Accused of pension fraud and imposture, the defendant is described as “a modern negro, one of the coarse commonplace types so familiar in the slums of Northern cities.” More surprising than these pedestrian slurs against working-class Black culture is how they shade into misgivings about the Pension Bureau’s bureaucratic procedures. Taylor is dubiously “modern” not only because he lives in the “slums,” but also because he traffics in counterfeit affidavits. The witnesses who testify against him, on the other hand, embody the honesty of a bygone era. These include “the typical ‘mammy’ of the South” and a “southern Colonel of fiction.”

The most damning indictment, however, comes from an elderly man whom the Times identifies as the “real” William Taylor—“a venerable colored man of the old house-servant type of the days ‘before the war.’” “As the two men faced each other it seemed like the contrasting of two periods
of American history. The old negro spoke softly, gravely, in the deliber-
ate speech and with the unconscious dignity on which Southern writers
of plantation days delight to dwell. He had still something of a soldierly
bearing, and looked venerable with his white mustache and beard. His
mild, serene speech and mellow Southern dialect contrasted wonderfully
with the aggressive modernity of the claimant.”39 This encounter between
defendant and star witness is a confrontation between two modes of Black
testimony. The real Taylor is a man of “unconscious dignity” whose “serene
speech” is scripted by the “Southern writers of plantation days.” While
his testimony garners trust from the court and the Times, the witness
ultimately reveals more about “the old South, past and gone,” than about
himself. The fake Taylor, by contrast, has become a narrative subject in his
own right by manipulating the Pension Bureau’s review process. For the
Times, there can be no valor in this act of self-creation; the fake Taylor is
doomed to fail in his subterfuge, much as he had failed to meet the com-
petitive demands of industrial modernity. Indeed, the only hope that the
Times entertains for the younger man is that he might follow the example
set by the older. The latter has gone back to work for the man who used
to own him rather than claiming the pension that would be his legal due.
This decision, of course, is but further evidence for the Times that the elder
Taylor is indeed the real veteran.40

The fears of pension fraud that consolidated around the specter of
the scheming Black claimant in popular culture are clearly cut from the
apologist cloth of postbellum racial politics. The idea that the nation was
equally indebted to all disabled soldiers, whether white or Black, assumed
a shared national identity or even a shared humanity that ran counter
to the rising tide of both anti-Black sentiment and anti-Black violence.
That Black veterans were in theory invited to take up the same narrative
genre with which white veterans proved that they had truly earned their
pensions, moreover, was for many skeptics but further evidence that the
social fiction at the heart of the pension claim was unsalvageable. What
more convincing evidence could there be, this line of argument went,
that suffering and pain were not compensable as back wages and that
pensions were not earned entitlements but degrading charity? If black-
ness came in postbellum culture to signify narrative’s dubious evidentiary
value, in other words, it also became shorthand for the pension system’s
inconsistency with the labor market. The subsequent cultural history of
the pension claim, however, suggests that these oppositions—between
blackness and truth, between writing and work, and between injury and
back wages—were far from settled. Whereas critics of the pension system turned to the iconography of Black industrial education and to the writings of Booker T. Washington to make the case against exempting veterans from the workforce, ex-slave activists returned to the specifically literary labor of the pension claim to place the injuries of slavery both within and beyond the market.

**Booker T. Washington Does the World’s Work**

It is not surprising that Booker T. Washington and Tuskegee Institute would become signposts in the backlash against the expansion of the Civil War pension system. Washington’s had been a household name since 1895, the year of his celebrated address before the Cotton States and International Exposition in Atlanta. In that speech, Washington famously told Black Americans in the South to “cast down your buckets where you are” and join forces—though hardly on equal footing—with white-led agriculture and industry. From that point onward, Washington and Tuskegee were synonymous with “the dignity of labor,” a concept as equivocal as the notion of industrial education itself. In white contexts industrial education could mean vocational training or preparation for the skilled trades or engineering. Tuskegee’s pedagogy of dignified labor, on the other hand, was carefully calibrated to the racial politics of the day. In an era that witnessed the rise of Jim Crow, the terrors of lynch law, and the subordination of Black labor to sharecropping and debt peonage, Tuskegee cadets were to learn “how to work,” as an early catalog put it. In light of the extraordinary productivity of Black labor under slavery, a less relevant pedagogy is scarcely imaginable. But Washington’s was of course a strategic choice that reflected his reluctance to upset the racial status quo even as he promoted a modest agenda of Black progress. And although Washington’s work at Tuskegee is often disparaged today as “schooling for a new slavery,” for turn-of-the-century critics of the Civil War pension system, there could be no better spokesperson for both the value of industrious self-help and the dangers of government handouts. If learning the dignity of work had helped formerly enslaved people make such tremendous social progress, then might not disabled veterans make similar strides?

Critics of the pension system were also drawn to Washington’s prominence as a memoirist. Famously told in *Up from Slavery* (1901), but also in countless newspaper articles, magazine articles, and even children’s books,
Washington’s personal history was for millions of US readers an allegory of Black self-help. Across these various genres, Washington and his ghostwriters were careful to emphasize the modesty of his ambitions, which reflected a desire for economic opportunity rather than social or political equality for Black Americans. In this regard, Washington’s writing shares more with popular rags-to-riches memoirs such as P. T. Barnum’s *Struggles and Triumphs* (1869)—after the Bible the best-selling book of the later nineteenth century—than with the antebellum slave narrative tradition. If slave narrators took up the pen in order to prove their humanity, as William L. Andrews has noted, then Washington and other postbellum Black memoirists wrote to demonstrate their readiness to contribute to the economic life of the nation. Such pragmatism also made Washington’s memoirs a welcome rejoinder to the increasingly disreputable pension claim. A skeptical public disparaged dissembling veterans for embracing the literariness of the genre to write themselves out of the labor force, but Washington’s paean to the dignity of work assured readers that he and other Black Americans sought only to work their way in. And unlike the invalid pension claim, the postbellum uplift memoir was little concerned with the social fiction that injury and suffering could be transformed into compensable labor. Rather than seek redress for the wounds of slavery, Washington and other postbellum memoirists seemed to suggest that the peculiar institution had been an apprenticeship for modern wage labor.

To be sure, Washington and his team were far more self-conscious in how they told his story than were most of the disabled veterans who submitted personal narratives to the Pension Bureau. But throughout his career as a de facto professional writer, Washington nonetheless remained ambivalent about the economic status of writing as such and had little patience for anything that smacked of the “merely literary.” In *Up from Slavery*, for instance, Washington conceded that he often found himself compelled “to read a novel that is on everyone’s lips,” the better to maintain social and philanthropic relationships. But his “greatest fondness” was always for biography and autobiography. “I like to be sure that I am reading about a real man or a real thing,” he quipped. For Washington, though, the reality of biography and autobiography had less to do with the faithful representation of a life than with writing’s proximity to genuinely productive labor. On the one hand, this proximity could be a question of subject matter, insofar as stories of industrious self-help in turn inspire readers to work hard themselves. On the other hand, however, writerly productivity
can be measured more directly by asking what it creates in the world. In Washington’s case, the answer was clear. As we will see in more detail in chapter 2, the vast network of educational and political operations that Washington directed from Tuskegee were financed directly and indirectly by his writing. From formal autobiographies to the strategically placed magazine and newspaper profiles, Washington’s life writing was as productive as the work done in Tuskegee’s wheelwright shop or brick kiln.

Opponents of Civil War pensions thus found in Washington the embodiment of dignified work and a productive model of literary labor. It was through his relationship with Walter Hines Page, editor of the Atlantic Monthly, that Washington’s story would contribute directly to the fight. An early supporter of Washington, Page was seminal in seeing Up from Slavery into print and urged its author to make the most of his prominence in the service of a nation still divided by sectional loyalties. As Page wrote to Washington about an earlier essay slated for the Atlantic:

My notion is that if you will strike out from the shoulder, broadening the application of the principle that you have worked out so as to show . . . that this principle which has made a success of Tuskegee is really the proper principle for education in the whole south without reference to race—this I am sure will meet a very hearty response, and will throw your work where it properly belongs, among the great forces of our time and not simply the force of work done at a single institution.

The lesson to be learned from Tuskegee, Page and other liberal Southerners believed, was about work first and race only second, or perhaps not really at all. It was not fifteen years later that, with Page’s help, the story of Washington and his “single institution” would help bring this message about the universally redemptive power of labor to bear on another social upheaval of the early twentieth century, the turning of public opinion against the Civil War pension system. Now directed at disabled veterans, the message was to be promoted in Page’s newest venture, a Progressive journal fittingly called the World’s Work.

In October 1910, the World’s Work published a six-part series by journalist William Bayard Hale titled “The Pension Carnival” that laid out the consensus opinion of its Progressive readers: the extravagance, expense, and corruption of the pension system had reached the point of absurdity. This argument was by itself far from novel. But in pairing each installment of Hale’s sensational exposé with an excerpt from Washington’s forthcoming memoir, My Larger Education: Being Chapters from My Experience
(1911), Page introduced a provocative new comparison to drive the case against the pension system home. The progress made through self-help and industrial education at Tuskegee was to stand as proof that soldiers disabled in future wars should be given physical and vocational rehabilitation rather than income maintenance. If industrial training of this sort had helped Black Americans make such remarkable advances after slavery, wouldn’t disabled veterans also embrace the dignity of labor? In printing “The Pension Carnival” back-to-back with Washington’s “Chapters from My Experience,” the World’s Work made this argument by contrasting the deceitful veteran with the diligent Tuskegee cadet. Whereas the former operates behind the scenes to game the system for his own benefit, the latter labors in plain sight. And while both write autobiographies, the stories they tell differ in substance and purpose. The scheming veteran masters the formal conventions of the pension claim in the hopes of being exempted from real work. Washington’s students, by contrast, prefer narratives of industrious achievement to spectacular woe. Crucially, Bookerite memoirs have little truck with the social fiction maintained by the pension claim: instead of transforming past suffering into compensable labor, this writing inspires others to embrace the hard but meaningful work ahead.

Before proposing the uplift memoir as a riposte to the invalid pension claim, the first article of “The Pension Carnival” sets the stage by tracking the origins of the crisis to the Arrears Act of 1879. As we have seen, with this piece of legislation veterans who had not yet filed for a pension could receive lump sum payments extending back to the date of their initial discharge. When word got out, Hale writes, “thousands of old soldiers searched their bodies for some twinges that might be attributed back to war-time.” Thus began the pensioner’s steep decline in public esteem: “To-day, unpleasant as it is to say, the pensioner is a suspect. The common presumption is against his being a hero. The presumption, cynical perhaps, but not unjustified is that he is as likely to be a cook or a hostler or a peddler, who has perjured himself, a thrifty patriot who has no objection to receiving an annuity of a summer’s episode of half a century ago.” What follows is a selection of choice outrages. Hale writes of veterans receiving multiple pensions, of lawyers suing to overturn dishonorable discharges, and of civilians scouring graveyards for the names of deceased soldiers whose benefits might yet be claimed. Like many of his contemporaries, Hale blames the Pension Bureau and its reliance on narrative affidavits for this rampant fraud. But rather than adding his voice to the chorus of demands for more rigorous and exacting medical examinations, Hale
notes that physicians’ statements are easily counterfeited and often no less subjective than the affidavits submitted by claimants and their witnesses. Nor do medical exams ever tell the whole story. “It is questionable,” Hale writes, “whether ‘veterans’ shot trying to run away should be allowed to draw allowances for wounds of cowardice.”49 Only honorable wounds, in other words, are genuinely remunerable.

“The Pension Carnival” rehearses a well-known critique of the Pension Bureau’s methods, but like earlier writers Hale also finds in the plantation mythos an expedient iconography of fraud. Much like Fleming in *Around the Capital with Uncle Hank*, Hale adopts a minstrel pose to condemn another landmark pension law, an appropriation act that authorized payments to war widows retroactive to the date of their husbands’ deaths. “Probably no single piece of pension legislation,” he writes, “has been more productive of bogus pensioners.” In its wake, “gangs of swindlers” went from town to town rustling up accomplices to pass off as dead soldiers’ wives. “The government had no chance; the game was safe, the prizes big.” Nowhere was this scam easier to pull off, Hale notes, than “in the South among the Negros, where willing witnesses would glibly swear at a moment’s notice to having attended the wedding of Sambo and Dinah on the ‘back po’och ob de big house jes’fore de wah.’”50 Such minstrel tropes would seem to be a gesture of solidarity with Southern critics of the Pension Bureau. But rather than summon Sambo and Dinah as cherished relics of a bygone era, Hale scorns them as anachronistic throwbacks out of place in the Progressive present. Not only is the pension system as outmoded as these plantation conventions, Hale suggests, but it also threatens the social progress brought about by the Civil War. The amity that many bureau officials and special examiners seem to have imagined between themselves and former slave owners is for Hale nothing to celebrate.

In pairing “The Pension Carnival” with Washington’s “Chapters from My Experience,” the *World’s Work* turns from the farce of minstrel caricature to the solemnity of industrial education. The conversation begins with a set of photographs depicting narrative production and custodianship that are printed on facing pages (figures 1.7–1.8). On the first page, two photographs present the Pension Bureau as a site of secrecy and textual excess. Overrun with paperwork, bureau agents file away from public scrutiny ream after ream of pension claims, many of which, we are given to understand, are probably fraudulent. These images show the bureaucratic apparatus at work, categorizing some bodies as normal and others as aberrant according to arbitrary standards that are soon naturalized.51 But these
photographs also reveal the ultimate futility of any endeavor to define disability. In place of crisp classifications and clear guidelines, the bureau’s methods can only capture the conceptual blurriness that dooms their efforts from the start. As such, the Pension Bureau’s reliance on narrative evidence points up the historical intertwining of disability and deception. As Deborah Stone notes, because no single condition of disability has ever been universally recognized, the concept “has always been based on the perceived need to detect deception.” These images thus picture a conceptual tautology. In seeking to establish the “truth” of the bodies described in the dossiers they catalog and assess, pension officials can only ever get at the truth of disability—that it is an arbitrary classification. The only way out of this conundrum, it seems, is to sidestep it altogether by providing all veterans with the care and training they need to rejoin the workforce. Once implemented, a program of mandatory rehabilitation would obviate both the narrative ruses that the pension system invites and the elaborate but finally ineffectual mechanisms of narrative detection it requires.

The photograph on the facing page, of Washington and his secretary, Emmett J. Scott, could not be more different—either in its composition or in the relation it draws between labor and narrative. Seated at his desk, Washington exudes confidence and honesty. His program of industrial education embodies the rehabilitative power of work in contrast with the dependency fostered by the pension system. The scene of writing has also changed. Washington’s is a simple tale of self-reliance that requires but a few sheets of paper to get down. Nor is it particularly original; unlike the wildly fabricated pension claims that go on for hundreds of pages, Washington’s narrative is brief and typological, made for easy copying and rapid distribution. Although he has a marginal place in the image’s composition, Washington’s secretary is central to its overall meaning. Scott’s presence underscores not simply the efficiency of Washington’s style, but more so his literary productivity. Washington is a professional writer not only because his publications finance the empire he directs from behind his desk at Tuskegee, but also because he employs others in the process. The caption under this photograph further specifies that Washington’s managerial duties extend to the work of image making: “I have never at any time asked or expected that any one should forget that I am a Negro.” These sentiments echo a point that Washington often made in response to accusations that he delivered different messages to white audiences in the North and mixed audiences in the South. But in an essay responding to and ginning up mistrust of the fraudulent veteran, this caption also does
for twenty-seven years. With what justice does Rachel V. Kellogg draw her a mouth from the Government?

Helen L. Fitch lives with a son by her first marriage in his comfortable home, and owns a tract of land, but she is given a dollar a day by the Government of the United States because she took a veteran as a second husband, seventeen years after the close of the Civil War.

Mary Ann Shirley, the widow of Jacob Shirley of Companies D and G, 9th Pennsylvania Infantry, failed to secure a pension when her husband died, though a special examiner of the Pension Bureau was assigned to help her prove that his death was attributable to his service. So, in 1911, she married another veteran, David Hoover, son of Company F, 9th Pennsylvania Infantry. She now receives a pension on account of Roesler's nine months' service forty years before she married him.

Surely enough has been said to justify the suspicion that this matter of pensions deserves looking into. It is not sufficient to support all the colleges and universities of the country for two years or to run its public schools for six months without every year being spent in ways as criminally careless as these. The house of the veterans' enor must not be suffered to remain unkept any longer.

The Remedy? Yes, indeed, there is one. Yes, indeed, it is possible to apply the amended common-sense of the nation to a task even so delicate as the reform of the Pension Office.

What that remedy is will appear later on in this series of articles progressive. But here it may at least be said that reforms will at the outset demand:

That no further extraordinary pension legislation be enacted.

That no private pension bill be passed that name all the beneficiaries and his claims shall have been published to the community in which he lives.

The pension snowball has rolled up into a boulder ten times as big as it was forty-five years ago. It is time to stop it; time, first, to blow the hot breath of publicity upon it, and then to try those more drastic remedies which would more apply even to a beautiful and necessary thing that has grown too big.

Figure 1.7

something more. It answers the epistemological slipperiness of disability with the ontological certainty of race. Disability is a fraught and a flexible social category, prone to deception but also amenable to rehabilitation. Racial difference, by contrast, is absolute and easily verified. Notwithstanding the progress made since Emancipation, Washington assures white readers, blackness itself cannot be “overcome.”

The binary between the truth of race and the fraud of disability structures Washington’s recollections throughout “Chapters from My Experience,” as denunciations of deception become something of a refrain. “I learned long ago,” he repeats, “[that] nothing but honest hard work lasts; fraud and sham are bound to be detected in the end.” Even Washington’s sense of his own leadership is informed by a reluctance to be anything other than himself, a position exemplified by his decision not to emulate Frederick Douglass. The latter’s death in 1895 left “the place of the ‘leader of the Negro people’” conspicuously vacant. “After thinking the matter all over,” Washington observes, “I decided that, pleasant as it might be to follow the programme that was laid out to me, I should be compelled to stick to my original job and work out my salvation along the lines that I had originally laid down for myself.” Profiting from a legacy one hasn’t earned is as bad as claiming someone else’s pension. The same moralism informs Washington’s portrait of an Ivy League graduate who fails to make a living by lecturing on “The Mistakes of Booker T. Washington.” For Washington, this man’s failure brings the value of industrial education into sharper relief while also illustrating the common ground shared by elite Black politics and misguided pension policy. Had he learned the “dignity of labor,” Washington implies, his critic would have ceased trying to live by his wits alone. But like the disabled veteran and his allies in the cottage industry that sprang up to meet the clerical formalities involved in filing a pension claim, “a certain class of race-problem solvers don’t want the patient to get well, because as long as the disease holds out they have not only an easy means of making a living but also an easy medium through which to make themselves prominent before the public.”

For his part, of course, Washington was eager to persuade readers that there is no “easy means of making a living” and that being “prominent before the public” is no measure of success. But it is likewise clear that Washington’s warning is not only about the lure of celebrity but also about the spectacle of injury. The comparison at stake here, in other words, is ultimately between the handout-seeking veteran and the backward-looking Black leader who, to Washington’s mind, prioritized “special pleading” and
the wounds of slavery over the obligations of racial self-help. In “Chapters from My Experience,” Washington thus flips the racial script created by the (white) backlash against the Civil War invalid pension system. That discourse, as we have seen, associated blackness with fraud and with the literary deception inherent in the idea that injury might be transformed into compensable labor. Washington and his allies, by contrast, took blackness to exemplify both the self-evident dignity of all labor and the particular kind of productivity to which writing should aspire. By these lights, disability—and not blackness—represents the threat of duplicitous shirking and literary conniving. Washington, of course, also had other reasons for keeping pensioned veterans at a distance. Like other racial uplift projects of the early twentieth century, Washington’s program of industrial education promoted the health and capacities of the Black body in order to defuse the racist canard of Black inferiority. Expressions of solidarity between African Americans and disabled white veterans or full-throated support of disabled Black veterans would have been a precarious proposition. But in stressing the self-evident value of Black labor, Washington also sought to sidestep a dangerous comparison—that, like injured soldiers, African Americans were owed back wages for generations of chattel servitude. Such would be the basis for the first modern campaign for slave reparations, a movement that embraced the genre of the pension claim that Washington and his accommodationist allies eschewed.

The Literary Labor of Reparations

Not long before Washington rose to prominence, the Civil War pension system became a touchstone for a radically different agenda of post-Reconstruction Black politics. Indifferent to industrial education and impatient with gradualist approaches, a network of ex-slave activists saw in the expansion of the pension system not an ideological straw man but an unprecedented opportunity. There, ready at hand, was a working bureaucracy with which to articulate the grievances of formerly enslaved people against the state and with which to seek appropriate remuneration. Thus was the first modern movement for slave reparations born in the 1890s as the ex-slave pension movement, a national campaign in support of a congressional bill to make former slaves eligible for the income maintenance programs created for disabled veterans. Although no ex-slave pension bill would ever be put on the books, historians have celebrated the movement as a decisive first step in what remains an unfinished and urgent social
Justice project. The role of narrative in this endeavor, however, has been largely neglected, as has the pressure that formerly enslaved people put on the social fiction at the heart of the Civil War pension system. The genre of the pension claim was tasked with transforming the physical wounds sustained by Union veterans into compensable labor, and the ex-slave pension movement leveraged this narrative form to pose a related question: what kind of compensation were formerly enslaved people owed for the physical, psychological, economic, and even ontological injuries of slavery? The genre of the pension claim and the constellation of ideas about injury, disability, work, and writing that it set in motion is thus a crucial but largely untold part of the story of reparations.

Given the notoriety of the Civil War invalid pension system in the 1890s and the concomitant resurgence of anti-Black sentiment in US public culture, it is unsurprising that activists faced an uphill battle in their efforts to have formerly enslaved men and women added to the pension rolls. But if the ex-slave pension movement was at odds with late nineteenth-century popular opinion, the movement’s use of the pension claim also contradicts the consensus that has emerged in more recent conversations about the means and ends of slave reparations. Contemporary writers from a range of fields and with disparate political commitments have argued that the social ideal of reparations cannot be realized through economic compensation or legal restitution alone. Reparations must instead be conceptualized in terms that are more capacious and more contingent. Emphasizing the “incommensurability between pain and compensation,” Stephen Best and Saidiya Hartman have championed the open-endedness of grief over the pragmatic resolution of legal grievance. Robin D. G. Kelley argues that the reparations campaign “was never entirely, or even primarily about money.” It is instead motivated by “social justice, reconciliation, reconstructing the internal life of Black America, and eliminating institutional racism.” Alexander Weheliye’s assessment of how political liberalism makes pain “the only price of entry to proper personhood” also challenges legal and economic models of reparation. Rather than dispensing with suffering, however, Weheliye seeks to reclaim the “atrocity of the flesh” without reinforcing the structures that cause social injury and harm to begin with. Such a politics of pain, Weheliye concludes, would be irreducible to the laws of the liberal state.

In the light of these conversations, the Civil War invalid pension claim adopted by ex-slave activists would seem at best a compromised and at worst a counterproductive choice. Not only does the genre by definition
seek to translate suffering and pain into compensable labor, but the pension claim was itself a product of the liberal state. To address the grievances of formerly enslaved people via the bureaucracy created to administer benefits to wounded Civil War veterans, moreover, is to flatten out grave differences of personal and structural circumstance. Ex-slave activists, however, were hardly unaware of these pitfalls. Not only did they both underscore and problematize commonalities across disparate experiences of injury, but they also used the pension claim for their own ends. In particular, the ex-slave pension movement embraced the genre’s narrative instability and the literariness that made it suspect in US culture. While detractors argued that the pension claim offered the least deserving a reliable means of writing their way out of the workforce, to ex-slave activists the documentary and the literary were not necessarily mutually exclusive. Indeed, the social fiction fostered by the pension claim—that pensioned veterans had earned the benefits they received—created room for interrogating work’s relation to suffering in an entirely different context. Embracing the genre of the pension claim thus did not mean constraining the ambitions of formerly enslaved people to the modes of recognition offered by the liberal state. It was a means by which to begin the literary labor of reparations.

The campaign for ex-slave pensions was actually initiated by a white Southerner named William R. Vaughan, who in 1890 began circulating a pamphlet titled Vaughan’s “Freedmen’s Pension Bill” in Black communities and among legislators in Washington. The proposal called for arrears payments and monthly stipends to ex-slaves, with rates of pay determined by the number of years a claimant had lived under slavery. At base, Vaughan made a bluntly economic case for extending the Civil War pension rolls “to include the millions of people who were held aforetime in the bonds of servitude.” As was the case for the injured veteran, ex-slave pensions were “reasonable recompense for the years of toil” and unpaid labor. Vaughan’s proposal, however, was also intended to appease white Americans who worried that the South was paying far too dearly for a federal pension system that until 1924 excluded Confederate veterans. Each pension check cashed, this argument went, transferred funds from Northern to Southern coffers. Adding to their woes, many white Southerners evidently felt obligated to care for the “old, maimed and decrepit ex-slaves” that the United States had freed but never provided for. Barring what Vaughan suggests would be a fortunate return to slavery, putting ex-slaves on the federal pension rolls was the surest means of guaranteeing both the economic survival of the South and the welfare of freed people. For
this reason, Vaughan promoted his ex-slave pension bill as “a Southern tax-relief bill” that would also greatly benefit the North (figure 1.9). “A proper recognition of the claims of former slaves for pensions by the government,” he argued, would “obliterate the last trace of enmity that has resulted from our sad civil commotion and terrible appeal to arms. The North and South will be a unit again.”

In promoting his bill among freed men and women, Vaughan naturally spoke more often of restitution than of tax relief. He also established grassroots organizations like the Ex-Slave National Pension Club Association and Vaughan’s Justice Party to collect initiation fees and monthly dues from ex-slaves that could be used to finance a national lobbying campaign. Vaughan’s model quickly proved successful, and a number of Black-run offshoot groups soon followed. The most effective challenge to Vaughan’s direction came from the Ex-Slave Mutual Relief, Bounty and Pension Association, founded in 1897 by Callie D. House and Isaiah Dickerson. After enrolling 34,000 members in five years, House and Dickerson nearly succeeded in consolidating the entire movement under their leadership. Like Vaughan, House and Dickerson argued that ex-slave pensions should be administered like Civil War invalid pensions. And like Vaughan,
House and Dickerson often compared racial servitude to military service. But unlike the white Southerner, these Black activists also conceded the difficulty—and even the counterproductiveness—of distinguishing too sharply between the wrongs of slavery and the duties of war. As Dickerson observed, “If anyone who’s been anywhere near the army can get paid for a lifetime,” there could be no good reason not to pension “the old ex-slaves who worked unpaid all their lives and then helped the Union digging ditches at the forts, washing the soldiers’ clothes, cooking for them, and nursing the injured.”66 In another typically protean argument, Dickerson declared that his organization “advocate[ed] the rights of the Negro as citizen of this government, and, especially the right of the ex-slave to a compensation for the wrongs perpetuated under the existence of slavery that were not in accord with the Declaration of the Independence of the United States.”67 In the space of one sentence, Dickerson pivots from a universalist plea for full Black citizenship to intimate that the best proof of the ex-slave’s eligibility for a pension is the founding document of the American Revolution itself.68

Rarely coalescing into a unified theory of reparations, the arguments made by the leaders of the ex-slave pension movement are best understood as prompts to more writing—as invitations for other ex-slaves to submit their stories and further democratize the literary labor of reparations. With some variation across different organizations, ex-slave pension associations established application processes that closely resembled those used by the Pension Bureau to administer the claims filed by disabled veterans and their dependents. New enrollees were promised both that they would be kept informed of the bill’s progress and that they would be first in line once it became law. To ensure a seamless transition, in fact, claimants submitted personal accounts of their lives under slavery, affidavits that often read like clerical revisions of the traditional slave narrative. Some ex-slave pension groups even had “I was born a slave in ...” included in their preprinted application blanks (figure 1.10). In addition to their own testimony, applicants also submitted corroborating narratives from family, friends, and even physicians—the latter not because disability or a particular health status was a prerequisite for receiving a pension in Vaughan’s plan, but because disabled claimants would be entitled to higher levels of pay. Dossiers thus compiled, it was hoped, would become the basis for as many successful pension claims once the pension bill became law. In the meantime, these claims served as proof of the movement’s strength and legitimacy. It was perhaps to underscore this point that many ex-slave
 organizations staged a “great show” of “making out and carrying away full records of the ex-slaves.”

The disdain and mistrust that ex-slave activists anticipated proved inevitable. In time, the entire movement was reputed to be a scam perpetrated by treacherous “agents” on their vulnerable brethren. Anyone claiming to represent a national organization could, of course, pocket enrollment fees and dues before skipping town. And because the chances of Vaughan’s bill passing were slim, hucksters had good reason to believe they would never be caught. Thus, stories of fly-by-night confidence men abound, as do reports of deceitful orators passing themselves off as representatives of reputable ex-slave organizations or the Pension Bureau itself. As with Civil War pensions, there is no way of knowing the real extent of the fraud committed. But ex-slave pension organizations fell into disrepute nonetheless. In popular culture, the movement was satirized with songs like “‘Jes’ Hurry Up De Penshun’: The Old Time Darkey’s Appeal for a Pension” (1903), which restages the activists’ demands for reparations
in the farcical realm of play (figure 1.11). Nor was the Black press any less dubious of the exslave pension movement, though its criticism was more measured on the whole. Until Vaughan’s bill became law, a chorus of voices argued, Black organizations that collected dues, compiled dossiers, and presented themselves as friends of the exslave only worsened the situation of all Black Americans. Clearly, the most systematic opposition to the exslave pension movement came from the Department of the Interior. The federal government’s concerted campaign began with cease-and-desist letters and ended with broad postal bans and prison sentences for both Dickerson and House. The Department of the Interior justified its actions by claiming to have the interests of formerly enslaved people at heart. “While there is no objection whatever to exslaves organizing for the purpose of attempting to secure legislation believed to be advantageous to them,” one of these letters reads, “it is the earnest desire of this Bureau that they shall be protected from the swindling schemes” of imposters. Federal agents also sought to make informants of formerly enslaved people and solicited letters with firsthand information on the movement’s goals and methods.

Ultimately, the federal government’s campaign of intimidation, harassment, and censorship spelled the end of the exslave pension movement. When House was jailed for fraud, the prospect of achieving monetary reparations through the pension system—a possibility that once felt realistic if not probable, given previous expansions to the program—seemed but wishful thinking. The documentary record of the exslave pension movement is no less ephemeral. The claims that formerly enslaved people submitted to exslave pension organizations have unfortunately been lost, and the writings that survive remain with us primarily because they were deemed to contain potentially valuable intelligence by the Pension Bureau and the Department of the Interior. In addition to documentary records of their own surveillance operations and movement literature (job-printed pamphlets, broadsides, and forms), these agencies collected hundreds of letters written by formerly enslaved men and women to inquire about the status of Vaughan’s bill. Now housed in the National Archives’ Ex-Slave Pension Correspondence and Case Files, these letters remain an important resource for historians of the movement. But to mine these documents for empirical data is not only to risk reproducing the relations of power that ensured their preservation, it is also to obscure how these letter writers took their correspondence with federal agencies as an opportunity to reflect on the idea of reparations.
Indeed, while these reflections speak to the particulars of the legislative process and Pension Bureau procedures, they also engage more speculatively with the question of how reparations might be realized outside of state bureaucracy and beyond the market. In this way, the National Archives’ collection of Ex-Slave Pension Correspondence and Case Files shares a great deal with the “epistolary archive” that literary scholar David Kazanjian has examined. Like the letters written by Black settler-colonists in Liberia and by Mayan rebels in Yucatan, the inquiries that formerly enslaved Americans made of the federal government are at once detailed descriptions of everyday life and “theoretical reflections on the ongoing, volatile concrescence of a free life.” But whereas Kazanjian is careful to tease out how his archive is shaped by its canny negotiation of traditional letter writing, the formerly enslaved men and women who corresponded with the federal government engaged directly with the conventions of the pension claim. To wit: although they were at base requests for information,
most of these letters also pass along details of their authors’ biographies and gesture at the evidence that family and friends might be able to provide. Some letters also feature lists of everyone in a given community, with information about each individual’s experience under slavery. Beyond these and other generic hallmarks, however, letter writers also interrogated the social fiction at the heart of the Civil War pension claim. Their speculative reflections on reparations, in other words, rethink the relations between and among injury, writing, and compensable labor. Not just documents of surveillance or ephemeral repositories of everyday life, the vernacular pension claims made by former slaves appear as so many speculative reflections on what it means to make a claim on the state by means of writing.

Like Anderson Dillon, who addressed his correspondence with the Pension Bureau in November 1898 to President McKinley, many of these men and women wrote to inquire whether there was “any such a thing as old slaves getting anything” (figure 1.12). Rumors were unavoidable in small towns, where self-identified “agents” were seen “going around and getting people to sign and spending money on that.” As Dillon put his question to the president, no one knew just what to believe: “I want to know from you to be sure for if there is any one [who] could need help—I do for I am old and cannot work now and no one to help me and cripple with the rheumatism and I am 84 years old now.”76 Dillon goes on to ask about McKinley’s health and to inquire if the president might have a few dollars to spare while the matter is being settled. His sentimental appeal to McKinley’s conscience notwithstanding—“you are a Christian man and I know you would not suffer to know of one getting along so poor [with] you doing so well”—Dillon’s letter shrewdly points out that he meets each of the yardsticks the Pension Bureau used to establish a disabled veteran’s eligibility. If pensions were initially awarded on account of a claimant’s physical incapacitation for manual labor and subsequently to anyone who had reached the age of sixty-two, Dillon was qualified on both counts. His inquiry also conveys a clear understanding of the role pensions played in patronage politics. “I have done all in my power to get you elected,” Dillon tells the president, “and will do all I can again if I am living untill [sic] then for times is hard and I think if the democrats gets in it will be worse and I don’t want to see any harder times then they are now.” As with his age and disability, Dillon’s political sympathies likewise made him as well suited a candidate for support as any of the hundreds of thousands already on the pension rolls.77
Other letter writers, knowing that pensions were not granted to veterans whose disabilities were caused or exacerbated by “vicious habits,” sought in correspondence with the government to emphasize their respectability. Such was the tack taken by Reverend T. Parker and Marry Parker in a letter of September 1899 addressed to Henry Clay Evans, US commissioner of pensions. Writing on behalf of the Ex-Slave Club of Warsaw, North Carolina, the Parkers inquired about the “bill to provide pensions for Freedmen, etc. We has been informed that there is something for us[.] If so we ask you to please identify it.” The members they represented were trying to live Christian lives and to keep from “disobeying the laws,” the Parkers continued, but were in “a quite needful condition” and largely unable to work. The bureau responded to the Parkers that it was indeed persuaded of their club’s respectability, but that it viewed respectability in this case as a sign not of deservingness but of vulnerability. Answering the Parkers’ first question, a bureau official declared in no uncertain terms that “an ex-slave may not be pensioned as such, nor is there any legislation to that end now pending.” But this official then
advised the Parkers of a dangerous person in their area, “an agent of one of these ex-slave associations” who had been recently released from prison. “His personal description is as follows: ‘age, 34; height, 5 feet, 8 inches; weight, 160 lbs; well built, eye hair and complexion black. A good talker.’”

The nature of the bureau’s obligation to respectable clients, it would thus seem, was sharply divided along the color line. White veterans received aid, whereas ex-slaves were awarded paternalist protection from criminal types masquerading as ex-slave activists, protections they hadn’t asked for.

Even the men and women who corresponded with bureau officials in order to defend the ex-slave pension movement and to stake a more direct claim to federal subvention found it difficult to escape the terms of deservingness established for disabled veterans. Like Alfred Latham, many of these writers responded negatively to the government’s efforts to gather information on ex-slave pension organizations from community members and to intimidate those it believed to be involved in the movement. The representatives of the Ex-Slave Petitioners’ Assembly who visited his town, Latham wrote to the bureau in 1897, “induced us to come together as a race and ask this great commonwealth to grant us a pension for our past services to help us care for our old and infirm parents. I do believe it would be God’s will if we could get such.” In appealing to divine right, Latham strikes a far more defiant note than many of the ex-slave authors who addressed themselves to representatives of the federal government. But here as well the argument for pensioning ex-slaves is made with reference to “past services,” just as Latham dutifully notes that the money would allow him and others to care for their disabled parents. So routinized, in fact, were many of the letters ex-slaves wrote to the Pension Bureau and other governmental agencies that some seem to have been produced collaboratively. Letters from Margaret Thompson and Synthia Shelby addressed to the Pension Bureau on December 21, 1897, for example, report hearing that “they were speaking of giving the old slaves so much money to help them along for we are getting along in age.” Each woman then records her own age, notes that “I thought that I would write to see if it was so,” and closes with a prayer: “I hope that the blessing of God will abide with you all hence forth and forever. Amen.”

Many ex-slaves who inquired about the fate of Vaughan’s bill thus told stories about themselves that exemplified the eligibility criteria that the Pension Bureau established for invalid pensions—disability, old age, patronage, and respectability. Others, however, equated pensions with compensation not for injury or expropriated labor but for the work of writing
itself. When R. J. Lowry wrote to the Secretary of Pensions in January 1898, what began as a simple inquiry about the status of Vaughan’s bill soon became a brief on both the economic status of literary endeavor and the belated work of emancipation (figure 1.13):

Will you be so kind as to send me the proper information as to the “Pension bill” for ex-slaves.

There is a lot of persons out down South, calling themselves agents for the government, going around organizing Clubs, charging twenty-five (25) cents a head, claiming that they are authorized by the government.

Now, sir, I know if there is such a thing in fact, why of course, you ought to know something about it. You know again that my people have been frauded enough since the “Emancipation” by such humbugry.

Of course, I know, the old “ex-slaves” need a pension and all the help we can get, but we don’t want to be frauded by “so called ‘agents.’”

They claim that Congress has requested the ex-slaves to ask for it in order to obtain a bill.83

In what would appear a matter-of-fact request for information, Lowry emphasizes just how much he already knows. Lowry knows how the swindlers identify their marks and carry out their schemes, just as he knows who would be in charge of an ex-slave pension bill, were one on the books. Lowry, however, also suspects—in the same way he suspects that the “agents” touting new “Pension bill[s]” may not be entirely truthful—that “Emancipation” may not be the full story of Black freedom. From the vantage of more than thirty years after the end of the Civil War, in fact, “Emancipation” appears another instance of the very kind of “humbugry” perpetrated in the popular imagination by “so called ‘agents.’”

For Lowry, it is ironic not only that the truth about Emancipation is disclosed by the very “agents” that the government takes for confidence men but also that these agents lay out what he sees as the clearest course of action. “Ex-slaves,” Lowry reports, have “to ask for it in order to obtain a bill.” Such is precisely the work Lowry undertakes in writing to the Pension Bureau. More than a request for information, his letter is an effort to rethink the compensatory logic of justice. Compensation is usually understood as a relation of exchange that requires an equivalence between two objects or practices. To compensate is literally to weigh one thing against another.84 Lowry’s vernacular pension claim, by contrast, seeks justice not as the equitable payment for work performed or debts incurred but as something which might be attained only by writing. The end of his literary
endeavor is thus not—as Washington and critics of the Civil War pension system might have charged—to exempt himself from manual labor, but rather to attain that which can be neither created nor destroyed.

The vernacular pension claims addressed to the federal government and preserved by the same as part of a broader campaign of surveillance, containment, and intimidation thus elaborate a narrative transformation that draws inspiration from but ultimately parts ways with the bureaucratic genre of the Civil War invalid pension claim. We might also say that the vernacular pension claims written by R. J. Lowry, Anderson Dillon, Margaret Thompson, and Synthia Shelby, among many others, literalize the social fiction that sustains both the pension claim and the precocious welfare state it helped to bring into being. This is not to say that the letters of these formerly enslaved people actually transform pain into work, were such a thing possible or even imaginable, but rather that their writing embraces the very literariness that made the pension claim so controversial. By taking up the pen to inquire about ongoing efforts to enact reparation

1.13 Letter from R. J. Lowry to the Secretary of Pensions, January 1898. National Archives, Washington, DC.
by legal means, these men and women rewrite reparations as an improvisatory practice that answers the familiar humbug of Emancipation with the possibility of an unsettled future. Indeed, these speculative sorties suggest that ex-slave pensions—as a mode of reparations—may well be humbug, fraudulent in the sense of not yet true, or realizable only in the act of writing. Inhabiting the social fiction that pain is compensable only as work means putting in the literary labor necessary to think reparations beyond the market.

**Contributory Fantasies**

The passing of the last beneficiaries of the Civil War invalid pension system marked a turning point in military history. Soldiers injured in future conflicts would be given mandatory physical and vocational rehabilitation rather than monetary compensation. Not long after the government stopped paying out the “debt” owed to Union and (after 1924) Confederate veterans, moreover, the pension system’s ad hoc role in establishing an expansive program of disability, old-age, and survivor benefits—the basis of Skocpol’s “precocious” welfare state—was replaced by the systems created during the New Deal, many of which formalized the racist exclusions that were improvised on the fly by Pension Bureau agents and other intermediaries. From this vantage, the genre of the Civil War pension claim, the cause of such strife at the turn of the century, would seem but an outdated relic of an earlier generation’s idea of bureaucratized social welfare provision. The cultural need met by the pension claim, however, remains as pressing as ever. Today, as in the wake of the Civil War, public benefit programs are tasked with balancing a collective obligation to help those in need with the economic, social, and moral priority of the labor market. A century and a half ago, the federal Pension Bureau relied on narrative affidavits to square this circle and thus assure an increasingly anxious public that beneficiaries had indeed earned what they received. In our own moment, the analogy of social insurance serves the same function, and nowhere more explicitly than in the disbursement of Social Security benefits.

From the 1930s onward, US public culture has tended to embrace the range of welfare programs overseen by the Social Security Administration as earned entitlements rather than public assistance. At the core of this popularity is the conviction that Social Security—an umbrella category that names a number of different initiatives—is an insurance program that only pays out to those who have paid in. This conviction holds, in
broad strokes, for both old-age or retirement programs and the federal cash benefit for workers who acquire long-term disabilities, Social Security Disability Insurance (SSDI). To be eligible for these benefits, claimants must meet prior work requirements, a provision designed in theory to ensure that Social Security remains solvent. Such requirements also bolster public support by ensuring that Social Security “is not a handout; it is not charity; it is not relief. It is an earned right based on the contributions and earnings of the individual.”

Historically speaking, however, the benefits paid out by the Social Security Administration have tended to far exceed the revenues taken in. Indeed, as Jacobus ten Broek and Floyd Matson underscore, “there is only the most casual relationship between the benefits and premiums, premiums and wages, wages and past productive activity or work; and accordingly there is little foundation for the claim of benefits as a matter of earned right.”

But though the “whole insurance concept thus becomes only a remote analogy rather than an operative reality,” it nonetheless yields enormous power in public discourse. The insurance analogy provides moral cover for certain social welfare programs while subjecting others to scrutiny, scorn, and ultimately defunding. These latter programs, generally the so-called noncontributory public assistance programs known collectively and pejoratively as welfare, are perceived as a threat to the sanctity of the market and stigmatized as such. Beneficiaries of programs such as Temporary Aid to Needy Families are viewed not as respectable citizens cashing in their retirement plans but as pathological malingerers. And as a distinguished body of scholarly literature and a long history of grassroots welfare rights activism attests, this stigma has been disproportionately borne by people of color. Like late nineteenth-century pension skeptics, contemporary critics of social welfare programs that fall outside the protection of the insurance analogy commonly associate blackness with shirking, laziness, and unproductivity.

Against this backdrop, it is unsurprising that conservative commentators in the ongoing debate about slave reparations argue that “black people have already received billions of dollars of aid through welfare and poverty programs.” These arguments not only wish away ongoing histories of anti-Black violence, systemic racism, and white supremacy, but they also stigmatize the very idea of reparations by casting it as a noncontributory public assistance program. From this vantage, the strategic use that the postbellum ex-slave pension movement made of the Civil War invalid pension claim seems more relevant than ever. That bureaucratic genre, like
the contemporary social insurance analogy, allowed ex-slave activists to suggest that they were seeking no more than what they had earned. In likening the injuries of slavery to those of war, members of the ex-slave pension movement argued that they had met the prior work requirement—and already paid into the system. By the same token, though, inhabiting the narrative instability of the pension claim allowed formerly enslaved people to rethink the social fiction whereby pain and suffering become recognized as compensable labor. Rather than using this social fiction as ideological cover for a mode of social welfare that threatened to run afoul of the market, these writers embraced the equivocal literary labor of the pension claim to contest the nature of compensation itself.