

Donald S. Inbody

THE SOLDIER

VOTE *War, Politics, and the Ballot in America*



The Soldier Vote

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Donald S. Inbody

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For Jeannine

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Preface

This project actually began in 2000 in the immediate aftermath of the presidential election of that year, the *Gore v. Bush* Supreme Court case, and the discussion about absentee balloting and the military vote. The assumption, at the time, was that the military vote was overwhelmingly in favor of George W. Bush. Both Republican and Democrat operatives believed—or at least behaved as though they believed—that military voters were largely conservative and Republican.

After over two decades of active service in the navy at that time, I questioned those assumptions. I knew that racial and ethnic groups that tended to identify with the Democratic Party were overrepresented in the United States military. While recent research made it clear that the officer corps identified as Republican over Democrat by as much as 8 to 1, no such research had then been done with respect to enlisted personnel. In short, it appeared that findings about the officer corps were being assigned to enlisted personnel. Assuming that enlisted personnel behaved just like officers in their political preferences seemed to me to be unwarranted.

Officers make up only about 15 percent of all military personnel. While officers are largely white, college-educated males, a demographic that tends to identify as Republican, the same cannot be said of enlisted personnel. Because of those demographic differences, classical research in political behavior would predict that the enlisted population would behave differently from officers. The question, then, is whether that prediction is true in the case of the military population. Or, are military personnel so unique that the usual predictors of political behavior do not apply?

My experience with enlisted personnel began in 1979 when I first found myself in charge of some four dozen navy enlisted sailors and discovered that they represented a long and valued tradition of service to the United States. Often disregarded as undereducated, economically limited, and social misfits, the enlisted personnel were none of these. I found it not to be true then and certainly not true today. I also found that they saw the world differently than I did and had remarkably different political persuasions and opinions. Fast forwarding to 1996, I was Captain of

USS *Duluth*, an 18,000-ton amphibious ship in the Pacific Fleet, and responsible for the lives and safety of 450 sailors and some 600 embarked marines. Most of those sailors and marines were enlisted men, and my appreciation of and fascination with their dedication, skill, and intelligence was enhanced.

Later, when I was assigned to be the professor of Naval Science at the University of Texas, commanding the Naval ROTC Unit in Austin, I had the opportunity to pursue a PhD in Government. That gave me the opportunity to explore and begin to resolve the questions brought up in 2000 and to find out whether officers and enlisted were interchangeable as far as political behavior was concerned.

In researching, I discovered that much had already been written on the soldier vote. I found that several authors had noticed that improvement of absentee laws and the expansion of the voting franchise often correlated with war. However, I also discovered that there was no comprehensive history of how military personnel away from home and American citizens who lived overseas came to have access to the ballot. I also noticed that there was a tie between the large body of literature on American civil-military relations and providing voting rights to service personnel.

I found a great deal written about soldier voting in the Civil War and some about World War II. However, there were gaps in the history. I found little for the years prior to the Civil War and almost nothing for the period between the Civil War and World War I. I did, however, discover that the impetus for pushing for soldier voting rights was not just war, but also the often concurrent increased size of the army and the deployment of those troops away from their home counties.

While I certainly recognize that the title of this book, *The Soldier Vote*, seemingly excludes anyone not in the army, it points out the importance of the army in American life. Most Americans know about the other services, but generally have more of an affinity to the army. With the rise of the National Guard, beginning in the late nineteenth century, the local presence of the army was enhanced. Most of those who went on active military service during the wars of America were in the army. The soldier stands out as the catalyst and thus the namesake for this book.

Many have already written about the soldier vote. I have attempted to recognize them in the manuscript that follows, but three authors particularly stand out as important. Their books lay on my desk as I wrote, and were referenced often. First, Alexander Keyssar's excellent *The Right to Vote* provided much in the way of background and insight into the overall historical arc of suffrage in the United States. Before most, he recognized that war was the catalyst for much in the way of expansion of the franchise. His book is the best single source on elections in America.

Second, Ira Katznelson's *Fear Itself*, a more recent addition, provided a look into the soldier vote issues of World War II. His chapter six, "Ballots for Soldiers," points out the dominant position that southern politicians had in Congress during the first half of the twentieth century and why the Soldier Voting Act of 1942 was so limited in its initial impact.

Third, an obscure book, *Voting in the Field*, self-published in 1915 by Josiah Henry Benton Jr., rose to the top of the list as a principal source. Benton, a Civil War veteran who served as a Private in Company H, 12th Vermont Infantry Regiment, later became a lawyer, was the clerk for the New Hampshire House of Representatives, and was a prolific researcher and writer. His book, actually little more than a collection of research notes, served as the best single-source for locating obscure legislative records about military absentee voting during the Civil War. In many cases, his footnotes led me to the original documents, many of which are now available online through archives.org, thus saving days of searching and crawling library stacks across the country.

My hope is that this book will provide those interested in American voting an insight into one small, but important, aspect of the franchise. Absentee voting, essentially unheard of at the time of the founding of the country, increasingly is now the standard for voting. Oregon has only vote-by-mail and other states, such as Colorado, make voting by mail ballot extremely easy. All this bodes well for the future of absentee voting by service personnel and Americans living overseas. The increasing use of technology, including using the Internet for electronic delivery and return, in some cases, of ballots, will become ever more important in public policy and voting laws.

* * *

Part of the process of completing a major piece of research such as this is learning that a project of this size is a collaborative process. Many have participated in that collaboration and, at the risk of leaving someone important off the list, I will acknowledge them.

Steve Wasby entered my life while both of us were briefly on the faculty in the Political Science Department at the United States Naval Academy. A first-rate scholar of the American judiciary, he nevertheless stooped to assist and encourage a curious naval officer in his scholarly pursuits. He has tirelessly read and commented copiously on much of my writing over the years taking me to levels I would never have imagined possible. Specifically, he guided the writing of my dissertation, on which much of this book is based. The time he spent encouraging and prodding me to do better, is greatly appreciated and well beyond the call of duty. Steve introduced me to Ginger Kimler, an amazing editor, who read every word of

this work and offered her insights and recommendations for improvement. That additional set of eyes cannot be overvalued.

Daron Shaw set me loose on a research paper on military voting that started this project. He introduced me to surveys, election and voting behavior, and even put his own hand to work in assisting the shaping of the survey instrument that ultimately yielded much of the data for this book. Daron, most likely unbeknownst to him, actually suggested the title to this book in one of our discussions.

Mel Hinich, sadly now no longer with us, introduced me to the detailed math behind time series analysis and spatial analysis and invited me, quite unexpectedly, into his world of statistics by permitting me to cowrite a statistical paper with him. His help in understanding quantitative analysis helped this non-math major to navigate that useful world. And, speaking of statistics, thanks to Larry Fulton, a colleague at Texas State University, who provided some able and much-needed tutoring on statistical analysis.

Zoltan Barany, civil-military scholar extraordinaire, was one of the first at the University of Texas to encourage me to continue on this academic path, and continually prodded me to keep thinking about civil-military relations. He introduced me to some of the best literature in the field, expanding my knowledge into the international arena.

While at an annual meeting of the Overseas Vote Foundation, I met Mark Ritchie, then secretary of state for the State of Minnesota. Quite by chance, he made reference to an interesting historical note about absentee voting during the American Revolution. He gave me a copy of the reference that subsequently led to further details about soldier voting in the early years of the Republic. That meeting led to continued contact and discovery of his very real and effective support for military voters.

And, speaking of the Overseas Vote Foundation, Chip Levanthal, Susan Dzieduszycka-Suinat, and Claire Smith invited me into that world and introduced me to an amazing group of people researching and writing about all aspects of absentee voting, especially for military personnel. They are an outstanding group dedicated to ensuring military personnel and citizens living overseas are able to vote. Their generosity and faith in me has introduced me to an amazing array of well-informed and interesting people who are genuinely interested in figuring out how best to get the ballot to our deployed military personnel.

I cannot go far in these acknowledgements without saying thanks to Peter Feaver of Duke University, one of the leaders in the field of civil-military relations. After an email briefly introducing myself to him and asking for help near the beginning of my doctoral studies, he sent me a wonderful civil military reading list that brought me quickly up to speed in the field. His patient responses to my queries were not only helpful but also

encouraging. Peter Trubowitz encouraged me to use that reading list to produce an annotated bibliography early in my graduate work that repeatedly has proven useful, some of which has found its way into this book.

Bat Sparrow called me one day while I was in my office in the Naval Science Department at the University of Texas. He had been assigned to chair a committee to decide if this old Navy Captain should be permitted to join the Government Department's graduate program. His questions helped me to decide why I really wanted to pursue a doctorate after an already full naval career. I was surprised one day when he asked me to co-write a paper on American civil-military relations, which we presented at the 2005 American Political Science Association annual meeting. He chaired my dissertation committee and his faith in my academic pursuits was inspiring, kept me moving ahead, and is in no small way responsible for any scholarly successes of mine. Watching him write his own book on Brent Scowcroft, *The Strategist*, showed me the patience and diligence necessary to produce a good work of scholarship that is both informative and readable.

Terri Givens offered her support for my endeavors and helped change me from an old salt into a member of the academy. Conversations with her also led to insights into minority group behavior, much of which informed this research.

Among the others who provided help, both great and small, on this project include Steve Ansolabehere, Rachel Hertz Cobb, Tanuja Kumar, Shanea Watkins, Jean Rice, Scott Seggerman, Lauren Jackson, Gregory Black, Lindsay Cohn, Jerald Bachman, Richard Kohn, Pat Shields, Larry Fulton, and Hyun Yun. Also helpful were the friendly suggestions and comments by faculty at the University of Texas to include John Higley, Brian Roberts, Harrison Wagner, David Leal, Russ Muirhead, Pat McDonald, Sean Theriault, and Paul Woodruff. For helping me through the seemingly endless morass of government documents, I am most grateful to Hithea Davis, librarian at Texas State University, who patiently located records seemingly lost to the ages.

Russ Carter provided his collection of photographs of War Ballots and other postal material related to military voting. His kind and generous permission to use those photos in this book is greatly appreciated.

For insights into the world of the local election official, I thank three County Election Administrators, Jacque Callanen (Bexar County, Texas), Joyce Cowan (Hays County, Texas), and Joe Mansky (Ramsey County, Minnesota) who were unselfish of their time. I spent hours talking with them and asking them for data and experiences. At the state level, Keith Ingram, the Texas State Director of Elections never refused a request for a meeting and provided me with his thoughts, experiences, and data.

I offer my deepest thanks to all those unnamed individuals, including several fellow graduate students at the University of Texas and my colleagues at Texas State University, who put up with my endless discussions on this topic and who offered advice and ideas on how to fine-tune the presentation.

And, how can I go far without acknowledging Jeannine, my wife, who spent as many years in the Navy as did I, was associated with those same enlisted personnel and their spouses, and voted while living overseas. For her continual encouragement throughout the entire process, and for her advice and counsel, I give her my heartfelt thanks.

However, despite the able assistance and flawless guidance of all, the work herein is mine and I take full responsibility for any errors in fact and form.

CHAPTER 1

War, Politics, and the Soldier Vote: Some History

The story of absentee voting in the United States is a tale of the army and war. Not surprisingly, it is also a story of politics. Support for the soldier vote often hinged on beliefs about political party loyalty, the stature of the army, and what politicians and citizens thought about the nature of the soldiers. The advent of war and the deployment of large numbers of soldiers away from home brought with it significant changes in the ideas of the right to vote, who can vote, and how to get those votes back to the local precinct for counting.

War has increasingly been recognized as a major factor in expanding suffrage in the United States.¹ The right to vote in the United States has not always been as widespread as it is today. At the time of the American Revolution, only a tiny fraction of the population actually voted in elections, particularly for state office. Few citizens were even eligible to vote, suffrage being generally limited to white male property holders. Most progress in expanding the right to vote has occurred either during or immediately following a war. This was certainly true for enfranchising not only the soldiers and sailors but also, coincidentally, American citizens living overseas.

The political pressures of having to raise a large army, often from the less politically involved classes of society, seemingly required political action to ensure that the right to vote was extended to the newly recruited soldier. However, and differently from other examples of progress in suffrage, when the war ended, often so did interest in ensuring that soldiers could cast their ballots.

During much of the history of the United States, enabling soldiers to vote was not considered to be a serious issue. In most cases, there were either not enough soldiers in the army to raise concern or, more commonly,

the public perception of the soldiers and sailors was so negative as to provoke strong opposition to permitting them access to the polls. However, despite such attitudes, on those occasions when large numbers of citizens were called to duty in the army, politicians were stirred to action to ensure that those soldiers were able to vote. The Civil War and World War II were significant events, but in both cases interest faded once the soldiers came home. Most interestingly, political support during those wars hinged on assumptions about which presidential candidate the soldiers would support.

The notion that American citizens living beyond the borders of the United States should be able to vote has not always been commonly held. It was generally assumed that voting occurred only in local precincts. A special town meeting of Hollis, New Hampshire, confronted this issue in December 1775 when a courier arrived with a letter from a group of soldiers. The men were away with the newly established Continental Army, fighting the British, and wanted their votes counted in a local election. While little is known of the details, the minutes of the meeting recorded that there was a dispute over whether to permit the proxy vote. While the decision of the council was to permit the votes to count “as if the men were present themselves,” it was apparent that allowing absentee voting by soldiers was not uniformly accepted.² Even in cases where citizens who were asking for absent voting rights were well known to local authorities, resistance to granting such rights remained. Accepting votes from citizens not physically present courted election fraud.

During the American Revolution, the idea that voting was a fundamental right of citizenship was not universal. John Adams was quite sure that opening the right to vote to everyone was a mistake and would lead to the requirement to “admit all men who have no property, to vote” and that it would ultimately require the enfranchisement of women, children, and “those men who are wholly destitute of property.”³ The New York Committee of Safety allowed soldiers in 1777 to vote at any polling location near their stations, but the state legislature quickly countered the plan by insisting that “a person shall not vote or ballot at any election out of the district wherein he shall actually reside.”⁴

Elections in the eighteenth century were not conducted the way they are today. The secret ballot was only an experiment in limited areas. In most jurisdictions, it was expected that the voting citizen would gather in a public place, often with food and drink, and then shout out his approval or disapproval for all to hear, also known as *viva voce*.⁵ The secret ballot was not trusted, as it could have concealed nefarious activities by unqualified people. The philosopher Montesquieu worried that a secret ballot would destroy the notion of property rights. He was quite sure that “the lower

class ought to be directed by those of higher rank, and restrained within those bounds by the gravity of eminent personages.”⁶ A significant philosophy on the right to vote revolved around economic independence. Many believed that political independence hinged on economic independence, which was often defined by ownership of real property. Individuals without property, being insufficiently economically independent, were thus more likely to be politically dependent and could not be trusted with the vote.⁷

In other places, the voter would arrive at the designated polling place and put his ballot in the designated box or jar for his candidate of choice. Most thought this was the best way to conduct elections—fully in the open with voters taking public responsibility for the vote they cast. In close-knit communities, where everyone was known to each other, it was also a way to ensure against fraudulent voting. Admitting an absentee ballot in writing under such circumstances required a significant change of philosophy as to how a proper vote was conducted.

The American practice of states being largely responsible for voting eligibility and for the manner in which elections are conducted has conspired to ensure that citizens who live overseas, and military personnel in particular, are more frequently disenfranchised than citizens who live in their home states. The Constitution actually says very little about voting eligibility. Essentially, it gives states complete control over the matter. Article I, Section 2, states that those able to vote for members of the House of Representatives “shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.”

The principal barriers to ensuring that military personnel and American citizens living overseas have an unencumbered right to vote are twofold: (1) partisan politics in general and (2) the wide variance in local and state election laws and administration. While federal legislation has made significant progress toward enfranchisement, success has not been as great as reported and much remains to be accomplished to highlight and overcome the unique barriers faced by military voters.

More specifically, six recurring themes about military and overseas voting consistently appear in the historical records. First, and apparently most important, is that political interest in supporting absentee voting for deployed military personnel has only arisen during wars when large numbers of soldiers are deployed away from home. While sailors and marines were often deployed away from home precincts, their issues did not raise the same interest as when soldiers, in large numbers, were away from home. The army, as opposed to the other military services, appears to have closer emotional ties to politicians and the general public.

A second theme is the continuing debate as to whether individual states or the federal government has precedence in determining how voting must occur

and who must be permitted to vote. This debate was waged on theoretical grounds as well as harshly partisan and even racial grounds. And, even in cases where laws supported military absentee voting, a third recurring theme is the wide variation in state election laws. Such variations present very real practical barriers to casting a legal absentee ballot, particularly from overseas.

A fourth recurring theme is the fundamental issue as to whether voting anywhere other than at one's home precinct should be permitted. Concern about election fraud was, and remains, an issue, as was a general feeling that absentee citizens were not sufficiently informed to vote. There were concerns that states did not have the authority to administer voting beyond their borders. While this is not a problem today, prior to the Cold War there was no general consensus that absentee voting was a right of citizenship, let alone a right for soldiers.

Perhaps not so surprising is the fifth recurring theme: lawmaking in regard to absentee voting by military personnel has always been contentious along party lines. Such contention was usually due to perceptions about which political party military voters would favor. Related to this is the sixth recurring theme that assumptions about the party preferences of military personnel were critical to whether and how each political party supported the soldier vote.

The first serious attempts to enfranchise military voters began during the American Civil War. For the first time since the end of the American Revolution, a national election was carried out while large numbers of soldiers were away from their home states. Prior to that, only two states had passed any legislation permitting military personnel the ability to vote while away from home, and isolated instances of absentee voting in the eighteenth century can be found in New England.⁸ With a small regular army and an even smaller navy, few local government officials were concerned about absentee voting issues, it being expected that all citizens would simply vote in their local precincts. Many state constitutions restricted voting to locations within state boundaries. Such limitations effectively made voting by soldiers assigned to locations away from their home states illegal.

Only limited efforts to permit citizens or soldiers the right to vote while absent existed prior to the Civil War. During the War of 1812, Pennsylvania passed a law allowing soldiers stationed more than two miles from their homes to vote by a form of absentee ballot. That law remained in effect until 1862, when it was declared unconstitutional. New Jersey passed a similar law in 1815 as the war ended, but that law was repealed in 1820. For most states, however, it was not until the midterm election of 1862, after the start of the Civil War, that widespread questions about the voting

rights of soldiers and sailors arose. Some state constitutions only permitted voting from locations away from the home precinct if the voter was away on official state or federal business. Soldiers were generally excluded from that provision.⁹

By the general election of 1864, steps had been taken by most states to ensure that their soldiers in the field could vote. In 1862, Wisconsin was the first state during the Civil War to legalize absentee voting. While most states developed varying means of absentee ballots and proxies, a few states went so far as to send election commissioners to their state's regiments in the field to actually collect votes from the field.

Support for such measures was not uniform, however, with Democrats generally in opposition due to the assumption that soldiers would vote for Republican Party candidates. The Illinois state legislature, controlled by Democrats, refused to pass a law permitting soldiers to vote by absentee ballot. Indiana similarly refused to permit soldiers to vote. In September 1864, Abraham Lincoln wrote to General William T. Sherman, who was at that time in Atlanta, Georgia, encouraging him to permit Indiana's soldiers to return home to vote in the state elections.¹⁰ Throughout the war, however, in most states where Democrats dominated the state legislature, absentee voting was not approved. In most states where Republicans were in the majority, absentee voting for soldiers was passed. This pattern of partisan support for military absentee balloting, based on expectations of which political party such measures would support, would be repeated in the future.

Despite provisions by the states that passed absentee voting, efforts by the Democratic Party ensured widespread disenfranchisement of union soldiers. Only about 150,000 of the army's more than one million soldiers were able to cast absentee ballots from the field in the 1864 general election. Many soldiers were able to return to their home states to vote in that election and thus did not submit absentee ballots. No record was kept of the number of soldiers who voted in their home states. Of the soldiers who were able to cast an absentee ballot, 78 percent (119,754) voted for Abraham Lincoln, while only 22 percent (34,291) voted for George B. McClellan, the Democratic Party candidate.¹¹ Foreshadowing similar problems encountered in the twentieth and twenty-first centuries, the votes from some Vermont soldiers apparently did not make it back to their state in time to be counted in the official tally. Some reports claim that Minnesota absentee soldier votes did not reach home in time to be counted, but since the ballots were sent directly to the appropriate county and then became essentially anonymous, there would have been no way to enumerate separate soldier ballots.¹²

In the decades following the Civil War, there was little political incentive to reengage in legislation enhancing the voting rights of military personnel. Within a few years following the end of the war, most states had either repealed the absentee voting laws or had permitted them to expire. Without war, interest in the soldier vote had waned.

A large percentage of active-duty enlisted personnel during the late nineteenth century were recent immigrants, comprising as much as a quarter of the army and even more in the navy. While immigrants were often permitted (and even recruited) to vote in the large cities and tended to identify with the Democratic Party, soldiers had little access to the electoral process.¹³ With soldiers in the post-Civil War era generally considered to be social outcasts, there was little public or political interest in supporting measures to enable them to vote.

An October 1866 editorial in *The Nation* argued that soldiers were not worthy of the right to vote. Concerned about an upcoming vote in the New Hampshire and New York legislatures, which were reconsidering constitutional amendments allowing soldiers to vote, the editorial's author penned a two-page tirade warning about the dangers of permitting soldiers the vote. Specifically, he warned that soldiers should not be granted suffrage as they rarely had opportunities to read or to educate themselves on electoral matters and that voting in the army cannot be free or intelligent in nature. The author argued further that allowing them to vote would open up new avenues for election fraud, mostly based on an assumption that the general officers would force the soldiers to vote in favor of the current administration. Most worrisome to the editorialist was that the soldier harbored a "spirit of despotism," which would be "incompatible with the preservation of free institutions."¹⁴ The combination of these attitudes along with a general lack of political concern ensured that military personnel did not vote in any great numbers.

The next flurry of activity in providing for absentee balloting occurred during World War I. Even though the United States deployed an army of some two million soldiers to Europe, the only significant election during the war years was the midterm election of 1918. With no presidential election, interest was low, although most states enacted laws permitting military personnel to vote. However, the varying state laws made it difficult—practically—for military personnel away from home to cast a vote.

Some progress continued following the end of the war, and, by 1940, registration to vote was generally required. However, in eighteen states registration had to be in person, and soldiers were subject to that rule. Adding to the barriers, most southern states also had a poll tax, with only Mississippi and South Carolina exempting soldiers from having to pay the

tax. Some states had constitutions that did not permit absentee voting, and of those that did permit the practice, some specifically prevented soldiers and sailors from taking advantage of the provision. Other restrictions that made it difficult for military personnel to vote included the requirement to obtain affidavits sworn before an officer, or to obtain a proxy. Further complicating the matter for deployed troops were the varying deadlines for filing absentee ballots, a problem that remains to this day.

In 1941, during the beginning of direct American involvement in World War II, no coordination of access to voting for military personnel existed at the federal level. The War Department required that “everything possible” be done “to enable the personnel of the army to exercise their right to vote” but did little more than direct soldiers to “write to the Secretary of State of their home state requesting information under the laws of that state.” Even President Franklin D. Roosevelt expressed his doubts: “I am not at all certain that much can be done about it,” he said. He suggested that the army and navy “remind the boys by posting notices . . . summarizing the laws in each state.”¹⁵ Apparently, few soldiers were able to negotiate the complex steps required to cast a vote, and in November 1942, during the first midterm election conducted during World War II, only one-half of 1 percent of the five million active-duty service personnel voted.

World War II marked the first federal level attempt to facilitate military voting. Prior to that, all efforts were limited to state actions. In July 1942, Congressman Robert L. Ramsay (D-WV) introduced a national military voting rights bill that called for special elections on military bases to be supervised by the secretary of state of each state in which the base was located. The War Department and the National Association of Secretaries of State opposed the bill. The War Department believed that ensuring voting rights for soldiers was not its job, and the secretaries of state were not happy that the federal government was attempting to interfere with what they saw as purely a state issue.

Major changes were made to the bill, and provisions were ultimately made for the army and navy to provide postcards for each military voter to send to their individual secretaries of state. The state secretaries, upon receipt of the card, were required to send the soldier a ballot with the names of those running for federal offices. Included was an oath, to be sworn in front of an officer, that the applicant was a qualified voter under the laws of that particular state.

The bill was opposed by southern members of Congress because it was said to violate the rights of the states and included a provision to eliminate poll taxes. One southern congressman argued that voting was not a matter of right but rather a privilege solely within the purview of

the state.¹⁶ Despite significant differences within the Democratic Party largely splitting along regional lines with the southern members of congress voting against it, the Soldier Voting Act of 1942¹⁷ passed both houses of Congress on September 16, 1942, and was signed into law by President Roosevelt.

As the 1944 general election approached, some Democratic Party leaders saw an opportunity to benefit from the military vote and pressed for more aggressive military voter legislation. In a move opposite of that taken by the party during the Civil War, Republican leaders believed that a reduced military vote would bring advantage to their party. Almost uniformly, they opposed changes to the Soldier Voting Act. The Democratic Party was able, to a limited extent, to overcome Republican resistance, amendments to the 1942 law were passed and it was put into effect on April 1, 1944.

Of about 9.2 million voting-age personnel on active duty in 1944, 4.4 million requested ballots for the 1944 general election and about 2.6 million returned them, a 28 percent voting turnout rate based on the then minimum voting age of twenty-one. In the same year, the turnout rate among eligible civilians was about 56 percent. The military absentee vote comprised about 3.2 million votes, or just under 7 percent of the total popular vote for president.¹⁸ No data exist on the voting patterns of military personnel who happened to be in the United States and in their home precincts.

While no data were collected by the government regarding military voting in the 1946, 1948, or 1950 elections, it was generally assumed that military voter turnout had decreased after the 1944 election. In 1951, President Truman asked the American Political Science Association to convene a special committee to examine service voting and make recommendations for legislative and administrative action. The report, published in 1952, resulted in passage of the Federal Voting Assistance Act of 1955, which provided voting support not only for overseas-based military personnel but also for overseas-stationed civilian government employees as well.¹⁹

Congress's decision to take serious legislative action on voting rights for military personnel and for citizens living overseas during the 1950s might seem at odds with the recurring themes previously listed. In the 1950s, for the first time in American history, the United States decided to maintain a large standing army in peacetime. However, the "peacetime" was a particularly threatening Cold War, so arguably, the United States was actually in a war. Large numbers of soldiers were routinely deployed away from home, mostly in Germany and Japan. With a substantial number of members of Congress being former military men who served during World War II, a positive atti-

tude toward the nature of the soldier contributed to positive political action. Again, it was a war, or a war-like situation, and the deployment of large numbers of soldiers that stimulated political action.

The Federal Voting Assistance Act of 1955 required the president to designate the head of an executive department as the coordinator of federal functions described in the law. Specifically, an office was to be created to administer support for overseas voting. Since a high proportion of Americans living overseas were military personnel, President Eisenhower designated the secretary of defense as the action officer. He subsequently delegated authority to the assistant secretary of defense for Public Affairs, and appointed him coordinator of the Federal Voting Assistance Program (FVAP). Later, a director was named to coordinate all actions of the FVAP. The director was responsible for ensuring that all overseas citizens, including military personnel and employees of the federal government were provided with the necessary information to be able to vote in all elections.

In 1975, following some particularly active lobbying by Americans living abroad, Congress passed the Overseas Citizens Voting Rights Act, which repealed and updated the 1955 law to clarify reporting requirements and procedures. The act also guaranteed absentee registration and voting rights for citizens outside the United States regardless of whether they maintained a US residence or address. Prior to that, nonmilitary citizens who did not maintain a permanent US address were not permitted to vote by absentee ballot.

Since then, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) has further updated the earlier acts of Congress and ensured certain rights for overseas citizens as well as military and other government personnel assigned overseas, including the unrestrained ability to vote. It specifically directed states to provide overseas personnel with the opportunity to vote in all elections, including general, primary, special, and runoff elections. Within the 1986 act was a renewed requirement that the president report the effectiveness of the program to Congress following each election.

UOCAVA also brought up the recurring debate about whether the federal government could direct states in how they administered elections. With the Voting Rights Act of 1965 as a substantial precedent, the Department of Justice launched into a series of lawsuits against states arguing they were not affording overseas citizens and military personnel the chance to vote. Most of the lawsuits resulted in consent decrees with states agreeing to modify their laws or administrative practices.²⁰

The overall result of the various laws has been to increase participation by overseas military personnel. However, the reported success has likely been exaggerated. Reports to Congress by the Federal Voting Assistance Program claim that participation by military personnel has been significantly higher than that of the general population. However, independent research indicates that it is more likely that military participation is closer to that of the general population, with overseas participation, both civilian and military, being substantially lower.²¹ States continue to pose barriers to voting, however inadvertently, by requiring short turnaround times for return of absentee ballots—often impossible to comply with, especially for personnel assigned to war zones—and differential application of regulations to absentee ballots mailed from overseas locations as opposed to those mailed domestically.

Recent research has concentrated on methods to increase absentee voting, primarily by reducing the administrative, practical, and operational barriers to voting.²² However, the unique problems in accessing the overseas military community have not been discussed in detail. Military personnel assigned overseas, particularly those in combat zones, report that even when they have requested an absentee ballot, it often arrives late or not at all.

While some writers have argued that military personnel have not faced and do not face difficulties in voting, most studies show that both civilians and military personnel living overseas have a more difficult time casting absentee ballots than those casting absentee ballots in the United States.²³ Citizens living overseas report having difficulty in registering to vote and meeting deadlines. Furthermore, evidence from studies on absentee balloting in California shows that overseas ballots were twice as likely not to be returned and three times more likely to be challenged as compared to non-overseas absentee ballots. For example, about half of the UOCAVA absentee ballots sent to overseas personnel were not returned. Of those cast, about 10 percent were challenged and not counted, principally because they arrived after the deadline.²⁴ The most common reason that absentee ballots from overseas are disqualified is that they arrive after the deadline.

Following the 2000 general election and the attention generated by the handling of absentee ballots in Florida, the specific problems faced by military personnel came into the spotlight and prompted detailed recommendations and analysis of alternative methods of casting votes. The Government Accountability Office (GAO) launched its own investigation, and in testimony before a congressional subcommittee on absentee voting by military and overseas citizens, David M. Walker, the Comptroller General of the United States, affirmed that multiple difficulties were posed

to absentee balloting by the wide variation in state laws, complex election laws, and different deadline requirements.²⁵

Through most of American history, voting participation by American military personnel has been minimal. While the turnout rate is clearly rising, the young age of soldiers and wide variances in state laws continue to present legal and practical barriers to remotely stationed military personnel. The net result is restricted access to a ballot.

Coordinated action on the part of the federal government to reduce those barriers began during World War II but only became somewhat effective over forty years later with the enactment of UOCAVA in 1986. The subsequent Military and Overseas Voter Empowerment (MOVE) Act of 2009 improved upon UOCAVA, but imperfections and inefficiencies apparently remain.²⁶ Multiple misconceptions about the nature of the military voter and military service itself also contribute to the difficulties of voting from overseas. Strong partisan biases remain largely based on these misconceptions. While more research is being conducted to clarify and resolve the problem, few of the results have reached the ears of public policymakers. In the following chapters, some of those misconceptions will be described, as will their impact on public policy.

While parts of the story of the soldier vote have been documented, it has not been told in its entirety. Pieces have appeared in disparate journals, book chapters, and blog posts. *The Soldier Vote* explores in detail the history, war, and politics behind getting the franchise of voting to deployed military personnel and, coincidentally, to American citizens living abroad. Beginning with the first serious attempt to enfranchise absentee soldiers—the American Civil War—the following chapters will combine those efforts into a single comprehensible story about the political development of absentee voting in the United States, highlighting especially the role played by war, politics, and soldiers.

Additionally, this book will attempt to deal with some of the misunderstandings, even myths, that have arisen about soldiers and sailors. Some of those myths have been with us for a long time while others have come about recently, but all have served to misinform the issue of whether military personnel deployed away from their hometowns ought to be able to vote. This book will show the known data about soldiers, how soldiers behave politically, and how enlisted personnel behave differently than do officers.

Of significant interest to those studying the soldier vote will be the role played by the state and federal governments. Up until World War II, the entire effort was centered on individual state legislatures. But after World War II, in spite of heavy resistance from the southern states (and some may say because of it), the role of the federal government increased substantially.

While patriotic reasons were often cited, in most cases, support or resistance to granting the right to vote to absentee soldiers remained firmly embedded in partisan political strategies. Still, through it all, only when the United States kept large numbers of army troops deployed away from home did the soldier vote become politically of interest.

CHAPTER 2

Civil War Partisanship: 1861–1862

Who votes must bear arms, was the just decision of the Secretary of War; who bears arms should not be disfranchised, but be permitted to vote, should be the policy of this country.

Governor Edward Salomon (R-WI), 1862¹

In 1861, as the American Civil War began, only Pennsylvania had statutes in place to permit voting by soldiers in the field. The law originally passed in Pennsylvania in 1813 permitted soldiers in the War of 1812 to vote via a form of proxy voting. The law, reenacted in 1839, was used until it was found unconstitutional in 1862. While it was upheld by the state Supreme Court in a November 1861 decision, a subsequent case was filed challenging the law.²

The new case argued that while the absentee voting law may have been legal under the 1812 Constitution, subsequent amendments to the Constitution had made it illegal. In a local district attorney race, the incumbent was declared the winner. The opponent challenged, arguing that soldiers voting from outside their normal election districts had cast illegal ballots. The law was upheld in lower court decisions, but once it reached the state Supreme Court, all but one justice ruled against it. The principal argument for its unconstitutionality lay in the wording about election districts. The court decided that the state could not authorize voting beyond the boundaries of Pennsylvania. Observers at the time believed that the decision was largely partisan, as the majority of the justices on the Supreme Court at the time were “violent anti-war Democrats.”³

There was also an apparent concern over the possibility of election fraud. The opinion read, in part, that “The Constitution meant rather that the voter *in propria persona* should offer his vote in an appropriate election district, in order that his neighbors might be at hand to establish his right

to vote if it were challenged, or to challenge if it were doubtful.” In other words, the law did not provide for a legal election district, and there was no means for local election authorities or local citizens to assure themselves that the proposed ballots were by authorized voters.⁴

The question as to whether an absent soldier could cast a ballot raised constitutional issues in many states. While the natural inclination of most citizens and elected officials was to secure the right to vote for soldiers fighting for their country, when efforts to enfranchise those soldiers began, many states found that their own constitutions posed barriers. At issue was where the actual casting of a ballot must occur. For example, in Massachusetts, the requirement restricted voters to “a meeting of the electors called” at a location in the town limits. Missouri required the voter to be a “qualified elector in the district in which he offers to vote.” New Hampshire required all voting to be conducted at town meetings.⁵ While some states had no serious constitutional issue, in most states the matter was, at best, unclear.

In general, during the Civil War, states did one of four things about the soldier vote. Some took no action at all, either on constitutional grounds or for partisan political reasons. Some passed laws permitting such voting. Some with constitutional restrictions passed constitutional amendments that expressly permitted the soldier vote and subsequently the necessary law. And some passed legislation permitting soldiers the absentee vote even if the state constitution apparently proscribed such action.

However, the debate in all of the Union states about obtaining the right for an absentee soldier to vote always fell along political party lines. Republicans, assuming that soldiers would vote for Abraham Lincoln and the Republican Party, were in favor of such measures, while Democrats opposed the measures on the same assumption. Throughout the war, northern state legislatures that were dominated by Republicans passed soldier absentee voting of some sort while legislatures dominated by Democrats did not.

The Soldier Vote in the South

Dealing with the soldier vote first began in the southern states of the newly formed Confederate States of America. In most cases, these states began dealing with the issue in 1861, well before any of the Union states began any action. In some cases, the southern states took steps to ensure that their soldiers could vote on the secession ordinance itself, thus actually passing the laws before seceding from the Union. Ultimately, seven of the eleven Confederate states enacted soldier voting laws⁶ (see table 2.1).

While four of the southern states—Arkansas, Louisiana, Mississippi, and Texas—did not pass any absentee voting laws during the Civil War, the lack of action apparently was not due to the partisan rancor that was dem-

Table 2.1 Confederate state soldier vote laws and secession

<i>State</i>	<i>Soldier vote law passed</i>	<i>Secession ordinance</i>
North Carolina	May 8, 1861	May 20, 1861
Tennessee	May 9, 1861	June 8, 1861
Virginia	July 1, 1861	May 23, 1861
Alabama	October 30, 1861	January 11, 1861
Georgia	December 14, 1861	January 19, 1861
South Carolina	December 21, 1861	December 20, 1860
Florida	January 25, 1862	January 10, 1861
Mississippi	No law passed	January 9, 1861
Louisiana	No law passed	January 9, 1861
Texas	No law passed	February 23, 1861
Arkansas	No law passed	May 6, 1861

onstrated in the northern states. Given that the southern states essentially had single party governments, all of which were Democratic, the partisan divide found in the northern states did not exist. Also, the southern states were only concerned about state and local elections, and particularly with allowing soldiers to vote for the secession ordinances. As no presidential election was attempted by the Confederacy, national politics never entered into the equation. Resistance to soldier voting in the southern states was not strong, and, despite some opposition in North Carolina, the partisan rancor seen in the northern states apparently was avoided.

North Carolina

The first southern state to enact a soldier voting law was North Carolina. The North Carolina legislature passed legislation on May 1, 1861, that required the governor to call a convention. Then, on May 8, an amendment was passed that permitted soldiers to vote for delegates to the convention “in their encampments precisely as if they were residing in their several counties.” According to the statute, company and battalion commanders would act as voting administrators in the same manner as county sheriffs. The polls would be opened and conducted as if soldiers were in their home counties. After much debate, and apparent resistance on the part of some delegates, usually in the form of motions to table, the ordinance was passed and enrolled on June 27, 1861.⁷

Tennessee

The Tennessee legislature drafted specific procedures to permit soldiers in the field to vote on the ordinance of secession from the United States.

Despite the proscriptions on voting outside of one's own county, the legislature passed an act on May 9, 1861, amending the militia law of the state to authorize company commanders to hold an election in the field for any soldier not able to return home to vote. There is no record of any other votes conducted under this act, but 2,741 soldiers voted on the ordinance, including 2,456 soldiers who were out of state, all reportedly in favor of secession.⁸

Virginia

In July 1861, following a secret state convention meeting, Virginia authorized soldiers in their encampments to vote in elections for presidential electors and members of Congress. Local commanders were authorized to appoint voting commissioners who would be sworn in under state law to take the votes of soldiers. Such votes were recorded in a poll book and sent by a special commissioner to the governor. Later, in December 1861, voting by absentee soldiers was authorized for state offices, including the General Assembly.⁹

Alabama

In a statement that rings true today, the Alabama General Assembly wanted to “prevent the practical disenfranchisement of the volunteers from Alabama, and of the members of the General Assembly of the State of Alabama, in the next Congressional and Presidential election.” The act, passed on October 30, 1861, only permitted voting for presidential electors and for members of Congress. Specifically, the act authorized officers to serve as election judges and to permit voting on the designated Election Day, sending a statement of how the vote went back to the secretary of state. In effect, the voting in the field would be a substitute for local county elections. Along with ensuring that soldiers could vote, the law also permitted delegates to the state General Assembly to vote even if they were at the state capital, Montgomery.¹⁰

Georgia

On December 14, 1861, the General Assembly of Georgia decided to treat soldiers in the field as though they were home, treating each encampment as though it were a local polling location. The act specifically authorized “all Volunteers and other Troops in the service from this state, to vote at all elections, without reference to the place where they may be in service at the time of such Elections.” Two commissioned officers of each unit—

company, battalion, or regiment—would act as judges and supervise an election as they would at home. The officers would then send copies of the voting tally to the clerks of the county of each voting soldier. While such a requirement might seem onerous at first, perhaps requiring each unit to send tally sheets to multiple counties, most companies and battalions were made up of men from the same towns and counties. Georgia permitted a 15-day grace period after the election for the voting tally sheets to arrive.¹¹ This act was likely not constitutional, as the Georgia Constitution at the time required the elector to vote in the county in which he lived. There was a provision that if the majority of the residents had been driven from the county, they might vote elsewhere. However, as with some other states, no one argued against the act, and no one filed a lawsuit challenging it on constitutional grounds.

South Carolina

The state that passed its secession ordinance first was one of the last to pass an initial soldier voting law. Just over a year after seceding from the Union, on December 21, 1861, the South Carolina legislature passed “an act to enable volunteers in the military service to exercise the right of suffrage.” That right was enabled during the “continuance of the existing war between the United States and the Confederate States of America.” The South Carolina Constitution had no particular restriction on where voting occurred. It merely stated that male citizens of the age of twenty-one or older “shall have the right to vote in the election.” As with the other Confederate states, the law provided for commissioned officers to act as election judges, hold the election at the specified time as though they were in South Carolina, and send the results “by mail or by special messenger” back to either the governor or the secretary of state if the election was for a members of Congress, or to the appropriate county clerk if the election was for other offices.¹²

Florida

Florida authorized absentee soldier voting on January 25, 1862, by use of an ordinance that permitted military voters away from their usual residence to vote for General Assembly representatives or senators and for representatives to the newly formed Confederate Congress. As would become a pattern for the other southern states that enacted such laws, military encampments became authorized polling locations, and commissioned officers were appointed as election judges. The ordinance even authorized a \$2 per diem wage to cover the expenses of messengers assigned the duty

of transmitting the election returns back to the appropriate authorities. Later, in November 1862, the General Assembly passed an act that expanded the previous ordinance, clarifying the methods of swearing in election officers and how and when to return the polling tabulations.¹³

Little is known as to why no action was taken by the four southern states that did not enact any soldier voting legislation. Texas and Arkansas were large states with sparse and widely dispersed populations. New Orleans was captured by the Union army on April 29, 1862. The federal occupation prevented any real state government from forming. Mississippi's inaction is a mystery, especially considering that the state was the second to secede and that it provided about 80,000 soldiers to the effort.¹⁴

The Soldier Vote in the North: The 1862 Midterm Election

The motivation to enfranchise soldiers in the north was almost entirely based upon partisan political motives. While it is certain that many in the north had altruistic motives for wanting to see the thousands of soldiers being sent away from home to the battlefield be able to participate democratically, in the end, all the decisions were motivated and justified by perceptions of partisan political gain.

The Republican Party surprised many observers in 1860 not only by electing their candidate Abraham Lincoln to the White House but also by taking over many state legislatures and governorships. However, the victory was narrow and, given the poor progress by the northern armies in the early months of the war, Democratic Party leaders saw a way back into power. If they could make the case that the Republican Party was leading the country into ruin and that the war was unnecessary, the Democratic leaders thought they might be able to win back control in some of the states they lost in the 1860 election and ultimately take back the White House. The Republicans, able to read the political winds as well as the Democrats, began looking for ways to maintain their newly found power. The impending congressional elections in the fall of 1862 spurred some Republicans to action, causing them to see soldiers as a source of votes.¹⁵

States had been called upon by Abraham Lincoln and Congress to provide volunteers to fight the rebellion. Regiments were raised, and officers were elected or appointed. In most cases, the colonels of the regiments were appointed by state governors. Thus, it is not surprising that most of the colonels were of the same political party as their governors. While battlefield promotions and the exigencies of war forced changes in later years, in 1861 and 1862, leaders of nearly all volunteer regiments were political appointees of widely varying military capabilities.

As governors and state legislatures began thinking about how to enfranchise soldiers, most understood that their state volunteer armies were highly politicized. Governors knew the colonels personally and therefore knew their political leanings. Republican governors assumed the colonels could deliver a reliably Republican vote. Democrats assumed the same of the Republican-appointed colonels and would argue that permitting soldiers to vote would only bring about significant election fraud. Both Republicans and Democrats assumed that soldiers would vote for the Commander-in-Chief, as their colonel told them. In the end, only four Union states would pass laws permitting absentee soldier voting before the 1862 midterm election.

Missouri

Some historians argue that the Civil War did not begin in South Carolina or on the battlefields of the east but in Missouri and Kansas. Armed conflict had been occurring regularly along the Kansas-Missouri border since the mid-1850s. Most of the fighting was over whether Kansas should be admitted to the Union as a slave state or as a free state. Slavery had been legal in Missouri since at least the Missouri Compromise of 1820.¹⁶

After Lincoln's election in November 1860, along with the other slaveholding states, some politicians in Missouri began to discuss the possibility of secession. In response to the secession of South Carolina in December 1860, Missouri Governor Claiborne F. Jackson, in his inaugural address on January 4, 1861, called upon the state legislature to summon a state convention "that the will of the people may be ascertained and effectuated." The legislature passed a bill on January 16, 1861, providing for the convention at which the matter of secession would be considered. The convention was to "consider the then existing relations between the government of the United States, the people, and the governments of the different states, and the government of Missouri."¹⁷ Additionally, it was directed to "adopt such measures for vindicating the sovereignty of the State and the protection of its institutions as shall appear to them to be demanded." One of the "institutions" under consideration was, of course, slavery. In effect, the General Assembly directed the convention to figure out how to secede from the Union and to protect slavery within Missouri's borders.

Despite the apparent headway by pro-secessionist legislators, pro-Union forces under the leadership of Frank P. Blair began to campaign to remain in the Union. Before the act authorizing the state convention was passed, an amendment was approved narrowly in the Senate that specifically provided that "no act, ordinance or resolution of said convention shall be deemed to be valid to change or dissolve the political relations of this State

to the government of the United States, or any other State, until a majority of the qualified voters of this State, voting upon the question, shall ratify the same.”¹⁸ Essentially, the pro-Union forces had insisted that the matter not be resolved at the convention but by popular vote.

The delegates elected to the convention were, to the surprise of the pro-secessionist forces, largely pro-Union. Then, when the matter was finally put to the vote, a majority of Missouri voters voted to remain in the Union, granting the pro-slavery and pro-secessionist forces a crushing political defeat. Shortly thereafter, the pro-secessionist governor Claiborne and much of the state legislature fled the capital. The convention elected a new pro-Union governor, Hamilton Rowan Gamble, and the state remained under the control of the convention until July 1, 1863.

Thus began a tug-of-war between southern sympathizers and Union forces within the state that lasted until the last Confederate forces were driven from Missouri in 1864. The core of the issue was deciding who could be permitted to vote, as some residents of Missouri, largely those along the Missouri River, where most of the slaves in the state were held (and where its capital, Jefferson City was located), were pro-Confederacy. Since the state convention stayed in session and was dominated by pro-Union delegates, voting laws were enacted that required loyalty oaths to the United States and the government of Missouri.

On June 12, 1862, with the November midterm election ahead, the state convention took up an “ordinance to enable the citizens of the State in the military service of the United States, or of the State of Missouri, to vote.” An amendment was offered to require that the voting must take place “within the State of Missouri on the day of election,” however it was defeated. Later that evening, the ordinance was passed.¹⁹ Missouri was the first state of the Union to approve absentee voting by soldiers.

Iowa

On August 17, 1862, five settlers in southern Minnesota were killed by a party of Sioux hunters. Little Crow, leader of the Sioux in that region, subsequently began a series of attacks all along the western Minnesota border. Over the next several days, estimates of between six and seven hundred white settlers were killed. The fear was widespread, and soon settlers from the Dakotas were streaming into Sioux City, Iowa.

Driven by rumors and fears of further Indian attacks, on August 29, 1862, Republican governor Samuel J. Kirkwood instructed Schuyler R. Ingham to protect the residents of Sioux City. “Arms and powder will be sent to you at Fort Dodge. . . . Lead and caps will be sent with you. I hand you an order on the Auditor of State for one thousand dollars.”²⁰

A few days later, on September 3, 1862, the Iowa legislature met in extra session. Governor Kirkwood made several recommendations, including several that affected the state militia and regiments already called up for the Union army. In response to the fears of attacks on the border, the previously separate active volunteer militia and the reserve militia were combined into a single state militia made up of all able-bodied white male citizens between the ages of eighteen and forty-five. This state militia was required by the law to organize itself into infantry companies and drill themselves, arm themselves, and be ready for action “whenever the governor may so order.”²¹

In a speech before the legislature, the governor stated that “it is not only the right but the duty of all good citizens to exercise the right of suffrage.” Because so many men from Iowa were in the Union army, and because the newly reorganized state militia could potentially keep soldiers away from their homes, he reminded the legislators that under the laws of the state at the time, “these citizens cannot vote, and unless those laws can be changed it may be that the cause they are periling life in the field to maintain, may be lost through supineness or treachery.” He then requested that the legislature modify the laws so “that all members of Iowa Regiments who would be entitled to vote if at home on the day of the election, be allowed to vote wherever they may be stationed in the United States, and that provision be made for receiving and canvassing their votes.”²²

The House asked the attorney general for an opinion on the constitutionality of such a law, specifically concerned about individuals voting from a place outside their usual voting district. The attorney general replied that the Iowa Constitution said nothing about the location of voting and only prescribed the qualifications necessary to be a voter in the state. By September 8, 1862, the bill was reported by committee to the House proposing a law that would “enable the qualified electors of this State in military service to vote at certain elections.” The bill was quickly passed and sent to the Senate. After some amendments with which the House concurred, the bill was passed and sent to the governor. The act went into effect on September 17, 1862, permitting all white male citizens, aged twenty-one years or older, to vote in most Iowa elections, regardless of whether he was within the state or not. The law included not only the soldiers in the regiments then in the Union army but also all volunteers in military service to Iowa.

The method by which Iowa soldiers voted was through election commissioners who were appointed to canvass the vote and return it to state authorities. Election judges were to be appointed by the soldiers themselves and were required to keep the polls open at least three hours on the designated days. Anticipating administrative errors by amateur judges and

commissioners, the law specifically warned that minor informalities of how the vote was cast would not invalidate the vote of the soldiers.

In October 1862, the law was challenged in court as being unconstitutional. Despite several complicated and detailed claims, the Supreme Court of Iowa eventually declared the law constitutional.²³ Some 19,016 soldier votes were cast in the election of November 5, 1862, with 14,880 votes for Republican candidates and 4,136 votes for Democratic candidates. The soldier vote was about 16 percent of the total 117,340 votes cast in that election.²⁴

The soldier vote was decidedly more Republican than was the general vote in the state. Of all the votes cast, about 58 percent were in favor of Republican candidates, while about 42 percent were in favor of Democratic candidates. Among the soldiers voting, however, over 78 percent were for Republicans, and only about 22 percent were for Democrats. This pattern of the soldier vote exaggerating the general vote in favor of the Republicans would be repeated many times during Civil War elections (see Appendix A.1).

While the soldier vote did not change the overall Republican majority in the state, the majority would have been smaller without it. The 1862 election in Iowa was important due to the increase in congressional districts. After the 1860 census, the reapportionment of congressional seats increased Iowa's congressional districts from two to six. The Republican-dominated legislature had redistricted the state—some called it gerrymandering—in favor of the Republican Party. The Republican majorities in most of the newly drawn districts were comfortably large, but, without the soldier vote, the Fourth Congressional District race would have gone to the Democratic candidate, Henry M. Martin, instead of the winner, veteran Iowa politician Josiah B. Grinnell.²⁵

Wisconsin

On Friday, September 13, 1862, Senator Edmund A. West rose from his seat to speak before the assembled Senate of Wisconsin. He reported that the Select Committee on which he had served was ready to file a bill “to enable the militia and volunteers of the United States or of this State, to exercise the right of suffrage.” He, along with Senator Wyman Spooner, recommended that it be passed.²⁶ Two days later, the Senate debated the bill and then passed it the next day 19–7 along a strict party vote, sending it to the Assembly for action.

The war had not been going well, and Republicans across the United States were worried that they would lose in the next election. In Wisconsin, the Republicans who had swept into power on the coattails of the Lincoln election in the fall of 1860, could sense the political winds and wanted to

retain their power. The Republican Party machinery, which controlled both the Senate and assembly as well as the governor's and attorney general's offices, leapt into action.

Horace Rublee, chairman of the Republican Central Committee and editor of the strongly partisan newspaper *Wisconsin State Journal* in Madison, had seen how other states had used soldier voting laws to good effect. Rublee, and others, convinced Republican governor Edward Salomon that "the army voting scheme" would be good for the party and recommended he call a special session of the state legislature.²⁷

Salomon had assumed the office of governor earlier that year following the accidental drowning death of then-governor Louis P. Harvey. Harvey had sponsored and led an expedition to take medical supplies to troops in the Wisconsin regiments in Tennessee that had just participated in the Battle of Shiloh. While attempting to step from a small boat into a larger river boat, he fell into the river and drowned.²⁸

Governor Salomon wrote a letter to the Senate on September 10, 1862, asking the legislature to consider "enacting a law which shall give soldiers from this state now in the army the right to vote at the next general election."²⁹ Reminding the legislature that "there is nothing . . . in our Constitution which would prohibit the enactment of such a law," he proposed a method whereby officers of the various Wisconsin regiments, or other units on detached duty, could conduct an election and return the counts to the state.

The Senate requested that the state attorney general, James Henry Howe, provide an opinion as to whether such a law would be constitutional. Howe, a Republican, had been elected attorney general for Wisconsin in 1860 and was about to leave office to become colonel of the 32nd Wisconsin Volunteer Infantry Regiment. He reported back to the legislature, agreeing that the state Constitution did not bar any statute granting Wisconsin soldiers the right to vote in the field. He observed that the legislature passing any law that prohibited such action may itself be unconstitutional.³⁰

A personal physical presence within any boundary lines is nowhere prescribed by the Constitution as an essential portion of the qualifications of an elector. And if the legislature now requires such a presence, as a condition precedent to the exercise of the elective franchise, it imposes an additional qualification, and in effect declares that a person who possesses every qualification prescribed by the Constitution, is not a qualified elector, although the Constitution declares that he is.³¹

The action immediately took on a partisan political tone. The only Democratic member of the Senate Select Committee, F. O. Thorpe, a

twenty-nine-year-old lawyer newly elected from West Bend, Wisconsin, reported his party's opinion of what he called a "scheme" merely designed to ensure Republican success in the upcoming election.³²

The soldiers are not asking or demanding any such privilege or right, and in our opinion it is simply a scheme of leading partisans in the dominant party of, the State and the Nation . . . to gain some great advantage to their party in the future, and hoping to unite the sword and the purse together for the success of the great Republican party. Hence the legislature is called together for the third time during the year . . . to the end that the Republican party may be successful at the polls.³³

Despite the resistance of the Democrats, on September 16, 1862, the bill passed the Senate on a strict party vote of 19–7.³⁴ Democrats in the House of Representatives attempted parliamentary moves designed to derail or delay the bill, but the bill was passed, again along party lines, by a vote of 52–40.³⁵ Governor Salomon signed the bill into law on September 25. Republicans were convinced that they had opened a new method of ensuring the party would remain in power by harnessing the votes of soldiers.³⁶

The election of 1862 did not turn out the way the Republicans had hoped. As in Iowa, the reapportionment resulting from the 1860 census increased the number of congressional seats—in Wisconsin's case, the seats increased from three to six. While the three preexisting seats remained in Republican hands, the three new seats went to Democrats. The overall vote was marginally in favor of the Democratic Party, 50.4 percent to 49.6 percent Republican. The soldier vote was 80.4 percent for Republican candidates and 19.6 percent for Democratic candidates.

The Republican Party experienced a serious setback during the midterm elections of 1862. In Congress, Democrats regained a majority in the House of Representatives. Republican observers believed that the heavy losses were due to soldiers not being able to vote. The *New York Times*, commenting about Illinois, argued that that Republican soldiers had "disenfranchised themselves by entering the army for the defense of the Union."³⁷ Of the nearly 500,000 soldiers on active duty in the Union army during the fall of 1862, only 30,000 to 40,000 were known to have been able to vote. Assuming that some three-quarters of those soldiers would have voted Republican, subtracting those under the age of twenty-one, there were possibly as many as 280,000 soldiers who did not cast votes for Republican candidates. The general sense among Republicans was that they needed to ensure that soldiers got the vote in order to regain their control of state legislatures and Congress.³⁸

Minnesota

In late 1861, Minnesota newspapers broached the subject of soldier voting. In a reprint of an article from the *La Crosse Democrat*, the writer reported that two-thirds of soldiers had voted for Democratic candidates in the 1861 Pennsylvania state election. The following February, the *Pioneer and Democrat*, a St. Paul newspaper, noted that the New York legislature was considering a soldier voting law and wondered if Minnesota ought to pass one as well. While the Democratic Party claimed to have proposed legalizing soldier voting as early as January 1861, no evidence of such an attempt has been located.³⁹

Minnesota had responded quickly and generously following the call for ninety day volunteers for the war. The state provided 930 troops to fill a quota of 780. When the call for three-year volunteers came, Minnesota provided 6,937 troops, over 40 percent more than the quota of 4,899. An article in the *Pioneer and Democrat*, published on August 19, 1862, started a state-wide discussion on the matter. On the front page, with a headline of “The Disenfranchisement of the Citizen Soldier,” the article estimated that one-third of the state’s voters may soon be on active duty in the army. The newspaper, historically strongly Democratic, was, by the summer of 1862, acting as a voice for Republican political issues. The editor urged state officials to address the matter in the near future.⁴⁰

Quickly, the *St. Paul Daily Press*, a strongly Republican, rival newspaper, began a series of editorials by Joseph A. Wheelock, a noted journalist, writer, and strong supporter of Republican governor Alexander Ramsey.⁴¹ On August 20, Wheelock called for an extra session of the legislature to arrange for all volunteer soldiers to have the opportunity to vote in the field. The next day, the newspaper printed a petition, to be signed by Minnesota citizens, asking the governor to call an extra session to consider soldier voting. The same day, a Republican convention in the First Congressional District passed a resolution urging the extra session and specifically asking for volunteer soldiers to be given the opportunity to vote while absent.⁴²

While Republicans were clearly in favor of a soldier voting law, Democrats were not. The *Winona Daily Republican*, a Democratic newspaper, responded on August 22 that the Republicans “only care for them [soldier votes] now, to the extent they can be made subservient to partizan objects.” Apparently, the Democrats were convinced that the new urging for soldier voting rights was a plot by Republicans to get Governor Ramsey elected to the US Senate.⁴³

The Minnesota legislature met in extra session on September 9. Governor Ramsey delivered a message asking them to “take some action by which

such as our citizens as have now volunteered, or may hereafter volunteer, in the army of the United States, shall continue to exercise the right of suffrage.” Seemingly foreseeing the civil-military gap controversy of today, he warned that “it may consequently happen that, unless a proper legislative action is taken to prevent it, a day will come when our vast force of volunteers in the field will represent one set of principles, while our governments, State and National, will be guided by an entirely different set.”⁴⁴

The same day, Senator Rufus A. Baldwin introduced Senate File 2, a bill that quickly became known as the “soldiers’ voting bill.” Debate quickly became partisan with opposition arguing against it largely on constitutional grounds. Under pressure of time—the election was at the time scheduled for October 7—the Democrats were concerned that too strong a resistance would lose them the soldier vote. Outnumbered in the Senate, the Democrats only had five members to the Republicans’ sixteen. Trying to walk a thin line, the Democratic leader, Senator William S. Moore, maintained that soldiers must vote, but he argued that the proposed bill was “fraught with danger to the State.” He pointed out that the Pennsylvania Supreme Court had only recently declared a similar law unconstitutional.⁴⁵

Despite resistance by the outnumbered Democrats, the Senate passed the bill 13–6, with two Republicans joining four Democrats to vote against it. Senator Moore asked for, and received, permission to abstain. The bill was sent to the House for action.

In the House, Republicans also had a majority with a caucus of thirty to the Democrats’ twelve. The bill was debated with several amendments proposed, but debate was not always along partisan lines. The final vote was 30–6 with six Democrats joining the Republicans voting for the bill while four Democrats and two Republicans voted against it.

Governor Ramsey signed the bill into law on September 27, 1862, and the law remained in effect throughout the rest of the war. Given the short time until the scheduled October 7 election, the date was moved to November 4, 1862, to permit time to appoint election commissioners and to reach Minnesotan soldiers.⁴⁶

The law permitted the governor to appoint six commissioners, “by and with the consent of the Senate, selected equally from the two recognized political parties of the State,” who would be paired to visit Minnesota regiments in the field. Two were assigned to the eastern and middle states including Virginia, North Carolina, and South Carolina. Two commissioners were assigned to the western states and the other southern states. Finally, two were appointed for those units within the borders of Minnesota. Later legislative action would approve additional commissioners.⁴⁷ This law, distinct from the laws of the other states to enact soldier vote legisla-

tion, by then, specifically included members of the naval service. All the other laws mentioned those on military service, which may have included sailors, but the usual usage of the term military at the time was to refer to those in the army. Naval service was specifically for sailors and marines at sea.

The procedure was for the commissioners to distribute Republican and Democratic ballots. The soldier then chose the ballot he wanted, marked it, and placed it in a return envelope. The soldier would write his name, rank, and unit on the envelope and address it to his home voting district's election judges. After that, he swore an oath that he was indeed a registered voter in the district in question and the commissioner would certify the ballot. As was the case in Iowa, commissioners were instructed to not challenge the soldier ballots "unless the person whose name is endorsed upon the envelope shall have died after the certifying of the same."

Then, the ballot was placed in the regular mail. Upon receipt at the home voting district, the judges would check that the soldier was, in fact, a registered voter and, if so, would drop the ballot in the regular ballot box. After that, the ballot would not be identifiable as a soldier ballot.⁴⁸

The four Union states that passed soldier voting laws prior to the November 1862 election were all, for the most part, hotly debated along strict partisan lines. The arguments raised by Democrats against the bills in the debates generally accused the Republicans of attempting to throw the election by currying undue favor with the soldiers. Constitutional issues were raised in most cases, although Missouri got around it by taking action through a state convention that ostensibly overrode the state constitution.

A similar pattern would be repeated by most other states in the years and months leading to the general election of 1864. With the reelection bid of Abraham Lincoln, renewed efforts to permit absentee soldiers the opportunity to vote would arise on the part of Republican governors and legislators. Partisan politics would continue to drive the success or failure of voting rights for absentee soldiers. See table 2.2 for a summary of soldier vote laws in the northern states.

Table 2.2 Union state soldier vote laws

<i>State</i>	<i>Soldier vote law passed</i>	<i>Notes</i>
Missouri	June 12, 1862	Ordinance by state convention
Iowa	September 17, 1862	
Wisconsin	September 25, 1862	
Minnesota	September 27, 1862	
Ohio	April 13, 1863	

Continued

Table 2.2 Continued

<i>State</i>	<i>Soldier vote law passed</i>	<i>Notes</i>
Vermont	November 11, 1863	Declared constitutional on April 1, 1864
West Virginia	November 13, 1863	
Michigan	February 5, 1864	
Kentucky	February 22, 1864	
Kansas	March 5, 1864	Constitutional amendment
Maine	March 25, 1864	
California	April 1, 1864	
New York	April 21, 1864	
Nevada	March 21, 1864	Constitutional amendment passed
Connecticut	July 1, 1864	Constitutional amendment in August 1864 enabled the law
Pennsylvania	August 25, 1864	
Rhode Island	September 10, 1864	Constitutional amendment
New Hampshire	September 22, 1864	
Maryland	November 1, 1864	
Illinois	February 16, 1865	
Delaware	N/A	No laws passed
New Jersey	N/A	No laws passed
Indiana	N/A	No laws passed
Massachusetts	N/A	No laws passed
Oregon	N/A	No laws passed

CHAPTER 3

Reelecting Mr. Lincoln: 1863–1865

They have gone from among the sovereign people, intelligent freemen, constituent elements of the government, to contend for a cause in which they have a personal interest, and to maintain principles which, when the contest is finally closed, will affect them in common with all the rest, and are fully entitled to the privilege of exercising this right.

Governor Frederick Holbrook, 1863¹

On Tuesday evening, October 11, 1864, twenty-two-year-old David McKelvy of Warren County, Pennsylvania, sat down at a small field desk in his tent to make an entry in his journal. For the past several days, he had been out among the soldiers of several Pennsylvania regiments. Not a soldier himself, he had been collecting votes for the upcoming Pennsylvania election of congressman and state legislators. After riding on horseback and in wagons on rough roads, as well as spending a considerable amount of time walking among the camps of the Pennsylvania regiments, he was tired. The weather had been wet and cold, and he had slept little during the previous few nights.²

Earlier that year, along with several other men, he had been appointed to serve as an election commissioner charged with collecting the votes of Pennsylvania soldiers assigned to the Union army. Andrew G. Curtin, who had been governor of Pennsylvania since being first elected in 1860, delegated the task of selecting the commissioners to Eli Slifer, secretary of the commonwealth.³ Responding to the urgings of his own party, most of the commissioners appointed were Republicans, but, at the insistence of the governor, a “fair number” of Democrats were appointed to counter charges of fraud.⁴

McKelvy, a Republican, was one of some fifty-five commissioners. He first met them in Slifer’s office on October 4, 1864, when he received his

commission. Along with the commission was a 300-lb box of blank election forms including polling books, tally lists, copies of laws, envelopes, and “960 12 cent P.O. stamps and 320 3 cent P.O. stamps.” He shipped the box to Fort Monroe, Virginia, to await his arrival there. The size of the box and plethora of documents within would point out the detail to which election commissioners were required to attend. McKelvy would soon come to believe that level of detail was nearly untenable.⁵

Early the next day, along with ten other commissioners, he departed by train for Washington, DC, arriving that evening. On Thursday, October 6, the group obtained official passes from the War Department and then went to the White House, where they saw the president. Lincoln, described by McKelvy as “careworn and not very well,” welcomed them. After learning that the visitors were election commissioners, President Lincoln told them, “I want to get all the votes I can of course but play fair gentlemen, play fair. Leave the soldiers entirely free to vote as they think best. All I ask is fair play.”⁶

That afternoon, the group boarded a steamer and headed to Fort Monroe, arriving there on Friday, October 7. Changing to another boat, they steamed up the James River and, after a brief grounding on an oyster bed, finally arrived at City Point early on a cold, wet, Saturday morning.

After going ashore and contacting the local provost marshal, they were given an army wagon and six mules to transport their luggage and election materials to the camps. The ride was rough and crossed corduroy roads and rutted paths. Arriving at the headquarters of Benjamin Franklin Butler, the commanding general of the Army of the James, they were quickly granted an audience. They presented their commissions and a copy of the Pennsylvania law, which the general, also a lawyer, apparently read. They were then given a list of the Pennsylvania units in the army.⁷

By Tuesday, October 11, after traveling among the army and seeing the locations of several recent battles, the commissioners were finally at work on election matters. The regiments that McKelvy had been visiting, the 58th and 188th Pennsylvania Infantry Regiments as well as Batteries A and E of the 1st Pennsylvania Light Artillery Regiment, had been engaged with General Robert E. Lee’s Army of Northern Virginia in several bloody battles around Richmond and Petersburg. Just two weeks earlier, the 58th Pennsylvania had lost six officers and 128 men in a sharp battle at Chaffin’s Farm.

As he began work on issuing election materials and collecting the results, McKelvy was not happy. While he was quite pleased with the opportunity to enable his fellow Pennsylvanians to vote, he had nothing good to say about the administrative burden he was required to go through to properly count the votes. He spent much time “answering questions and

explaining, or trying to explain, things in [the law] that I don't believe the framer of the Act knew or thought anything about." He apparently also spent a lot of time transcribing and making duplicate copies of records.⁸

Another Pennsylvania commissioner complained that the turnout could have been larger except for confusion about tax receipts and the different county election forms that were provided. While Pennsylvania exempted enlisted soldiers from having to pay state and local taxes while on active duty, the soldier had to produce a receipt for a \$0.10 poll tax in order to vote. The receipts for that tax were in short supply, and some soldiers were unable to cast a ballot.⁹

McKelvy was quite convinced that the legislators back in Harrisburg had no idea about the difficulty of recording and transmitting the votes back to the various counties of Pennsylvania. He wrote in his diary that night, "I was annoyed and vexed all day at the impracticable working of the Act. I don't see how any number of men as large as the Legislature of Penna. and of ordinary common sense could have passed so bungling, cumbersome and impracticable an act."¹⁰

McKelvy, and his fellow commissioners, had a heavy administrative burden. According to the Pennsylvania law, each commissioner was required to keep a separate poll book for each county and township in which a ballot had been cast. After making a duplicate copy of the record, he would mail it to the appropriate county's local election officials. The duplicate copy would then be taken to the secretary of the commonwealth. One Pennsylvania infantry company recorded fifty-three votes from twenty-one different local jurisdictions, nine of which were reportedly of a single voter each. Each of those jurisdictions would have required the commissioner to make out a separate poll book. The repetitive paperwork took up much effort and time.¹¹

The machinery of getting a soldier's vote from the field back to the usual voting venues was a new problem. Legislators in many states were attempting to figure out how best to ensure that their deployed soldiers could vote in a way that was consistent with existing election law. The complexity of enabling soldiers to vote while in the field was controversial and not without its difficulties.

Pennsylvania was not alone in enacting legislation to enable soldiers in the field to cast ballots in the elections of 1864. The Republican Party was convinced that the electoral setbacks it had faced in the 1862 and 1863 elections were due, in part, to a sizable proportion of their voter base being in the army and unable to vote. While most states had not passed soldier voting laws prior to the 1862 midterm election, nineteen of the twenty-five Union states passed such laws in time for the elections in the fall of 1864, which included the presidential election. Six Union states did not pass any

such laws. Illinois would eventually pass a law in February 1865, but Delaware, New Jersey, Indiana, Massachusetts, and Oregon did not pass any bills permitting their soldiers in the field to vote while absent. Partisan politics figured prominently in how each state reacted to the issue of the soldier vote.

The pattern for passing soldier voting laws was clear. In general, states with Republican governors and legislatures dominated by Republican majorities passed soldier voting laws. Those with Democrats in the majority did not. Partisan politics and concern for maintaining control of Congress and state legislatures, not to mention the presidency, trumped other concerns.

Unionists vs. Copperheads: Ohio

While there had been interest in introducing soldier voting legislation in 1862, action only began to heat up in 1863. On January 6, 1863, a petition from ninety-eight citizens of Butler County asked the Ohio Senate to pass a previously introduced bill “To enable volunteers from this State in actual service to exercise the right of suffrage.” Petitions from other counties were presented to the Senate on subsequent days. Senate Bill 143 went back and forth between the Senate and House of Representatives several times. After various amendments and two different conference committees, both the Senate and House passed the bill on April 13, 1863, and sent it to the governor for signature. The law and the subsequent votes by soldiers in the field would become the focal point of vigorous debate and court battles.

The law permitted any voter who was away from his usual voting location, but was otherwise qualified to vote, to cast a ballot in county, state, congressional, and presidential elections. Much like the law already enacted in Iowa for the 1862 election, each company in the Ohio regiments would conduct elections similar to how elections were conducted at the usual polling locations in Ohio. Company commanders would open polls on the day of the election, and any soldier within two miles of that location could vote. Those soldiers present would elect, *viva voce*, three judges who would then select two clerks who would maintain separate poll books for each county and then send them to the clerks of the various counties as well as the secretary of state. Interestingly, once the result of each county election was determined, the sheriff was to send a copy of his proclamation to the “field officers and senior captains in the service.”¹²

The law, while it passed the Ohio General Assembly relatively easily, was not without its detractors. Democrats who were against the conduct of the war, often referred to as “Peace Democrats,” or, more often, “Copperheads,” saw the soldier vote bill as a thinly disguised scheme to get

more Republican votes during the upcoming elections. The law would be tested in the October 13, 1863, election.

John K. McBride was the Democratic candidate for Wayne County probate judge. In this election, counting only the ballots cast within the county, he won the race by 181 votes over his Republican opponent, Henry Lehman. However, when the ballots of soldiers, then serving in the army, were counted, they found that 380 of those votes went for Lehman and fifty-seven went to McBride. The county clerk declared Lehman as the new county probate judge, with a winning margin of 142 votes. McBride sued in the Wayne County Court of Common Pleas, arguing that the 1863 Ohio law granting voting rights to soldiers outside the boundaries of the state was unconstitutional.¹³

McBride won the case. The court agreed with him, declaring that the law was unconstitutional and “all votes polled under the provisions of the act outside of the State of Ohio were illegal, void and to be held for naught.” His opponent, Lehman, appealed, and the case went to the Ohio Supreme Court.

McBride’s lawyer for the case, Columbus Delano, argued that the state legislature had no authority to pass any law permitting voting to occur beyond the boundaries of the state. He considered it to be “subversive to the very foundation of the state government.” He worried that it would make voting “a mere transitory or migratory thing, to be exercised not at any stated or prescribed election precincts, but anywhere, and any part of the world.”¹⁴ Delano clearly could not understand why voting should occur anywhere other than in local election precincts or, at least within the boundaries of the state. He, and others of the time, believed that a state legislature could do most anything it wanted within its own state borders, but to permit voting in a location in another state seemed beyond their constitutional bounds.

Ultimately, McBride lost the case before the Ohio Supreme Court. The court declared that the law “was clearly within the just sphere of the legislative power of the State.”¹⁵ Henry Lehman became the probate judge, thanks to votes from absent Ohio soldiers. The soldier vote had been affirmed and had an impact on election results. While the battle was not over, the dam was broken and the right of a soldier in the field to vote was seen as legitimate.

In the same election, Republican John Brough was running for reelection as governor against his Democratic opponent, former congressman Clement Vallandigham. An avowed Copperhead, Vallandigham was a strong supporter of states’ rights and opposed the Ohio soldier voting bill. He regularly opposed the conduct of the “wicked, cruel, and unnecessary war,” holding that it was ultimately only for “the freedom of the blacks and

the enslavement of the whites.”¹⁶ He was arrested by Union soldiers on May 5, 1863, for violations of General Order No. 38, General Burnside’s military decree that anyone “declaring sympathy for the enemy” could be tried, potentially for treason. Subsequently, Vallandigham was convicted by the military tribunal. His attorney, George Pugh, appealed the conviction to the US circuit court, but the appeal was denied. Although Vallandigham was sentenced to prison, President Lincoln, fearing reprisals by sympathetic Peace Democrats, commuted Vallandigham’s sentence to exile, sending him across the lines into the Confederacy.¹⁷

Vallandigham subsequently traveled to Canada, where he campaigned for his party’s nomination to be governor of Ohio. The Ohio Democratic Party, enraged at the verdict of the military court and fully supporting his views against the war, nominated Vallandigham *in absentia* to be their candidate for governor in the October 1863 election. Interest in the election extended beyond the borders of Ohio, with Southerners paying attention. A private notebook, kept by one of the crew members of the captured Confederate blockade runner *Cornubia*, contained an entry for October 13, 1863, reading, “Ohio election comes off to-day; hope C. L. Vallandigham will be elected.”¹⁸

The results of the election were clear. While Ohio had a strong Democratic Party, voters favoring the preservation of the Union outnumbered the Copperheads. Brough won the election with a vote of 288,374 to Vallandigham’s 187,492, and carried seventy of the eighty-eight counties.¹⁹ Perhaps more significant was the soldier vote. Of the 43,755 absentee soldier ballots cast, only 2,288 went to Vallandigham while Brough gathered 41,467.²⁰

The soldiers were adamant in their support for Brough and his Union Republicans. The *Ashland Times* published a letter in their September 4, 1863, edition from a soldier serving in the 61st Ohio Volunteer Infantry Regiment. The letter, written to his brother, was by a veteran of the Battle of Gettysburg who was serving along the Tennessee River at the time. Answering claims that since he was a Democrat he supported Vallandigham, he vigorously responded:

You say that you have heard that I was going to vote for Vallandigham and Pugh. My answer is, it is a lie, and I can whip the man or men who said so. I claim to be a Democrat, and I am for my country at all hazards. So do not be alarmed; the soldiers will remain true to the country. Say to the man who called me a Vallandighammer, that we desire the close of the war, but on no other terms than at the point of the bayonet, and the surrender of the whole Confederate army, and the taking of everything they have to pay off our war debt with. My opinion of the traitors Vallandigham and Pugh is that death is too good for them. So here goes for Brough and the Union forever.²¹

While Brough's majority within the state was about 61 percent, his majority among soldiers was nearly 95 percent. That pattern would be repeated in other states, with the soldier vote often exaggerating the general population's vote in favor of Republican candidates.

Constitutional Debates: Vermont, Michigan, and Kansas

When the Vermont General Assembly convened on Friday, October 9, for its annual session of 1863 in Montpelier, Governor J. G. Smith presented his annual executive message. Among the long list of items he brought to the attention of the General Assembly was a request that they pass "a law securing to the soldiers who are now already, or who may hereafter be called into the service of the United States, from this State, the right to exercise their elective franchise."²²

By October 14, House Bill 44 was introduced, and on October 21 it was referred to the Committee on Elections. Having learned of potential constitutional problems with similar laws in Iowa, Wisconsin, Minnesota, and Ohio, the Vermont legislators had apparently already been thinking about the ramifications of enacting a similar law. Principal among their concerns was the very specific wording in the Vermont Constitution about electing local officials.

After some discussion, the general consensus was that the bill as proposed was unconstitutional because it allowed for election officials not provided for in the state constitution. The reply also exposed the general concern that elections that took place beyond local jurisdiction were highly susceptible to fraud. Members of the committee argued that "the intelligence and sense of the framers of our Constitution enabled them to guard against such voting and votes, and thereby make certain the purity of elections." Citing the opinions of several state supreme courts, including Connecticut, New Hampshire, and Pennsylvania, the committee stated that allowing for absent soldiers to vote for state and local officials was unconstitutional. The committee report was silent as to whether the Constitution would permit voting for presidential electors and members of Congress.²³

Given the report, the bill was removed from the agenda and replaced on November 7, 1863, with House Bill 175, "An Act providing for soldiers' voting," which was referred to committee for action. Two days later, on November 9, the committee reported to the House of Representatives a resolution asking that House Bill 175 "be submitted forthwith to the Judges of the Supreme Court, and that they be requested to give their opinion in writing in respect to the constitutionality of the provisions in said bill."²⁴ The House passed the resolution and sent it to the Vermont Supreme Court.

The House had already voted to adjourn on November 11, not giving the Supreme Court enough time to respond before the members left. However, the next day, the court responded, telling the House that the Vermont Constitution had no provision for the legislature to “require the opinions of the Judges of their highest Court upon the constitutional validity of the laws proposed for adoption.” The court stated specifically that an answer to their query was “wholly impossible.”

The House then amended the bill to hold the provisions of the act in abeyance until the governor submitted an inquiry to the Supreme Court asking, “Are the provisions of this act constitutional?” The House approved the measure on November 10 and sent it to the Senate, which passed it with no further amendments on November 11.²⁵ The governor subsequently signed the bill and submitted it to the court for its opinion as required in the act.

The court responded on April 1, 1864, with a unanimous opinion that soldiers in the field could vote for presidential and vice presidential electors and for members of Congress. However, the opinion said that it would be unconstitutional for them to vote for state offices. The governor reported the opinion to the General Assembly in October, asking for some corrections to the law. On October 15, 1864, a new bill was introduced “to amend the soldiers’ voting act of 1863,” which was ultimately passed in time to permit voting in the field by Vermont’s soldiers.²⁶

The act provided that all Vermont citizens of voting age in the military service would be able to vote on the date set for the election. Specific state ballots were printed for the occasion, permitting the soldier to write the name of his county as well as indicate whom he was voting for. Again, the ballots were only for electors for president, vice president, and for members of the US House of Representatives.²⁷

Vermont soldiers voted in the November 1864 election, but, apparently, not all ballots made it back to the state authorities in time to be counted. Only 292 votes were returned, with 243 being for Lincoln and forty-nine for McClellan. The state vote for that election was 42,422 for Lincoln and 13,325 for McClellan. While the small number of ballots from the field is not conclusive, it does fit the pattern found in other states of the soldier votes being more in favor of Lincoln than the general population of their state (see Appendix A.2).

Michigan

On January 13, 1863, a bill was introduced into the Michigan state Senate “to enable the qualified electors of this State, in the military service, to vote at certain elections.” The bill provided for soldiers to be able to vote

even though they might be located out of the state. The bill was referred to the Committee on Privileges and Elections, which reported three weeks later that in its opinion, the state constitution prohibited any vote unless it actually occurred within the boundaries of the state. The bill was then referred to the Judiciary Committee with an instruction to determine the issue of constitutionality.

The committee asked state attorney general Albert Williams for his opinion. Williams, a founding member of the Michigan Republican Party and a strong Unionist, replied to the Senate on February 25, emphatically supporting the constitutionality of the proposed bill. He noted that the state constitution specifically provided that electors may be “obliged to do military duty on the day of election, in time of war, or public danger,” and that the constitution “provides against loss of *residence*, by reason of being employed in the service of the United States, or of this state.” As a result, he believed that any logic that might lead to disenfranchising the soldier would be a “palpable injustice to the gallant soldier.” Repeating himself to ensure clarity, Williams told the Senate that “it is most unquestionably my opinion that the Legislature has the power, given by the Constitution, to pass the bill referred to me.”²⁸

The Senate was not moved. After much procedural wrangling, the bill died without a vote. Even Republican senators remained convinced that permitting voting beyond the state boundaries was neither constitutional nor practical. The action moved to the House of Representatives.

The House Committee on Elections came to much the same conclusion as did the Senate. The committee found that permitting soldiers to vote outside of the state borders “would be unconstitutional as well as impracticable.” While fully aware that the state attorney general had come to a different conclusion, the committee remained firm in its opinion that the state constitution made no provision for voting out of the state nor did it give the legislature the authority to permit it under any circumstance. Even more than in the Senate, the House dealt with the practical matters of administering a vote in the field, believing that they posed serious practical barriers to successfully carrying out an election.

The Committee on Elections, in its report to the House, believed that there would be no authority in the field that could prevent fraudulent voters from casting a ballot. Voting in local precincts permitted those present to see who was voting and to object if they were not residents of the area or were otherwise not eligible to vote. Voting in the field seemed to offer no such security, “there being no power to enforce the election laws, the ballot boxes might be stuffed or destroyed by a disorderly rabble, either of soldiers or of people in the towns through which the commissioner would have to pass on his return to this State.”²⁹

Apparently responding to pressure within the Republican Party, a minority report from the committee, supporting passage of the bill, was sent to the House of Representatives. On March 19, 1863, the bill was passed along strict party lines, fifty-four Republicans voting for it and thirty-one Democrats voting against it. However, despite the support, once passed to the Senate, the bill died and was defeated in parliamentary action by a narrow vote of fifteen Republicans to fourteen Democrats. The Senate believed that it did not have sufficient time to deal with the bill, as the time allotted for the biennial session of the legislature was nearly completed.³⁰ Even the general Republican Party support for the bill was not sufficient to overcome the serious concerns about the constitutionality of voting out of state.

In January 1864, Austin Blair, the governor of Michigan, wrote a letter to the legislature, asking them to reconsider the soldier voting act that had been defeated in 1863. Acknowledging that many had concerns about “the army mingling in the affairs of civil administration,” he reminded the legislators that other states had moved on in the area of providing absentee voting rights for soldiers in the field. Reminding them that the army was principally made up of volunteer citizens, he called upon “patriotism, justice and sound policy” to ensure that the law be passed. Repeating a common plea, he urged that soldiers should have a voice in the government that sent them to war.³¹

Reacting much as they did the previous year, both the House and Senate introduced soldier voting bills, and both bills were reported to the floor of their respective chambers with recommendations that the bills not be passed. Again, as in 1863, a minority committee report from the House Committee on Elections recommended passage, citing action by the Iowa Supreme Court on a law similar to the one being considered. After some amendments, one of which required the Michigan Supreme Court to rule upon the constitutionality of the act, the House passed the bill with fifty-nine Republicans voting for it and twenty-three Democrats voting against it. Democrats who voted against the bill, likely understanding the political implications of voting against soldiers in the field, supported their opposition strictly on constitutional grounds. One member of the House commented that he believed the state constitution denied “to the legislature the power to authorize any elector to vote elsewhere than in the town or ward in which he has resided ten days before the election.”³² The old concerns about voting in a location where the local residents cannot visually watch the process to mitigate election fraud were still alive.

Kansas

Kansas had a provision in its constitution regarding federal military personnel much like that found in other states’ state constitutions of the day.

It specifically forbade any “soldier, seaman or marine in army or navy of the United States or of their allies” from being able to claim residence in the state simply by having been stationed there. It went on to deny those personnel from having the right to vote.

At the time, Kansas was on the western frontier of the United States and had several army forts established within its boundaries. Soldiers were routinely stationed in the state to provide security from Indian attack for the travelers on the Oregon and Santa Fe Trails as well as those establishing farms on the fertile plains. The writers of the state constitution wanted to ensure that those soldiers, presumably not Kansans, could not participate in local elections. The struggle between Kansas and Missouri in the decade before the Civil War and the issue of non-Kansan voters crossing the border to impact the constitutional debate was fresh in everyone’s minds.

When President Lincoln asked the states to provide volunteers in 1861, a constitutional debate arose over the status of the soldiers in the newly raised regiments. Some claimed that the volunteers were not really soldiers as described by the constitution. They argued that the provision only applied to members of the regularly established US Army and not to their Kansas Regiments.

In the November 1862 election, a group of Kansas volunteer soldiers voted for the state senator in several precincts of the 9th district, an area in Douglas County south of Lawrence. The incumbent, John A. Beam, had defeated the challenger, S. M. Thorp, by a majority of nine votes.³³ Thorp charged that the soldiers had voted illegally and that the results of the election should be reversed. A committee investigating the matter initially found that there was insufficient evidence of the charges and, while the committee did find that five underage voters had cast ballots, the results were not changed.

The Senate, constitutionally charged with deciding whether to accept the seating of newly elected members, launched its own investigation. In contrast to the previous findings, the Senate found that twenty-six soldiers in the 12th Kansas Regiment had cast ballots in the election. The investigators decided that all twenty-six had voted for John Beam and thus recommended that those votes be subtracted from the certified results. The Senate agreed that those votes were illegal under the Kansas constitution and, after a recount, gave the seat to S. M. Thorp, swearing him into the Senate on February 4, 1863. In effect, the Kansas Senate had decided that, under the Kansas Constitution, a man who volunteered to fight in the army lost his right to vote.³⁴ Others, including Governor Thomas Carney, agreed.

As a result, the governor wrote a letter to the state legislature asking it to consider an amendment to the state constitution that would clarify the

issue. Even senators who had voted to overturn the disputed election results agreed that soldiers ought to be able to vote. The Senate quickly passed a joint resolution to amend the state constitution by a unanimous vote of twenty-four.³⁵

The matter was not so easily resolved in the House of Representatives. After three votes, the resolution failed. The dispute was apparently over whether the amendment was necessary. A sizable number of members of the House of Representatives believed that Kansas's volunteer soldiers were not soldiers as defined in the state constitution. Another group apparently believed that the proposed amendment would give the right to vote to any soldier in the army who might be stationed in Kansas, not just Kansas's volunteer soldiers. Despite substantial debate and the unanimous decision by the Senate, the House of Representatives rejected the amendment.

Governor Carney again approached the legislature in January 1864: "I recommended in my first annual message to the Legislature an amendment to the Constitution giving to the soldiers the right to vote. This recommendation failed. I heartily renew it, and trust it will be acted upon promptly." While allowing that the legislature might conclude that soldiers already had the right to vote, he urged the amendment to remove any doubt, noting that in those states where soldier voting was permitted, "our brave men in the field have voted . . . almost unanimously for the vigorous prosecution of the war."³⁶

As in the previous year, the Senate quickly agreed to a measure amending the constitution. After adding a phrase that prevented the amendment from being interpreted "to allow any soldier, seaman, or marine in the regular army or navy of the United States the right to vote," it was passed unanimously on January 21.

Sent to the House for action, it was passed to the Committee on the Judiciary. By February 2, 1864, the committee reported to the Senate a version of the amendment that recommended passage. While the negotiations between the House and Senate are difficult to determine from the records, the final version of the proposed amendment was agreed to on February 12, 1864.³⁷ The amendment, proposed as a substitute for Section 3, Article 5 read:

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas, nor while a student of any seminary of learning, nor while kept at any almshouse or other asylum at public expense, nor while confined in any public prison; and the Legislature may make provision for taking the votes of electors who may be

absent from their townships or wards, in the volunteer service of the United States, or the militia service of this State; but nothing herein contained shall be deemed to allow any soldier, seaman or marine in the regular army or navy of the United States the right to vote.³⁸

The amendment was adopted by the people of Kansas in the general election of November 8, 1864.³⁹ However, anticipating that the amendment would pass, the legislature worked to pass a bill that would establish the procedures by which soldiers in the field could vote. The Kansas soldier voting act became effective on March 5, 1864. The law provided that any Kansas elector who might be absent from his usual township or ward and who was in the voluntary service of the United States could vote for county, district, or state officers; members of the state legislature; members of Congress; and for presidential electors.

As other states had provided, the state would produce poll books and distribute them to the commanders of the various Kansas units in the army. In each unit, the soldiers would elect judges and clerks and hold an election in the field. Results were then mailed or sent by courier back to the state for certification and counting. In the general election of 1864, 2,867 soldiers in the field voted for Lincoln and 543 voted for McClellan. The total soldier vote of 3,410 was about 11 percent of the total state vote of 20,122.⁴⁰

Voting Fraud: New York and Indiana

Concern for voter fraud was always at the forefront of legislative action in connection with the soldier vote. The traditional methods of protecting against fraud were public voting, in person, and in company with others of the same precinct who would ostensibly recognize any strangers attempting to vote. New York amended its constitution early in 1864 and passed a law providing for soldiers to vote on April 21, 1864. Unlike the other states that had decided to permit voters in the military service to vote, New York had a Democratic governor and Democratic majorities in its legislature.

The New York law provided for proxy voting. As such, soldiers were to take the provided ballots, mark them, and then return them to the local election officials for counting. Governor Horatio Seymour appointed several dozen Democratic party agents to see that voting by New York soldiers was conducted in accordance with the state law. No agents who were members of the New York Republican party were appointed. Two of the Democratic party agents, Moses J. Ferry and Edward Donahue Jr., were arrested in Baltimore by an army provost marshal. They were immediately arraigned by a military commission, chaired by General Abner Doubleday.

Specifically, the two were charged with “conduct prejudicial to the welfare of the service, falsely personating and representing officers and soldiers in the United State service, and, in such assumed capacity, falsely and fraudulently signing and forging names of officers and soldiers in such service.” In other words, the two were accused of forging ballots of New York soldiers and changing votes to support Democratic candidates.⁴¹

Edward Donohue chose to ask for an attorney, but Moses Ferry decided to make a confession to the military commission. He implicated several other New York Democratic party operatives in a case of fraudulently tampering with ballot boxes, forging names of soldiers, and then sending them back to New York for counting. Republican ballots were either changed or destroyed, and Democratic ballots were created and added to the vote.

A New York Republican Party agent, Orville K. Wood, had been visiting sick and wounded soldiers at various hospitals. He apparently came to the conclusion that there had been some “checker playing” going on. Presenting himself as a McClellan supporter, he visited Ferry’s office in Baltimore. After Wood observed that only eleven out of over 400 ballots cast were for Lincoln, Ferry told him that there had actually been many more Republican votes that had come into his office, but that he had ensured that they were “all right when they went out.” Ferry reportedly showed Wood a list of forged names and remarked, “Dead or alive, they all had cast a good vote.”⁴²

Ferry and Donohue were both convicted by the military commission and sentenced to serve time in prison. It is not clear whether all the forged votes were found and removed, but reports in the *New York Times* claimed that the fraudulent Copperhead attempts to alter the election results had been thwarted.⁴³

Indiana did not pass any soldier voting laws, largely due to Democratic majorities in the legislature. The October 11, 1864, governor election brought to light some Republican shenanigans involving soldier votes. As state law did not provide for voting in the field, all voters would have to vote in person at local precincts. President Lincoln had pressed General Sherman to grant leave to his Indiana soldiers to permit them a chance to travel home and vote.⁴⁴ Republican Party agents apparently induced the soldiers of the 60th Massachusetts Infantry Regiment, then encamped in Indianapolis, to vote in the gubernatorial election. Republicans felt that if they could reelect Oliver P. Morton, a Republican, they would stand a better chance of carrying the November election at which presidential electors, state legislators, and members of Congress were up for election.

While the allegations were never substantiated, it does appear that at least some Massachusetts soldiers voted in the Indiana governor election. Letters published in Boston and Quincy (Massachusetts) newspapers

reported that the 60th Massachusetts Regiment had cast some 6,000 votes for Governor Morton. The letter writers, Massachusetts soldiers, claimed that some of their compatriots had voted ten or twelve times and created Republican majorities in what were considered Copperhead precincts.⁴⁵ Morton did win the election for governor, and Lincoln carried the state over McClellan with 53.6 percent of the vote. The Republicans regained control of the state legislature, recovering from their devastating losses at the polls in the 1862 election.⁴⁶

Voting in the Field

The other Union states that ultimately provided for voting by military personnel away from home were Kentucky, Maryland, Maine, California, Massachusetts, Connecticut, and New Hampshire. Illinois passed a soldier vote law on February 16, 1865, but was obviously too late to have any effect on the 1864 election. Six Union states—Delaware, New Jersey, Rhode Island, Indiana, Nevada, and Oregon—passed no laws permitting military personnel to vote.

The states that passed laws permitting soldiers to vote in the field provided for two methods. The first method, proxy voting, allowed the absent soldier to send a marked ballot to his home state or precinct where it was counted along with other ballots. That method was essentially the form of absentee voting seen today. The second method was an actual election held in the field. The state designated a specific date on which an election would be conducted and would send or provide for election commissioners who would collect ballots, count them, and sent the results back to the state.

Minnesota provided for a modern secret ballot whereby the soldier placed his marked ballot into an envelope and mailed it to his election district. On Election Day, the local judges would first determine if the voter was eligible to vote and, if he was, place the marked ballot, unopened, into the ballot box. As a result, we have no record of how soldiers might have voted during the 1864 election. However, Minnesota set the precedent for modern absentee secret-ballot voting. Connecticut, Massachusetts, Missouri, and West Virginia would eventually enact that method of casting an absentee ballot.

Resistance to passing soldier voting laws generally lay along partisan lines, although constitutional restrictions blurred those distinctions in some cases. Serious concern about how to conduct an election beyond the borders of the state caused many to resist. In other cases, however, the resistance was clearly political in nature and showed a concern that the absent soldiers were going to vote for candidates of the “wrong” party. Republicans, in general, believed that their poor showing in the 1862 and

1863 state elections was due to soldiers not being able to vote. Democrats believed that permitting soldiers to vote in the field was going to lead to rampant fraud by ballot-box stuffing or by army officers who were Republicans causing Democratic ballots to be lost.

Ultimately, the soldier vote in the Civil War made little difference in the presidential election of 1864. Lincoln was elected by such a large majority that the votes of the few thousand soldiers in the field who actually were able to vote had no real impact.⁴⁷ It is clear, though, that of those soldier votes that can be identified as such, Lincoln was the clear favorite. Republican efforts to enfranchise military personnel were clearly in their party's interests.

CHAPTER 4

The Forgotten Soldier

The true reason of requiring any qualification, with regard to property, in voters, is to exclude such persons as are in so mean a situation that they are esteemed to have no will of their own.

William Blackstone, 1765¹

Despite the intense flurry of activity during the Civil War to ensure that soldiers in the field could cast votes, the interest in maintaining that access quickly waned with the end of the war. Most of the legislation framed the absentee soldier vote as a wartime measure. Many of the laws had sunset provisions in them mandating that they would expire at some point. By 1870, most states no longer had any statutes specifically permitting soldiers out of their home state to vote. Legislators clearly saw a difference between soldiers in the regular US Army and volunteers fighting in state regiments.

With the end of the Civil War also came the end of serious opposition by the Democratic Party in the north. Generally labeled Copperheads, implying that all Democrats were Confederate supporters, it became increasingly difficult for Democrats to win elections, especially at the national level. After the election of Abraham Lincoln, nearly all presidents were Republican until the election of Franklin Roosevelt in 1932. The lack of partisan opposition reduced the political need for Republicans to advocate soldier votes. Besides, with the rapid reduction in the size of the army, fewer citizens remained on active service.

From a wartime high of just over one million soldiers and sailors on active duty in the Union Army with perhaps 300,000 in the Confederate Army, the total strength on active duty plummeted to just over 200,000 in November 1865 and even further to 11,043 by November 1866. Most of the volunteers remaining on active service at that time were US Colored

Troops, nearly all of whom were mustered out within a year.² It took two days for the combined armies of Generals George Gordon Meade and William T. Sherman to march past the review stand in Washington, DC, for the Grand Review of the Armies on May 24, 1865. By the end of 1866, the entire US Army could march past that review stand in about an hour.

The Constabulary Army: Losing the Vote

Between the end of the Civil War and 1870, the majority of the small army that remained was stationed in the south as occupation troops. As part of the Reconstruction efforts, the army effectively imposed martial law. District commanders were appointed to be in charge of the former Confederate states and had near total authority. In the Third Reconstruction Act of July 1867, Congress codified a *de facto* practice declaring that “no district commander . . . shall be bound in his action by any opinion of any civil officer of the United States.” In effect, the reconstruction armies were essentially a separate army under the specific control of Congress, not the president of the United States.³

Upon the end of Reconstruction in 1870, the army’s new mission was largely police duty, preserving the newly established post-Civil War governments in the south, and continued protection of the recently freed African Americans. The army found itself monitoring elections, arresting criminals, and supporting federal marshals in their fight against the rising Ku Klux Klan. By 1877, though, federal troops were finally withdrawn from the south.

In 1877, only 24,000 men remained in the entire US Army. Most were stationed in the west, largely patrolling the frontier and involved in fighting Indians, or along the Mexican border. However, the rise of labor movements led to labor strikes and other domestic disturbances in which the army found itself involved. Railway strikes during the summer of 1877 led to at least a dozen states asking for federal assistance. Congress became so concerned that in 1878 it forbade the government from using regular army troops for police actions. The Posse Comitatus Act of 1878 limited the use of military personnel in the enforcement of local or state laws.⁴ While much of the impetus for enacting the law came from southern states desiring to end the occupation of the south by the army, thereby permitting them to ultimately enact various Black Codes which led to the Jim Crow era, the impact on the army was to keep it small and to further isolate soldiers from the general population.

The army after the Civil War was very different from the army that defeated the Confederacy. Besides being smaller, it was made up of a different type of man. The Civil War army was made up of local farmers,

businessmen, and even politicians who took up the patriotic call, in full Victorian fashion, to march off to war. In short, it was an army of citizen soldiers. The army that remained and was recruited after the war was small, insular, and, apart from the officers, it was a apolitical organization. While most of the officers and senior sergeants were Civil War veterans, many of the soldiers were recent immigrants.

Political attention to the voting rights of the soldier declined along with the size of the army. With the end of the war, interest in solving electoral problems for absent voters dropped in priority. In many cases, states took positive action to repeal the laws. Within ten years, eight of the twenty Union states that had passed absentee voting laws for military personnel in the field during the war, had either repealed their laws or the laws were practically ineffectual.⁵ The soldier in the field changed quickly from being the patriotic citizen-soldier to the forgotten soldier. Voting for military personnel away from home would essentially stop for the next fifty years (see table 4.1).

The principal driver of interest in enfranchising soldiers during the Civil War was a partisan political incentive to turn out favorable votes for Republican candidates. With that incentive gone, so went the interest in soldier voting. It became clear during the Civil War that a large majority

Table 4.1 Decline of soldier voting laws

<i>State</i>	<i>Soldier vote law passed</i>	<i>Soldier vote law repealed</i>
Missouri	June 12, 1862	1875: Constitution removed soldier voting
Iowa	September 17, 1862	
Wisconsin	September 25, 1862	1871: Law repealed
Minnesota	September 27, 1862	1866: Law repealed
Ohio	April 13, 1863	
Vermont	November 11, 1863	1880: Law repealed
West Virginia	November 13, 1863	
Michigan	February 5, 1864	
Kentucky	February 22, 1864	1865: Law repealed
Kansas	March 5, 1864	
Maine	March 25, 1864	
California	April 1, 1864	1866: Law repealed
New York	April 21, 1864	
Nevada	March 21, 1864	
Connecticut	July 1, 1864	1865: Law ineffective; remained in Constitution
Pennsylvania	August 25, 1864	
Rhode Island	September 10, 1864	
New Hampshire	September 22, 1864	
Maryland	November 1, 1864	1867: Made part of Constitution
Illinois	February 16, 1865	1869: Law no longer listed

of the soldiers in the army favored Abraham Lincoln and Republican candidates, often more so than the general population in their home states. However, it appears that most of those soldiers voted at home before the war. With the new post-Civil War army came a cadre of enlisted personnel who had never voted and, increasingly, were not even citizens of the United States.

Information about the party identification of military personnel during the century following the American Civil War is fragmentary. However, there are clues to be found by examining organizations of veterans and the legislative actions taken by the Republican and Democratic parties with respect to military voting and by exploring the assumptions made about which party would most benefit from encouraging the military vote.

In 1866, shortly after the Civil War, a group of northern veterans formed the Grand Army of the Republic (GAR). The first modern veterans' organization, it essentially functioned as part of the Republican Party by supporting the campaigns of former Union soldiers running for political office. Following a decline in membership, which began after 1872 and reached a low of about 26,000 in 1876, the GAR shifted its emphasis to supporting appropriate pensions for veterans and widows of veterans. By 1890, membership had surged to 409,489, and the GAR's influence and support of the Republican Party remained as strong as ever. The group claimed it had saved the Republic and condemned the Democratic Party as Copperheads, traitors who had been against the war and who would have permitted the southern states to secede from the Union.⁶

While veterans of the American Civil War, as represented by the Grand Army of the Republic, were strongly Republican, the party identification of active-duty military personnel during the late nineteenth century is not as clear. Officers maintained close relationships with members of Congress and state governors, but such behavior was mostly geared to acquire rank or obtain positions within the small army of the postwar years. There is little evidence to suggest that officers publicly expressed any particular party identification, but since most were Civil War veterans, they were likely to be sympathetic to the Republican Party. Enlisted personnel, however, were largely disconnected from politics, not participating in any partisan activity, and likely not voting.

A large percentage of active-duty enlisted personnel during the late nineteenth century were recent immigrants, comprising as much as a quarter of the army and likely even more in the navy.⁷ While immigrants were often permitted (and even recruited) to vote in the large cities, and tended to identify with the Democratic Party, soldiers had little access to the electoral process because they were assigned to remote posts in the American West, fighting in the Indian wars.⁸

Most enlisted personnel during the later nineteenth century were undereducated, came from economically deprived backgrounds, had criminal records, or were running from the law. With soldiers generally considered to be social outcasts, there was little public or political interest in supporting measures to enable soldiers to vote. One writer in the *Nation* argued that soldiers were not worthy of the right to vote and should not be granted suffrage as they rarely had opportunities to read or educate themselves on electoral matters. He further argued that allowing them to vote would open up new avenues for election fraud. Most worrisome to the editorialist was that the soldier harbored a “spirit of despotism” which would be “incompatible with the preservation of free institutions.”⁹

The combination of these factors ensured that the enlisted man in the decades following the Civil War had little opportunity to participate in elections, regardless of his desires in the matter. One scholar of the American West, and particularly of the American soldier assigned to duty in the western territories, observed that even if the enlisted man of the late nineteenth century had wanted to vote, he likely would not have had an opportunity due to his remote stationing, lack of access to newspapers of the day, and few family connections.¹⁰

While some states left absent soldier voting laws on the books, many took specific action to repeal those types of laws. Kentucky, which had passed its law in February 1864 only for the election of that year, repealed the law in 1865. Connecticut’s law became ineffective as it was only for times of war. In an 1866 copy of the *General Statutes of Connecticut*, someone appended a note to the law stating, “As the war has now (October) virtually terminated, this chapter may be deemed superfluous, but as some regiments have not yet been mustered out, it is retained.”¹¹ Minnesota and California repealed their laws in 1866, no longer finding a need for such laws.

Professionalism and Isolation

Samuel Huntington described the attitude of Americans toward military issues during the late nineteenth century as “business pacifism.”¹² The rapid industrialization and increasing urbanization of the United States, as well as an understandable antiwar sentiment following the horrendous bloodshed of the Civil War, led business leaders and politicians to reject the military as outmoded and even unnecessary in the modern world. Sometimes presenting itself as indifference and at other times as open hostility, funding for the army and the navy dropped precipitously. In 1877, Congress appropriated no funding for the army until November, severely restricting already constrained operations.¹³

By 1880, the army essentially had been isolated from American society. The navy, often away at sea, was even further from the mind of the American citizen. Dubbed by army historian William A. Ganoe as “The Army’s Dark Ages,” the period after the Civil War caused military leadership to begin to feel increasingly forsaken by the American public, causing a distinctly military culture to develop.¹⁴ The officer corps of the army and navy launched into a period of increasing professionalism that would ultimately lead to the successes of American arms during the wars of the twentieth century. However, the isolation only decreased the likelihood that anyone in the army or navy would participate in the political process, let alone vote.

The Spanish-American War briefly reawakened military sentiments. The army, having only about 26,000 soldiers on duty, was ill-prepared for war. The navy, somewhat better, having had the advantage of increased funding by Congress in modernizing the fleet as a means of protecting far-flung American business interests abroad, was still relatively small. Even the newly established National Guard, a replacement for state militias, while having over 100,000 troops, was not well-trained and was poorly equipped. As was the case during the Civil War, the government asked the states to raise 125,000 volunteers for service in the federal army and eventually increased the number to 200,000.¹⁵

The prospect of sending volunteers off to fight in the army, this time overseas, led some legislators to think again about absentee voting. Delaware, Nevada, New Jersey, New York, and Rhode Island enacted laws to permit soldiers to vote while away from home.¹⁶ Most established proxy voting procedures similar to those provided earlier. Special envelopes with oaths were printed and provided to service personnel in the field. Figures 4.1 and 4.2 provide an example from New York. Note that the voter had to sign an oath stating that he met the residency requirements for the state and that he had received no compensation for casting his ballot.

The Spanish-American War only lasted a few months, and the volunteer soldiers were quickly demobilized. No major elections took place during that time, and partisan political activity surrounding the soldier vote was minimal to nonexistent. Without a presidential election, political parties were not motivated to make changes to election law.

Some states did begin to look at their absentee voting laws for nonmilitary citizens. In 1911, Kansas passed a law permitting voters not in their home counties to cast a mailed ballot. Missouri passed a similar bill in 1913, as did North Dakota, Pennsylvania, and Wisconsin. In all these cases, while military personnel could technically take advantage of them, registration and residency requirements made it nearly impossible to actually participate in an election. The laws were all intended to solve the problem of voters away from their home precinct but still within their home state’s borders.¹⁷

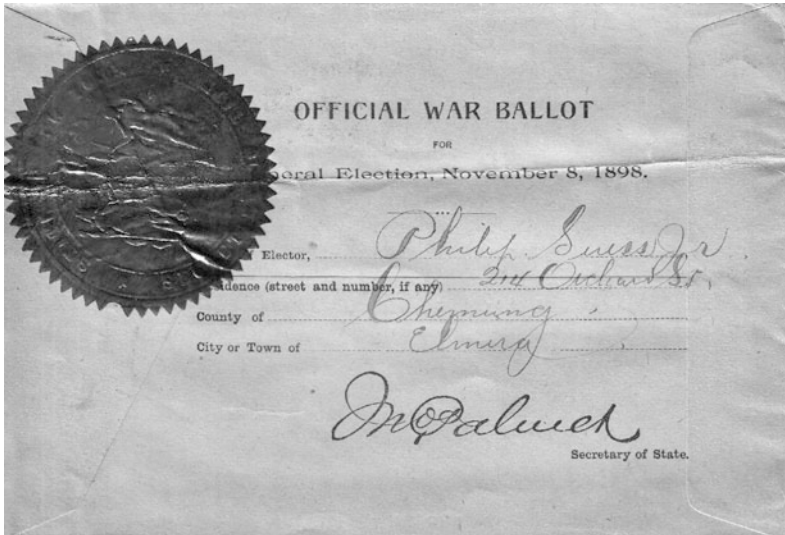


Figure 4.1 Official war ballot, Spanish-American War (front)

Source: Photograph provided by Russ Carter.

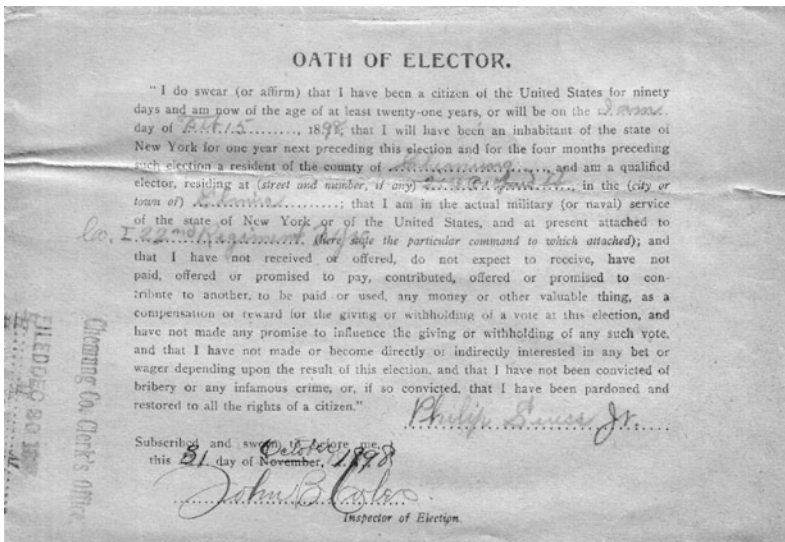


Figure 4.2 Official war ballot, Spanish-American War oath of elector

Source: Photograph provided by Russ Carter.

With the beginning of World War I in August 1914, interest in providing the vote to soldiers was once again revisited. Unlike during the Civil War, there was no presidential election during the war years. The general election of 1914, in which Woodrow Wilson was elected, occurred before American involvement in World War I.

Little federal attention was paid to absent voting laws during World War I. Congress, in general, did not believe that the federal government had any role in deciding the qualifications for voting. Court cases consistently found that states were the final arbiter in such matters as long as the equal protection provisions of the 14th Amendment and the enfranchisement of African American males of the 15th Amendment were not curtailed. Two bills were introduced in the House of Representatives. The first bill, H.R. 12741, would have created a Federal Election Commission. The commission was to directly supervise all voting activities by military personnel stationed overseas and at military bases.¹⁸ The second bill, H.R. 10712, was the first federal attempt to permit American citizens in the military service to vote for president, vice president, and members of Congress. Both bills were killed in committee.¹⁹

While the United States did not get involved directly in the war until 1917, state legislatures began thinking about the possibility of having to deal with absent soldiers. During the November 1914 election, Michigan voters passed an amendment to the state constitution permitting voters “in the actual military service of the United States or of this State, or in the army or navy thereof, in time of war, insurrection or rebellion.”²⁰ Massachusetts did the same in 1917. North Dakota had passed an absent voting law intended primarily for civilians, but the procedures were such that military personnel could take advantage of it. By 1918, thirty states had laws in place that at least technically permitted military personnel away from their states to vote.²¹

In a manner reminiscent of the Civil War, some states established procedures to send election commissioners to Europe to collect votes of soldiers in the field. The War Department was generally supportive of service personnel in Europe participating in the general election of 1918 but wanted to ensure that the state procedures were practicable. “If it is possible to work out a plan, it will apply to the American Expeditionary Forces,” said Secretary of War Newton D. Baker.²² However, those attempts were declared to be causing too much interference to military efficiency and were thus quashed by the army.²³ An overseas board established by New York, responsible for administering the election for New York citizens in the army, was prevented from boarding a ship to France after the War Department stated that no polling of soldiers in Europe would be permitted.²⁴

No data exist as to how many military personnel voted in the 1918 general election. Of those who did vote, nearly all were by state-provided absentee ballots. While there apparently were some election commissioners established in some army posts within the United States, little is known of their activities. Of the forty-eight US states in 1917, only twenty-eight had absentee voting laws in effect. Of those, only ten (Delaware, Kansas, Michigan, Nevada, New Jersey, New York, Pennsylvania, Rhode Island, South Dakota, and Utah) specifically addressed voting by members of the Regular Army (see figures 4.3 and 4.4 for examples of war ballots provided by South Dakota). With the limited number of states permitting soldiers to vote, and the apparent lack of cooperation by the War Department, very few of the approximately two million military personnel located overseas were likely to have cast a ballot in 1918.²⁵

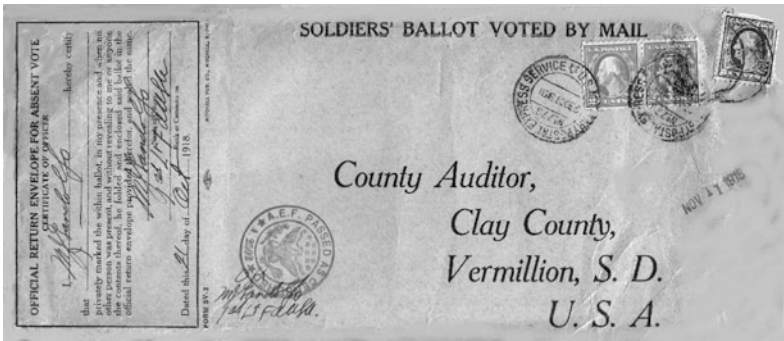


Figure 4.3 Official war ballot, World War I (front)

Source: Photograph provided by Russ Carter.

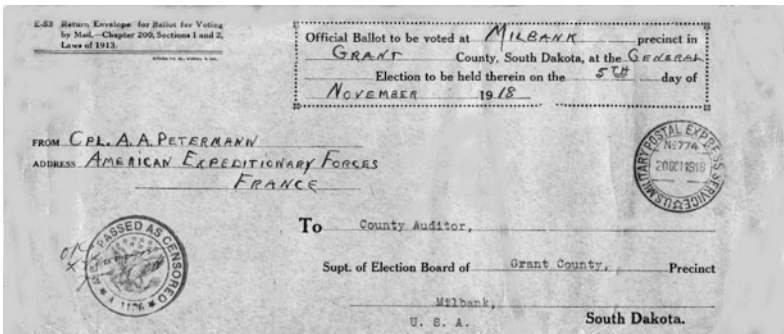


Figure 4.4 Official war ballot, World War I

Source: Photograph provided by Russ Carter.

By 1924, all states except for Rhode Island, Connecticut, and Kentucky had absent voting laws in place. Rhode Island and Connecticut had passed laws during World War I but had permitted them to lapse. Kentucky had passed an absent voting law in 1918, but a subsequent decision by the state Supreme Court found it unconstitutional in 1921. Nearly all the laws, though, were primarily aimed at civilian citizens. While military personnel could take advantage of the laws in some cases, the requirement to register in person, the residency restrictions, or having to pay a poll tax tended to limit the practical effect of the laws for most service personnel.

Between the Civil War and the years following World War I, the American military remained generally isolated from the rest of society. Despite short-term increases in size during the Spanish-American War and World War I, by the 1920s the army and the navy were once again relatively small organizations. Most soldiers and sailors were assigned to remote outposts or kept on board ships, cut-off from society and uninvolved in political activity.

The apolitical nature of the military continued through the 1930s, with usually less than 30 percent of the officers voting, indicating their lack of involvement in partisan politics as well. General George C. Marshall, US Army chief of staff from 1939 until 1945, even openly questioned whether it was ethical for a military officer to vote for a presidential candidate. Once asked about his “political religion,” he replied, “I have never voted, my father was a democrat, my mother a republican, and I am an Episcopalian.”²⁶ General Dwight Eisenhower apparently never voted until after he left active duty, believing that the military should maintain a strict distance from politicians.²⁷ There is no data on enlisted voting during that period, but voting is assumed to have been at even lower rates than for officers.

Even with some attempts by states to enfranchise them, military personnel likely did not vote for a reason long common to the armed forces: soldiers and sailors were often stationed at remote bases or overseas with limited access to mail and, many times, were too busy to pay attention. The stationing of individuals away from home and out of communication resulted in their paying less attention to electoral matters at home, which made access to voting procedures problematic at best.

CHAPTER 5

World War II: Race and Politics

Those boys are fighting to maintain the rights of the States. Those boys are fighting to maintain white supremacy.

Senator James Eastland (D-MS), 1944.¹

The progressive era and World War I brought about some improvement in state absentee voting laws. However, most state laws still made it difficult, if not impossible, for a deployed military person to register and cast a ballot. The passage of the 19th Amendment, which enfranchised women in 1920, marked the end of significant change in election laws and ushered in a period of stasis that would last for two decades until the beginning of World War II.² Resistance to attempts for further changes, especially granting the right to vote to deployed soldiers and sailors, would be marked by partisan and racial rancor.

In 1941, at the beginning of direct American involvement in World War II, coordination of access to voting for military personnel did not exist at the federal level. For the most part, the reason for no federal involvement in the voting process was due to a lack of any strong drive for such coordination. Along with that, though, was a vociferous resistance by southern politicians to any federal intrusion into voting matters. Although it was possible to find southerners who agreed that those who fought for their country and were deployed to the four corners of the earth ought to be able to vote, when pushed to support federal legislation, strong resistance would arise, usually based upon constitutional and states' rights grounds.

Barely hidden at the core of those constitutional arguments were fears that federal legislation would change the segregationist status quo: ending the poll tax and "Whites Only" primary elections, thus permitting African Americans expanded access to the ballot box. Even when confronted with

the national security issues of World War II and patriotic fervor, such change was something southern politicians were not prepared to permit. While southern Democrats were largely successful in watering down legislation and minimizing federal intrusion into state control of voter qualifications, the draft and World War II would fuel an ideological movement that even the Old South could not resist.

As was the case during the Civil War, much of the resistance to enfranchising deployed soldiers was based on assumptions that the soldier vote would favor the incumbent president. While during the Civil War it was the Democrats who were worried, in World War II it was the Republicans. Added to the partisan resistance were the deeply ingrained segregationist motives of most southern Democrats fearful that expanded voting rights for soldiers would limit a state's ability to restrict voting privileges for African Americans. The combination of the southern Democrat resistance with the northern Republicans was enough to limit the effectiveness of federal intervention in voting rights for soldiers and sailors.

When the United States entered World War II, most states had instituted voter registration laws. Such laws had generally been in force since World War I but in effect, it was nearly impossible for a serviceman away from his home precinct to register. Most required the individual to be physically present. Kentucky's Constitution did not permit absentee voting by anyone, and Louisiana specifically forbade it for military personnel.³ Along with those restrictions was the issue of poll taxes. All southern states required the tax to be paid as a prerequisite for voting. While Mississippi and South Carolina waived the tax for members of the military, the requirement posed a serious practical barrier for all servicemen. First, in most cases, the tax had to be paid in person. Second, the amount required, often between \$1 and \$2, was equivalent to a day's pay for most junior enlisted soldiers and sailors. The net effect was the disenfranchisement of many, if not most, military personnel.

Actually casting an absentee ballot posed significant barriers. The soldier or sailor was most often required to apply for the ballot "not more than thirty days" before the election, but some states set the requirement to within fifteen days.⁴ While the postal system of the day was able to deliver the requested ballot to the serviceman within a week or so and thus provide sufficient time for return to the home precinct, it assumed that the soldier was stationed within the United States, that he had requested the ballot well in advance, and that he marked the ballot and returned it quickly. In short, if a soldier or sailor was out of the country or in the field, it was difficult to obtain and return a ballot in sufficient time to be counted.

The Draft Meets Segregation

Recognizing that a large war was seemingly inevitable, the United States enacted, for the first time, a peacetime draft. The Burke-Wadsworth Bill was introduced in Congress on June 20, 1940, just days after the fall of France to the German Blitzkrieg. The bill, ultimately named the Selective Training and Service Act of 1940, was approved by Congress on September 14, 1940. The bill passed by a vote of 232–124 in the House of Representatives and 47–25 in the Senate. One hundred and eighty-six House Democrats voted in favor along with forty-six Republicans. Thirty-two Democrats and eighty-eight Republicans voted against it. In the Senate, seven Republicans joined forty Democrats who voted in favor, with thirteen Democrats, ten Republicans, and two others who voted against the bill.⁵

The law required all men between ages twenty-one and thirty-five to register and was intended, initially, to bring 800,000 men onto active service. Buried in that law was a requirement that all service personnel be granted a day of leave to vote. While a single day to vote was clearly inadequate, Congress put down the marker to ensure the newly drafted citizens could not be restricted from voting by military orders.⁶

The draft began in October of that year and saw a rapid expansion of the armed forces from 335,000 personnel in early 1940 to over 1.8 million by the end of 1941.⁷ While, at first, the draft passed over African Americans because of a presumed lack of abilities to serve, quotas were eventually established to ensure they were drafted at a rate commensurate with their proportion to the US population, which was about 10.6 percent. Later, the draft age was increased to ages eighteen to forty-five.

The rapid expansion of the American armed forces involved recruits of all races and ethnic backgrounds. At the time, the army segregated “colored” soldiers from white soldiers in separate units and there were no blacks serving in the Marine Corps. The navy had been recruiting African Americans since 1932 and, while they did serve on ships with white sailors, they did so only as mess attendants, a service rating for a ship’s cooks and an officer’s stewards. Despite repeated calls by civil rights organizations to change the policies, the War Department, on October 9, 1940, issued a statement reiterating its longstanding policy:

The policy of the War Department is not to intermingle colored and white enlisted personnel in the same regimental organizations. This policy has been proven satisfactory over a long period of years and to make changes would produce situations destructive to morale and detrimental to the preparations for national defense. For similar reasons, the department does not

contemplate assigning colored reserve officers other than those of the Medical Corps and chaplains to existing Negro combat units of the regular army. These regular units are going concerns, accustomed through many years to the present system. Their morale is splendid, their rate of reenlistment is exceptionally high, and their field training is well advanced. It is the opinion of the War department that no experiments should be tried with the organizational setup of these units at this critical time.⁸

Southern Democrats had successfully resisted enfranchising African Americans since the end of Reconstruction in 1877. Despite the 14th and 15th Amendments, which required equal protection under the law and specifically granted African Americans the right to vote, clever laws essentially had made it impossible for any nonwhite to cast a ballot that would count. Those “Jim Crow” laws had effectively disenfranchised blacks, even those who could pay the poll taxes, then common in southern states.

Blacks were also refused access to jobs in the rapidly expanding defense industry. Even though companies required all the labor they could find, they routinely relegated African Americans to menial and janitorial labor, reserving the skilled labor positions for whites. North American Aviation Company had opened new factories in Kansas City, Kansas; Dallas, Texas; and Columbus, Ohio. Despite a growing need for workers, the president for North American said, “While we are in complete sympathy with the Negro, it is against company policy to employ them as aircraft workers or mechanics . . . regardless of their training. . . . There will be some jobs as janitors for Negroes.”⁹

The growing awareness of the unfairness of such segregation led to increased lobbying by African American groups, including the National Association for the Advancement of Colored People (NAACP). An increasingly effective labor organization under A. Philips Randolph, it threatened to have 50,000 African Americans conduct a march in Washington to protest segregation in the armed forces and discrimination in defense employment. When repeated appeals for Randolph to cancel the scheduled march were ignored, President Roosevelt, wanting to avoid the potential for violence in Washington, DC, finally agreed to sign Executive Order 8802, prohibiting racial discrimination in the defense industry.

The march was called off, but the issue of civil rights for African Americans would continue to slow down progress in gaining absentee voting rights for military personnel. Nevertheless, the impending world war and the implementation of selective service would begin the process of undoing the resistance. As the participation of women in the armed services during World War I had broken the back of resistance to women voting, the participation of African Americans during World War II challenged resistance to federal involvement in absentee voting and, in particular, the soldier vote.

Votes for Soldiers

The War Department required that “everything possible” be done “to enable the personnel of the Army to exercise their right to vote” but did little more than direct soldiers to “write to the Secretary of State of their home state requesting information under the laws of that state.” Even President Franklin D. Roosevelt expressed his doubts in a memorandum to General Fred Osborn, then chief of the Morale Branch of the War Department: “I am not at all certain that much can be done about it,” he said. He suggested that the army and navy “remind the boys by posting notices . . . summarizing the laws in each state.”¹⁰

Prior to World War II, all voting laws, including absentee voting laws and those involving voting by military service personnel, were entirely within the purview of state legislatures. The real problem lay in a very real disagreement over whether states had the final word in who could vote and under what circumstances that individual could vote. In other words, did the federal government have any say in requiring states to enfranchise certain groups? While the 14th, 15th and 19th Amendments to the Constitution were the law of the land by then, all other decisions lay in the lands of the states. Solving that problem would come at a price and not without serious conflict in Congress and the Courts.

Several Supreme Court cases had essentially affirmed the primacy of states in determining qualifications for voting. In *Minor v. Happersett* (1875), the court found that the 14th Amendment’s privileges and immunities clause did not apply to voting rights.¹¹ While the case specifically applied to whether the 14th Amendment granted suffrage to women, the case affirmed that states ultimately determined who was granted the right to vote. The opinion was generally held to be a victory for states’ rights and would be routinely cited in support of restricting voting rights well into the 1960s.¹²

The court affirmed *Minor v. Happersett* in *Maxwell v. Dow* (1900): “the amendment did not add to the privileges and immunities of a citizen; it simply furnished an additional guaranty for the protection of such as he already had.” More to the point, the opinion went on to say that “the right of suffrage was not necessarily one of the privileges or immunities of citizenship before the adoption of the Fourteenth Amendment.” Other cases consistently found that states were the ultimate determiners of suffrage rights as long as state laws did not prevent voting on the basis of race, color, previous condition of servitude (15th Amendment), or sex (19th Amendment).¹³

Despite the court precedents, with the advent of selective service and the draft, public opinion was clearly on the side of ensuring that the soldiers and sailors in the rapidly expanding armed forces were able to vote.¹⁴

The process to enfranchise military personnel at the federal level began on September 18, 1940, when Senator Robert Alphonso Taft, eldest son of the twenty-seventh president of the United States, William Howard Taft, introduced S. 4352 before the Senate, “a bill to provide for the free transmission in the mails of absentee ballots of officers and enlisted men of the land and naval forces of the United States.”¹⁵ That bill, filed just days after the passage of the Selective Service Act of 1940, died in committee, but the move was on to show support for “the boys” and to ensure that they could cast votes at home.

The following summer, on July 23, 1941, Representative Lewis Thill (R-WI), rose to address the House of Representatives. Concerned that the proposed extension of the draft beyond the initially approved period of one year of service was a breach of contract, he wanted to ensure that the newly conscripted soldiers “had a voice.” Wanting the president to remind military personnel of their privilege to vote by mail and the war and navy departments to encourage their members to vote, he introduced a resolution stating “that it is the sense of the Congress that all States provide a simplified method of voting by mail for all members of the armed forces of the United States.”¹⁶

Those early attempts to ease some restrictions on absentee voting by soldiers and sailors and to encourage them to vote had partisan political flavors. Behind both the Taft and the Thill proposals was a hope that newly drafted soldiers, concerned about how the president was apparently driving the country to an unwanted war, would rise up and vote against Roosevelt. Neither proposal got anywhere in Congress, but each set the tone for much of the future debate.

On June 11, 1942, Representative Robert L. Ramsay (D-WV) introduced H.R. 7223, a national military voting rights bill. Ramsay called for special elections on military bases to be supervised by the secretary of state in each state in which the base was located.¹⁷ The bill was limited in scope and did not address troops based outside the continental United States. It was strongly opposed by both the War Department and the National Association of Secretaries of State, largely on pragmatic grounds that it would be difficult to manage and would interrupt order on military bases. The bill proposed that states would send representatives to each military base to supervise elections for each state’s own citizens. While seemingly based on the Civil War experience of fielding election administrators to conduct elections in the field, the bill posed serious administrative problems.

States were unlikely to be able to administratively support sending election administrators to all military bases within the United States, especially since the 1942 midterm election was only five months away. The Civil War experience of sending election judges into the field or deputizing

regimental officers to monitor and certify the vote in the field was simplified by regiments made up of soldiers from a single state. Also, most officers during the Civil War had strong political connections with the state governments and could generally be relied upon to take voting seriously. However, by 1940, except for the National Guard divisions, the army assigned troops to regiments and divisions irrespective of state of origin.

Because of the objections, Ramsay agreed to introduce a revised bill, H.R. 7416. The new bill, heavily revised from his previous attempt, required the army and navy to provide postcards for each military voter to send to their individual secretaries of state. The state secretaries, upon receipt of the card, were asked to send the soldier a ballot with the names of those running for federal offices. Included was an oath, to be sworn in front of an officer, that the applicant was a qualified voter under the laws of the particular state from which he came.

The new bill was supported by the National Association of Secretaries of State and was reported out of committee for floor debate. Despite having passed through committee without amendment, the proposal met with resistance on the floor of the House of Representatives. House Republicans, sensing a popular cause that would gain votes at home, joined with northern Democrats in supporting the bill. Ramsay, already aware of growing resistance among southern Democrats, opened the debate with an attempt to tamp down the states' rights counterarguments.

Ramsay argued that his new bill was to "make it possible" for absentee voting by soldiers only in those cases where state laws were not effective in permitting service personnel the ability to vote. He specifically detailed that "the performance and control of the election are kept in the hands of the State."¹⁸

The southern Democrats opposed the bill immediately. They attacked the bill as a federal intrusion into an area that had traditionally been the reserved right of states alone. Generally alarmed at the rising power of what they saw as liberal elements in the Democratic Party pressing for social reform and a stronger emphasis on civil rights, the southerners looked to northern Republicans to support them on states' rights grounds. Those same Republicans had, in the past, been allied with the southerners opposing some of FDR's New Deal proposals. They hoped that alliance would work once again.

The southerners' principal argument in opposition to the bill by was that it violated states' rights. It also included a provision to eliminate poll taxes, a principal method of keeping black voters away from the polls. Worried that states' rights had "gone out the window,"¹⁹ Congressman John Rankin, floor leader for southerners during the debate, was quite sure that the bill would "destroy the election laws of every state in this union."²⁰

Another Congressman argued that voting was not a matter of right but rather a privilege solely within the purview of the state.²¹ Republicans were also divided on support for the bill. Some opposed the bill on states' rights arguments while other suspected that the soldier vote would favor President Roosevelt.

The combination of amendments and long debates by southern Democrats and northern Republicans successfully delayed passage of the bill until September 1942. The amendments watered the bill down considerably from its original intent. However, the bill did provide for free postage for military voters. It did not, however, provide for airmail postage, which meant long transit times both to and from the servicemen. If a serviceman received the ballot close to Election Day, extra postage was required to return the ballot.

The navy created Form BNP-105, Application for War Ballot, and sent 1,026,000 of the forms to sailors and marines (see figures 5.1 and 5.2). The form was a postcard addressed to the secretary of state of the serviceman's state. On the back, the form read, "Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot." The sailor or marine then listed his home address and voting district or precinct. The card had to be countersigned by a commissioned officer. The army used Form 560, which was essentially identical to the navy form. It also required the signature of a commissioned officer²² (see figure 5.3).

21 February 1944
(Date)

Secretary of State of: OHIO
Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot.

My home address is _____, in the city,
(Number and street)

town, or village of Butler, in the county of
Richland, in the State of Ohio
and my voting district or precinct to the best of my knowledge is _____
I desire that the ballot be sent to me at the following address _____
Miller M. Halsey Y2/c
Classification Control Office
Commandant Navy 128
% FPO San Fran., Calif.

Signature certified by: Miller M. Halsey Y2/c
(Signed)

(To be signed by any commissioned officer)

BNP-105

Figure 5.1 Navy Form BNP-105, 1944 (back)

Source: Photograph provided by Russ Carter.

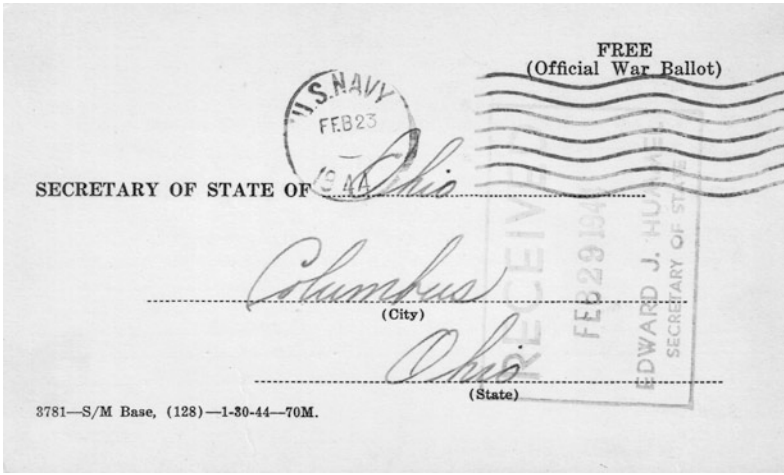


Figure 5.2 Navy Form BNP-105, 1944 (front)

Source: Photograph provided by Russ Carter.

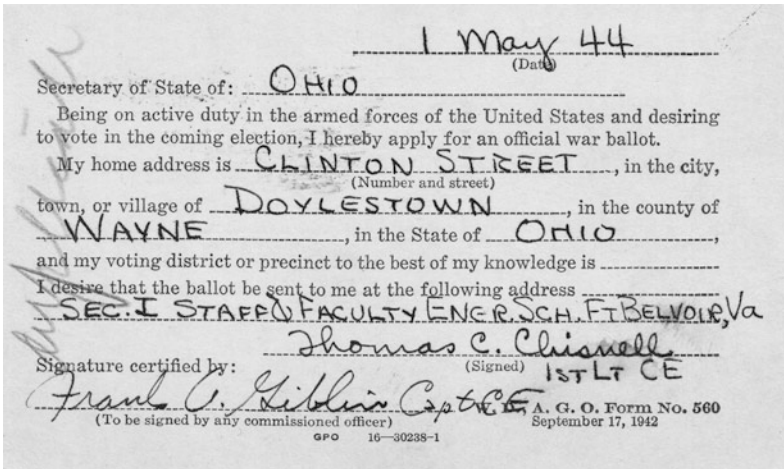


Figure 5.3 Army AGO Form 560, 1944

Source: Photograph provided by Russ Carter.

Despite significant differences within the Democratic Party, largely split along regional lines with the southern members of Congress voting against it, the Soldier Voting Act of 1942 passed both houses of Congress on September 16, 1942, and was signed into law by President Roosevelt.

Given the short time between passage of the law and the subsequent election on November 3, 1942, most observers viewed the impact of the law as having “had almost no impact at all” on the results.²³

Few soldiers were able to negotiate the complex steps required to cast a vote. Some states had no provisions in place to respond, and the war ballot request forms and were ignored. Only about one-half of 1 percent of the five million active-duty service personnel voted in the November 1942 midterm election using the war ballot. Of the 136,686 federal ballots that were requested from the forty-three states that had provisions in place, only 28,061 were received for counting. Some 1,920 applications for ballots were received late, and 2,793 ballots were received late and not counted.²⁴ There is no data on how many military personnel either voted in person or used the usual absentee balloting procedures of their state. The number is presumed to be low (see Appendix A.3).

Reelecting Mr. Roosevelt

As the 1944 general election approached, some Democratic Party leaders saw an opportunity to benefit from the military vote and, wanting to improve upon the 1942 law, pressed for more aggressive military voter legislation. Simultaneously, Republican leaders believed that a reduced military vote would bring an advantage to their party and, in a move opposite of that taken by the party in the Civil War, opposed changes to the Soldier Voting Act.

Along with the Republican reluctance to support the bill, the powerful resistance on the part of southern Democrats remained. Sensing, rightly, that the federal government was attempting to outlaw poll taxes and ensure that black soldiers could vote without issue, southern members of Congress fought loud and hard to block, or at least water down, progress. The most vocal of the southern Congressmen was Representative John E. Rankin.

Rankin was first elected to Congress in 1920 to represent Mississippi’s First Congressional District. A strong segregationist, even today he remains a hero to many in white supremacy groups. By 1943, he was already in his twelfth term in Congress and served as chairman of the Committee on Election of President, Vice President, and Representatives in Congress. As a result, he had considerable influence on legislation. Although he supported Franklin Roosevelt, he disliked him and was deeply suspicious of the liberal Democrats and any effort on the part of the federal government to tell his state, or any other, how to manage qualifications for voting.

Joining him in his resistance to liberalizing suffrage laws was Senator James Eastland (D-MS).²⁵ Eastland was a powerful voice for the segregationist

southern Democrats and rarely resisted an opportunity to expound on white supremacy. Like Rankin, he supported Roosevelt on most of the New Deal issues except when it came to electoral matters and the southern resistance to permitting African Americans access to the political system.

Rankin and Eastland would prove to be nearly insurmountable in their resistance to effective absentee voting for overseas military personnel. While always praising the soldier in the field, both were jealous of states' rights and watchful of any attempt on the part of the federal government in reducing the ability of the southern states to prevent African Americans from voting. By forging a coalition of southern Democrats and states' rights Republicans, Rankin and Eastland were ultimately able to devise a bill that minimized its effectiveness and would prove to effectively embarrass President Roosevelt.

The battle resumed in June 1943 when Senators Theodore F. Green (D-RI), and Scott W. Lucas (D-IL) introduced a bill to amend the 1942 law. Quickly named the Green-Lucas Bill, it proposed to continue the use of the federal postcard application for an absentee ballot. To avoid the lack of time to return a marked ballot that occurred in 1942, the bill required the military to distribute the cards several weeks before an election. The states would then send ballots to unit commanding officers who would be responsible for selecting a voting day. Additionally, the bill proposed to permit service personnel who were citizens of states that had no absentee voting laws to cast a federal war ballot.

After much discussion and negotiation between the senators and the war and navy departments, a revised version of the Green-Lucas Bill was introduced in October 1943, and it included a War Ballot Commission. Designed to function as a liaison between the military and state governments, it was to be comprised of five commissioners nominated by the president and confirmed by the Senate, and to include at least two Democrats and two Republicans. The War Ballot Commission was to administer access to the ballot by members of all the armed services. The war ballot was also to be made available to members of the Merchant Marine, the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots (WASP), and the United Service Organization (USO), all of which were attached to the armed services and serving overseas (see Figure 5.4).

By the fall of 1943, the Democratic Party recognized the potential strength of the soldier vote. Both political parties assumed that the majority of service personnel would vote for Roosevelt in the 1944 general election. As with the 1942 law, southern Democrats recognized that the proposed bill would further erode state control over voter qualifications. While the bill passed through the Senate quickly, John Rankin quickly

Secretary of State or other appropriate official within the State of TEXAS

I am in the armed forces (); in the merchant marine (); or in the American Red Cross (), the Society of Friends (), the Women's Auxiliary Service Pilots (), or the United Service Organizations (), and attached to and serving with the armed forces.

I hereby request an absentee ballot to vote in the coming GENERAL election.
(Primary, general, or special)

(1) I am a citizen of the United States.

(2) The date of my birth was March 2, 1921

(3) For Eight years preceding this election my home residence has been in the State of TEXAS

(4) For Eight years preceding this election my home residence has been in the city, town, or village of Abilene, in the county of Taylor at (street and number, if any, or rural route) 2818 Roberts St

(5) My voting district to the best of my knowledge is # 2

(6) My choice of party PRIMARY ballot is _____
(Fill in only in case of primary ballot)

Please send the ballot to me at the following address: Pfc. R. P. Morrison,
12110070, 86th Sta. Comd Sqdn, APO 140 N.Y., N.Y.
Robert P. Morrison, 12110070
(PRINT your name and serial number, plainly above)

Robert P. Morrison
(WRITE your own signature above)

Subscribed and sworn to before me this 9 day of August, 1944

USWBC Form No. 1
GPO 16-39138-1

(Commissioned officer, noncommissioned officer not below the rank of sergeant, or petty officer or other person authorized to administer and attest this oath, writes here his name and rank or title)

George V. (Cully) [Signature] SACmpg

Figure 5.4 US War Ballot Commission Form 1, 1944

Source: Photograph provided by Russ Carter.

rose to oppose the bill, again largely on constitutional (states' rights) grounds but used procedural tactics to slow and, ultimately change the bill more to his, and the southern Democrats', liking.

The political wrangling was not lost on the soldiers and sailors. A sailor assigned to the USS *Salt Lake City*, a navy cruiser then (1943) stationed in the Pacific theater, understood the politics back home impacting his ability to vote. Writing in the ship newsletter, he made his feelings clear:

Our friend also mentioned the soldier vote, which we have all been hearing so much about lately. If that isn't the rawest political joke and farce I've ever heard of! I just have to laugh. Sure they want us to vote. Like heck they do. Someone back there is afraid we will all vote for the wrong man. Otherwise why didn't they revise the law that states we must register at home to vote? For proof, how many men on this ship alone were able to vote? I'll bet 5, not 10%, just because we were unable to register. See what I mean? Take me for instance, I've been home 4 days out of nearly 3 1/2 years and now I can't vote. Multiply that by millions and you can see someone is against us voting. And yet our friend said the people back home wanted us to have our say.²⁶

A December 1943 Gallup poll, reported in the *New York Times*, suggested that 61 percent of the approximate ten million military personnel then on active duty would vote for President Roosevelt and this could very

well could be decisive in the November 1944 election.²⁷ Whether FDR ought to run for a fourth term was an issue of hot debate at the time. Most insiders in Washington, DC, knew that Roosevelt was not healthy, although few knew the extent of his cardiac disease. However, both Republicans and southern Democrats were not happy that he might run, again. The poll was a shock to the Republicans, who were hoping to take the White House away from the three-term incumbent. The GOP redoubled efforts to water down the Lucas-Green Bill.

An editorial, in *Time* magazine, discussing Congress's handling of what was routinely being called "the soldier vote bill," observed that the Senate had "passed what amounted to a pious resolution: let the individual states conduct elections as always. Let them arrange for their own soldiers to vote." The editorial writer went on to observe that a similar process in 1942 was a "dismal flop." Then, wondering whether the effective killing of the Lucas-Green Bill was "good politics," he observed that "no Senator was any too happy at the thought of ten million decisive, unpredictable votes swamping the ballot boxes in 1944." New Mexico Senator Dennis Chavez, speaking on the floor of the Senate, said, "We seem to be afraid."²⁸

The battle between Franklin Roosevelt and Congress over the Soldier's Voting Bill remained heated. FDR accused Congress of "fraud on the soldiers and sailors and marines" and "on the American people." The Senate had passed the bill in December, and the bill had been passed to the floor of the House by the House Elections Committee. The version under consideration removed most federal control and left the details of handling military absentee voting to the states. Roosevelt was not happy with the changes to the bill and charged that the bill would effectively disenfranchise "the vast majority" of the over 11 million men and women in uniform in the upcoming November 1944 general election.²⁹

In the Senate a few days earlier, Robert Taft, leader of the conservative wing of the Republican Party, charged that Secretary of War Stimson and Secretary of the Navy Knox were "running for a fourth term" on the assumption that they were "indispensable to the conduct of the war." Oregon Republican Senator Rufus C. Holman charged that the president was essentially guilty of a conflict of interest in that he, while being the Commander in Chief, was also running for reelection.³⁰

Time magazine, editorially a strong supporter of enhanced soldier voting rights, reported on Rankin's oratory in the House of Representatives. Rising to speak on the floor of the House, he railed, "Now who is behind this bill? Who is the chief sponsor of it? The chief publicist is PM, the up-town edition of the Communist Daily Worker that is being financed by the tax-escaping fortune of Marshall Field III, and the chief broadcaster for it is Walter Winchell—alias no telling what."

Republican Clare Hoffman (R-MI) then stood in reply, as though scripted, and asked, “Who is he?” To which Rankin replied, “The little kike I was telling you about the other day, who called this body the ‘House of Reprehensibles.’”³¹ Rankin, never one to refrain from using pejorative terminology in public, was referring to Walter Winchell.

Rankin’s replacement for the Green-Lucas Bill passed the House of Representatives 328–69 and was quickly passed in the Senate. The bill basically gave complete control of soldier absentee voting to the states with no opportunity for the federal government to intervene. The War Ballot Commission had no teeth and served merely as a coordinating body to produce the war ballots and ensure that the military provided them to service personnel.

President Roosevelt, unhappy with the results, contacted all state governors in an attempt to discover whether the proposed bill would be legal under the various state laws. The responses indicated that perhaps only half the states would be able to support the war ballots. Disappointed, he nevertheless allowed the bill to become law, but he refused to sign it. The resistance had been successful in thwarting Roosevelt’s soldier vote plan.

Soldiers and sailors had been paying attention and indignantly wrote home. In early 1944, US Army sergeant James Phillips, stationed at Fort MacArthur, California, understood exactly what was going on, pinning the problem squarely on the current absentee balloting system. He wrote to *Time* magazine:

I hope that mine will be only one of many letters of protest [on the soldier vote—*Time*, Dec. 13] from the group most concerned, the servicemen themselves, whose opinions as well as whose rights in the matter have been completely ignored in the settlement. As I understand, it, Congress has passed the buck to the individual states, and to the clumsy and difficult absentee-ballot system which most maintain. . . . Certainly no method of cutting the service vote more effective than the absentee-ballot system could be found, if that is what is desired.³²

Forty-five soldiers stationed in the United Kingdom signed a letter to *Yank*, a weekly army newspaper, saying that they felt “very strongly about the soldier vote controversy and want you to know that something should be done to enable the millions of soldiers, sailors, and merchant mariners to vote this year.”³³ A soldier stationed in Australia protested “the delay and sabotage of the soldiers’ voting bill now being knifed in the back by the reactionaries in Congress.”³⁴ A soldier in Italy specifically asked for a list of names of congressmen who voted against the bill so he would “know now who those men are we will have to fight later.”³⁵

A concern raised by several states was the issue of how military censoring practices might conflict with the secrecy of the ballot. At the time, military censors would occasionally open mail from service personnel to determine if classified information was being transmitted. In such cases, letters would be stamped as having been inspected. In other cases, soldiers would be instructed to leave the envelope unsealed so the censor could inspect the mail, after which the envelope would be sealed for mailing. Knowing these practices, states considered instructions to their local election officials on how to handle such censored ballots.

The North Dakota attorney general issued an opinion in March 1944 specifically finding that if the envelope containing the absentee ballot had evidence of being opened, the ballot's secrecy should be considered violated. However, he found that if the ballot had the stamp "Passed by Censor" on it but had no evidence of having been opened, the secrecy of that ballot had not been violated³⁶ (see figures 5.5 and 5.6). The Illinois attorney general wrote a letter to Secretary of War Stimson and Secretary of the Navy Forrestal demanding that Illinois soldier ballots be free of censorship, alleging that "censorship of the ballot is un-American." He argued that the opening of state ballots would be illegal under Illinois law.³⁷

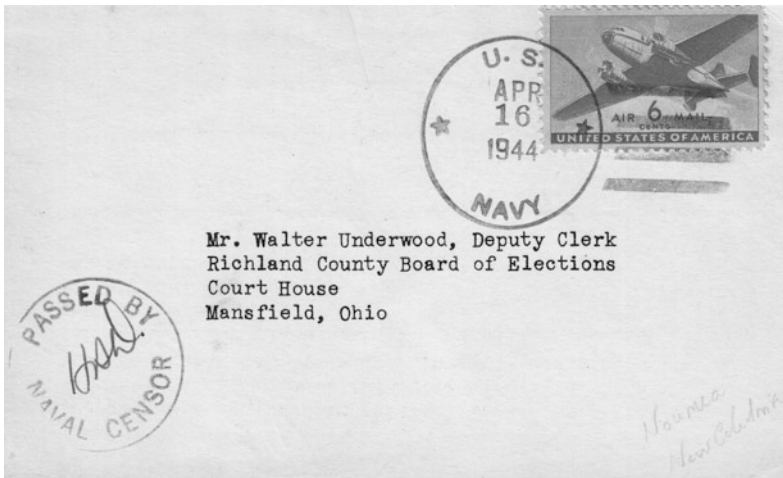


Figure 5.5 US war ballot envelope with naval censor stamp, 1944

Source: Photograph provided by Russ Carter.

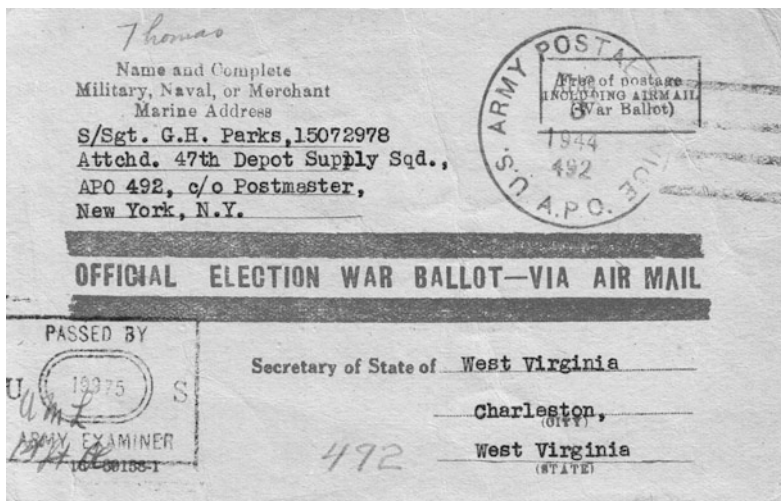


Figure 5.6 US war ballot envelope with army censor stamp, 1944

Source: Photograph provided by Russ Carter.

Congress, the military, and the War Ballot Commission all investigated censorship of war ballots. Apparently, in most cases, the outer envelopes were stamped with censor marks as the officials did not know what to do about the ballots. By stamping the envelopes, the censoring officer ensured that the mail would be passed without further inspection. A Congressional investigation found no evidence that any war ballots had been opened in the censoring process. Ballots mailed through non-US postal systems were subject to wartime censoring by foreign governments. No way around such censorship was possible, and it was generally up to the states and local election officials to count such ballots.³⁸

By the summer of 1944, the political battle over the new Soldier Vote Bill, how it had been diluted by states' rights politicians, and how it minimized the ability of soldiers overseas to cast a ballot had become apparent to Americans. One soldier's wife, then a graduate student at the University of Chicago, was quite clear about her opinion of the matter in a letter to her husband, then stationed in Italy:

Mr. Duffy, the Democratic precinct captain was just here for your address, which I gave him. I hope he'll be able to facilitate voting for the man in this precinct. The soldier's vote bill as it now stands is one of the lousiest deals in our political history.³⁹

In the end, all forty-eight states did send out war ballots. While the data are confusing and sometimes incomplete, it appears that about 4.2 million state war ballots were mailed out for the 1944 general election. Of those, about 2.6 million were returned, although it is not clear how many were actually valid and counted. Still, a return rate of over 63 percent is impressive given the circumstances at the time. See Appendix A.4 for state-by-state details of war ballots.

The federal government printed 7,633,000 federal war ballots, but only 108,091 were used. The twenty states that authorized the use of the federal war ballot only reported receiving 104,500 of them. Of those, 5,677 were rejected for various reasons. An additional 4,192 federal war ballots were received by states that did not authorize their use, and thus those ballots were not counted.⁴⁰ See Appendix A.5 for details on federal war ballots.

There were about 9.2 million military personnel of voting age, about 4.9 million of whom were stationed overseas. The return of 2.6 million war ballots is about a 29.2 percent voting turnout rate among the voting-age military as a whole and about 53 percent of those assigned overseas. In the same year, the turnout rate among eligible civilians was about 60 percent.⁴¹

The military absentee vote of just over 2.6 million comprised about 5.6 percent of the total popular vote for president. No data exist on the voting patterns of military personnel who happened to be in the United States and in their home precincts or those who may have used the usual absentee voting methods in place in some states. While exact data are not available, it would appear, based on the known turnout rate among overseas military personnel, that the overall turnout rate among eligible service personnel who cast their vote was at least over 50 percent.

In the end, despite the efforts of those dedicated to ensuring that deployed military personnel could vote, the federal legislation of World War II did little other than to spur states to fine-tune their own absent voting laws. The one victory of the process was the near-elimination of poll taxes. However, states' rights Democrats and Republicans had ensured that states continued to control the election process, resisting federal intrusion. It would take the Cold War and the novel experience of maintaining a large standing army in peacetime to see significant bipartisan headway in federal legislation supporting absent voting rights for military personnel and other American citizens living overseas.

CHAPTER 6

Federalizing the Vote: UOCAVA

Our experience during and after World War II conclusively demonstrates that unless early action is taken, hundreds of thousands of servicemen and women of voting age will be deprived of their constitutional right to vote this year.

Harry S. Truman, 1952¹

Once World War II ended in the summer of 1945, attention toward doing anything more for absentee voters and military voters in particular waned. As was the case after the Civil War, efforts related to the armed services shifted to demobilization, transporting the men home, and getting them back into civilian life. The general euphoria of winning the war overshadowed any interest in the military voter enfranchisement.

In 1946, Congress passed some amendments to the 1944 law, but those amendments were limited in impact.² Passed unanimously by voice vote, the Servicemen's Voting Act of 1946 did little. The act removed the federal war ballot and abolished the War Ballot Commission. It did expand the coverage to peacetime as well as wartime, but the war clause from the 1942 statute was retained.³ Some states that maintained their absentee voting laws for military overseas personnel continued to use the old war ballots from World War II, but merely crossed out the words "war" on the envelope (see figure 6.1).

The new law recommended seventeen actions for state governments and provided for some coordination on the part of federal officials, including free postage for ballot mail. As before, it was left to the states to take action. There was no enforcement mechanism, and the federal government had not taken any state to court over failure to comply with the law.⁴

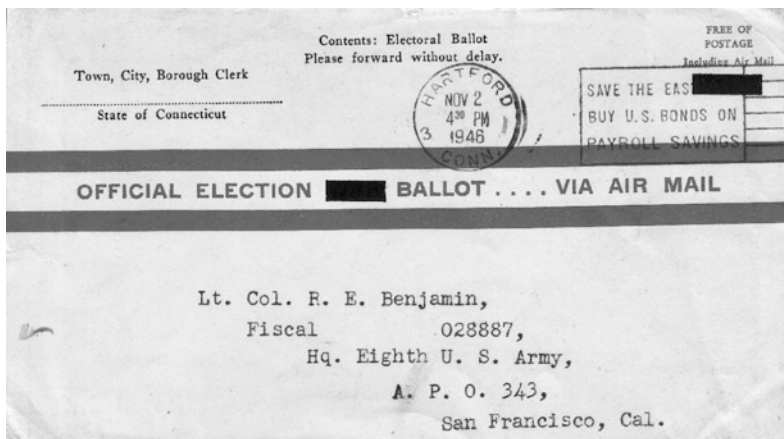


Figure 6.1 Modified war ballot, 1946

Source: Photograph provided by Russ Carter.

No data were collected by either the newly established Department of Defense or the Census Bureau regarding military voting in the 1946, 1948, or 1950 elections.⁵ However, it was generally assumed that military voter turnout had decreased after the 1944 election, largely because the war was won and interest had moved elsewhere. It was assumed that most soldiers would take part in the elections either in person or use the normal absentee balloting procedures in place. While military forces were still stationed overseas, largely in Germany and Japan, they were in smaller numbers than during the war and, because it was peacetime, mail moved more easily and safely.

Circumstances for absentee military personnel actually worsened following the war. Several states simply allowed the temporary measures of 1944 to expire without taking any action to revise or replace the provisions. Two states, New Mexico and South Carolina, had no provision for absentee balloting under any circumstance. Texas had no measures for voting by military service personnel. Six states (Alabama, Delaware, Florida, Louisiana, South Carolina, and Utah) required registration in person, even for service personnel. Five states (Alabama, Arkansas, Iowa, Minnesota, and Wisconsin) would not mail out absentee ballots until twenty-one days prior to the election. Four states (Delaware, New Hampshire, New York, and Rhode Island) made no provision for absentee voting in primary elections.⁶

Thus, despite federal attempts to coordinate and smooth absentee voting by military service personnel, progress had been stymied by lack of

attention on the part of states to comply with federal recommendations. That lack of attention, or that lack of willingness, was largely based on distrust of federal intrusion into what was deemed the sole responsibility of a state along with a general lack of desire to deal with the issue. In other cases, states either refused or failed to change their laws to comply with the federal statute, particularly with respect to eliminating poll taxes as a prerequisite for registration or even to offer absentee voting as an option for deployed service personnel.

The sense of wellbeing brought by the end of World War II was suddenly interrupted by the surprise invasion of South Korea by the North Koreans in the summer of 1950. The US Army was outnumbered, and it quickly began recalling soldiers only recently sent home. The active-duty army quickly expanded. From the 1945 high of 8,266,373 soldiers on active duty, the army had dropped in size to only 593,167 by 1950. Within a few months, though, the army more than doubled in size. The number of personnel on active duty in all services also doubled from 1,459,452 in 1950 to about 3.5 million in 1952, of which an estimated 2.5 million were of voting age.⁷

Interested in finding votes for their party in the midterm election in November 1950, Senators Styles Bridges (R-NH) and Leverett Saltonstall (R-MA), proposed a bill to reinstate the federal Write-In Ballot. Senator Bridges commented that the bill would ensure that “the men fighting in Korea” would be “supplied with overseas ballots to vote in the Congressional elections.” It was believed, at the time, that Republican Party candidates would “get better than an even break out of ballots cast by members of the armed forces this year.”⁸ Partisan politics remained important in consideration of voting for service personnel.

Bridges and Saltonstall’s bill died, but the House of Representatives did pass two bills. H.R. 9399 required the services to hand-deliver the Federal Post Card Applications rather than merely making them available. H.R. 9455 proposed minimizing the weight of voting materials in order to make overseas air transport more feasible. Both bills were signed into law on September 29, 1950. Neither had any real impact on the ability of military personnel overseas to cast their vote.

Having been disappointed with the results of the 1942 and 1944 soldier voting laws, President Truman recognized another opportunity to advance the ability of deployed service personnel to cast a valid ballot. Rather than go directly to Congress, on October 23, 1951, President Truman sent a letter to the American Political Science Association (APSA) and asked them to convene a special committee to examine service voting and make recommendations for legislative and administrative action. Noting the high variation in state voting laws and, in particular, absent voting

procedures, as well as pointing out that many of the state provisions for permitting deployed military personnel to vote while away from their home states had expired, he wanted APSA to look into the matter and make specific recommendations as to federal legislation to correct any problems. Truman wrote:

During World War II, an effort was made through State action and congressional action to facilitate voting by men and women in the armed services, but it was never really as successful as it should have been. Today, as we face this problem again, it is important to survey the progress that has been made in State legislation, and to be sure that we have a completely effective program for voting in the armed services.⁹

The president of APSA, Luther Gulick, appointed a mix of eight noted political science professors and government officials from both political parties to a Special Committee on Service Voting, naming Paul T. David, then director of political studies at the Brookings Institution, as chairman.¹⁰ The Committee reviewed the results of the 1942, 1944, and 1946 laws as well as the various state laws, and came up with a long list of findings, ultimately agreeing on the following ten specific recommendations:

The committee is unanimous in its views on the following points:

The Voting Rights of Servicemen. We believe that all servicemen of voting age, whether in the United States or overseas, should have the right:

1. To vote without registering in person.
2. To vote without paying a poll tax.
3. To vote without meeting unreasonable residency requirements.
4. To vote without meeting unreasonable literacy and educational requirements.
5. To use Federal postcard application for a ballot.
6. To receive ballots for primary and general elections in time to vote.
7. To be protected in the free exercise of voting rights.
8. To receive essential information concerning candidates and issues.
9. To receive essential information concerning the methods by which the right to vote may be exercised.
10. To receive essential information on the duty of “citizens in uniform” to defend our democratic institutions by using, rather than ignoring, their voting rights.¹¹

The report went on to make specific recommendations for amending federal statutes, specifically recommending the removal of the phrase “in time of war” from the statute to make the rights permanent and not “merely

in times of war or national emergency.” The committee recognized that “the responsibility for election administration in the United States is vested in the State governments” and recommended legislative action by each state to conform to these six principles:

1. That the State will permit absentee voting on State ballots by all qualified voters of the State who are serving in the Armed Forces.
2. That personal appearance for registration or any other purpose is not required of absent servicemen.
3. That payment of poll tax is not required of servicemen as a condition of voting.
4. That the Federal postcard application is accepted as such as without unreasonable restriction on when the application will be received.
5. That if a special application is required for registration by mail, the necessary forms will be sent with the State ballot and may be returned with it.
6. That absentee ballots will be available for mailing to servicemen not later than 45 days before the last date on which such ballots will be counted.¹²

Truman had hoped for legislation in time for the 1952 general election. However, he had not asked for the assistance of APSA soon enough. The report was passed to Congress on March 28, 1952, in a letter asking Congress to use “its constitutional powers to give soldiers the right to vote where the States fail to do so.” He warned, “Congress should consider this matter with great care, and provide emergency legislation which will overcome the obstacles to soldier voting that may still exist in State laws as the elections draw near.” He clearly, though, was only asking for emergency legislation for the 1952 election with the thought in mind that the states would have come around with their own compliant legislation before the 1954 election.¹³

Congress was not to be hurried, though. Senator Theodore F. Green (D-RI), the same man who had cosponsored the 1944 Green-Lucas bill, and House Majority Leader John William McCormack (D-MA) introduced companion bills into the Senate and House of Representatives. The proposed bills included all of the recommendations of the APSA Commission report. Green was able to shepherd the bill through the Senate, where it was passed on June 20, 1952, but the bill had less fortune in the House of Representatives. Sent to the House, the bill was blocked by the House Rules Committee and allowed to die without floor debate. Once again, states’ rights arguments prevented action on an absentee voting proposal.¹⁴

The lack of legislative action and failure on the part of states to change their election laws led many defense officials to predict a “disappointingly small” turnout in the 1952 general election. The only real action from Congress was a resolution requesting that the Secretary of Defense, Robert A. Lovett, cooperate with the states to facilitate voting. Frustration on the part of the federal government with the inadequacy of state cooperation was revealed when an officer in the Armed Forces Information and Education Division was quoted by the *New York Times*: “every state has at least one gimmick and some have a half dozen.” Texas, for example, did not permit any member of the armed forces to vote, regardless of residence. Just two states, Michigan and Utah, liberalized their voting laws to make it easier for service personnel to vote by absentee ballot.¹⁵ Only about 15 percent of service personnel in the field voted in the 1952 general election.¹⁶

Dwight D. Eisenhower, newly elected president in 1952, decided to take action to break the deadlock in Congress before the 1954 general election. He opened the discussion in his January 7, 1954, State of the Union address. Toward the end of the speech, in a section entitled “Suffrage,” he expressed hope “that the States will cooperate with the Congress in adopting uniform standards in their voting laws that will make it possible for our citizens in the armed forces overseas to vote.” Reminding Congress that citizens between the ages of eighteen and twenty-one had been serving in the armed forces, he also asked Congress to propose to the states a constitutional amendment lowering the voting age to eighteen.¹⁷

On April 11, 1954, following the president’s request, the Eisenhower administration sent a letter asking Congress to work with states to liberalize their absentee voting laws. The letter proposed that a Federal Post Card Application be produced and distributed by the General Services Administration on behalf of the entire executive branch. Along with other recommendations, the letter asked states to relax some restrictions on registration and poll taxes. However, there remained in the proposal a recognition that anything proposed by Congress “would not be binding on the states, which prescribe their own voting requirements under the Constitution.”¹⁸ No action ensued before the 1954 general election.

Still pressing for action, President Eisenhower sent a letter to the state governors on February 7, 1955, asking them to adopt uniform absentee voting laws for servicemen located overseas. After reminding them that “various uniform provisions which were adopted by many States in their voting laws during World War II [had] lapsed or [had] been modified,” he noted that the “voting laws of three-quarters of the States fell short of the criteria established by in World War II as substantially necessary to assure effective overseas voting by service people.” He attached a copy of H.R. 3121, a bill

“to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise.”¹⁹

H.R. 3121 died in committee, but another bill, H.R. 3406, had been introduced on February 3, 1955. The bill was “to give servicemen permanent voting rights instead of restricting the privilege to wartime.” Despite requests to the Rules Committee to bring the bill to the floor for debate and action, that bill was also killed in committee.

H.R. 4038 was introduced on February 18, 1955. The bill made specific recommendations to states that would lead to military personnel and other citizens living overseas being able to vote. It was adopted on February 24, 1955, and sent to the Senate. As reported to the Senate, H.R. 4038 would repeal Public Law 712 (the 1942 act and the subsequent 1944 and 1946 amendments) and extend voting rights to federal employees working overseas. It also required the president to designate an executive agent to coordinate federal responsibilities required by the bill.

The Senate passed the bill on July 20, 1955, by voice vote with one amendment that would have retained the 1942 act’s restriction on poll taxes for military personnel. In conference committee, that amendment was rejected, demonstrating the still-powerful southern bloc in Congress. The Senate then passed the bill by voice vote on August 1, 1955, as did the House on August 2, 1955. H.R. 4038, the Federal Voting Assistance Act of 1955 was sent to the president for signature.²⁰ President Eisenhower signed the bill into law on August 9, 1955.

The involvement of the American Political Science Association was critical to the passage of the law. The recommendations of the Special Committee were well founded and resulted in useful legislation. Despite numerous amendments and changes to the law, the major points they made in 1952 remain in force today. While it would prove to be the only time an academic organization was specifically asked to provide direct advice on public policy related to military and overseas voting, subsequent “blue-ribbon” panels would engage academia in background research and policy advice.

The Federal Voting Assistance Act required the president to designate the head of an executive department as the coordinator of federal functions described in the law. President Eisenhower issued an executive order that gave Secretary of Defense Charles Erwin Wilson permission to further delegate within the Department of Defense. He subsequently delegated authority to the Assistant Secretary of Defense for Manpower, as coordinator of the Federal Voting Assistance Program (FVAP). The Director of the FVAP was responsible for ensuring that all overseas citizens, whether military personnel or employees of the federal government, were provided with the necessary information to be able to vote in all elections.²¹

However momentous, the Federal Voting Assistance Act was largely “recommendatory in form” and merely urged states to pass laws to permit service personnel easier access to absentee voting. There was little enforcement capability given to the federal government, and the law was largely limited to begging the states to change their laws. The law did expand the population covered by such absentee voting to include, along with the regular active-duty military services, the merchant marine, civilian government employees, and service organizations such as the United Services Organization (USO) and the American Red Cross (AMCROSS). It also, for the first time, specifically included spouses and dependents.²²

States were asked to provide a simpler form of registration for those desiring to vote by absentee ballot. Specifically, they were asked to create a uniform procedure for ballot application, mailing, and return to ensure that adequate time was allowed for transit of the ballots to and from the overseas voter. A standard postcard form, the Federal Post Card Application (FPCA) with free airmail postage, was provided to allow overseas voters an easier method of registering and requesting a ballot. Not all states permitted the use of the FPCA.²³

The newly established FVAP was required to report to Congress every two years following a general election. The first several reports told Congress that states were not in compliance with the recommended provisions of the law. FVAP reported difficulties in coordinating state-level legislative action supporting the Federal Voting Assistance Act. A significant issue complicating the ability to pass absentee laws was that some state legislatures only met every two years and even then it was just for short sessions, which limited what they could accomplish. Higher priority matters, such as state budgets and local concerns, pushed the recommendations of the Federal Voting Assistance Act to the backburner.²⁴

The immediate impact of the law was minimal, at least as measured by voter turnout among military personnel and citizens living overseas. The Federal Voting Assistance Program reported that an estimated 35.2 percent of eligible military voters cast ballots in the 1956 general election. Only 18.7 percent cast ballots in the 1958 midterm election, but 39.4 percent were reported to have voted in the 1960 presidential election. The turnout rate for the midterm election increased slightly for the 1962 election with 20.1 percent voting and a record 51.3 percent were reported to have voted in the 1964 presidential election.²⁵ The national turnout in 1964 was about 63 percent.²⁶

The reported turnout rates among military and overseas voters are likely significantly over-reported. The survey was of individuals who self-reported whether they voted.²⁷ Given the experience of the American National Election Study (ANES), when surveys were validated by voter

rolls in the 1970s and 1980s, as many as 20 to 30 percent of nonvoters reported to have voted. Other studies demonstrate over-reporting by 13 to 15 percent. None of the surveys conducted by the Federal Voting Assistance Program were validated against voting rolls, so the accuracy is in question. It is safe to say that the FVAP-reported voting turnout rates are significantly over-reported and must be reduced by some amount, perhaps by as much as 15 percent.²⁸

In addition to a low turnout rate, states were slow to change their laws to be compliant with the federal guidelines. The federal government had little ability to coerce the states other than to continue to impress upon them the importance of not disenfranchising those serving on active duty. By 1963, only twenty-three of the fifty states and the District of Columbia were in compliance with the law. Two years later, only three additional states had achieved the required provisions.²⁹

Of the states that required significant changes in their voting laws, limitations included requirements to register in person, no provision for spouses of service personnel, no provision for individuals other than active duty service personnel, no absentee voting in primary elections, insufficient ballot turnaround time provided, absentee voting restricted to only federal offices, or not recognizing the FPCA as a valid registration document. Virginia, Alabama, Mississippi, and Texas still required a poll tax in state elections, despite the ratification of the 24th Amendment to the Constitution and a series of lawsuits following the passage of the Voting Rights Act of 1965.³⁰

The combination of Congress passing laws broadening the voting franchise to African Americans along with a supportive Supreme Court seemed to energize any congressional action involving voting rights. By 1968, legislative attention turned to enfranchising overseas civilians and military voters. The number of Americans living and working overseas had increased substantially in the decades after World War II and politicians began to take notice.

The Republican National Committee (RNC) took steps before the 1968 general election to appoint absentee voting chairmen in forty-five states and the District of Columbia “to persuade servicemen away from home to register and vote by absentee ballot.” Simultaneously, an RNC-backed committee in based in Paris, France, was working to “get out the vote among the two million Americans living in Europe.”³¹ The Democratic Party, not to be outdone by its opponents, established Americans Abroad for Humphrey-Muskie, attempting to reach the overseas vote. The Democratic National Committee (DNC) established or sponsored committees in twenty-six countries, each of about ten volunteers, whose job it was to place advertisements in local newspapers and register Democrats to

vote. Even the military took steps to ensure that its personnel had access to the voting process. With nearly half a million service personnel in Southeast Asia, including Vietnam, the services established voter information stations in Laos, Thailand, and Vietnam.³²

In response to the increased attention, Congress passed Public Law 90–343 on June 15, 1968, amending and broadening the coverage of the 1955 Act. The categories of absent persons covered by the bill was changed by ensuring that all US citizens “temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them” could vote.³³ The “temporary” provision would cause further confusion and result in some overseas citizens not voting.

As with previous bills, the administration saw itself limited with respect to the states. President Johnson, in signing a statement accompanying the bill, said that it “encouraged [states] to provide a simplified system of absentee registration and voting.” After pointing out certain restrictions as to which government officials could administer oaths to overseas residents, he reiterated that the bills he signed were “merely recommendations to the States, and the States are under no obligation to accept them.” He used the occasion of the bill signing to further encourage Congress to act on other measures to protect “the plight of our disenfranchised voters here at home.”³⁴

As a result of Public Law 90–343, all states and the District of Columbia assumed that unless the overseas citizens could prove that they had plans to return to the United States, they had no intention of doing so. As a result, any individual not able to prove intent to return to his or her home state was declared to not have a domicile within in the United States and was therefore ineligible to register to vote or to cast a ballot. Several states were ambiguous in their provisions for an overseas citizen to register, and some states had no specific statute for an overseas citizen to vote. Two states, Alabama and Louisiana, still required registration to occur in person. The combination of ambiguous laws, burdensome registration provisions, and lack of specific provisions for overseas voters to cast a ballot increased confusion and likely reduced participation.³⁵

As the 1972 general election approached, it became increasingly clear that overseas citizens were going to find it difficult to vote. With many states specifically requiring overseas citizens to maintain a physical residence within their home state, many voters were not able to convince local election officials that they could register to vote. The large number of Americans assigned to work overseas by their employers for long periods of time found it to be an economic burden to maintain a residence in their home state. Unless an individual was willing potentially to perjure himself

by signing a statement that he intended to return to his home state, he could not vote. However, if the individual was a member of one of the uniformed services, a federal employee, or a dependent of either, most states would assume that the last state of residence was that person's legitimate voting domicile. Nevertheless, in many states, federal employees were generally not allowed to use the FPCA to register to vote.³⁶ As with the previous federal attempts to pass uniform legislation ensuring that uniformed personnel and overseas citizens could register to vote and actually cast a ballot, the matter was still firmly in the hands of each state and its own absentee voting laws.³⁷

The Tea Bag Campaign

On January 15, 1975, drawing on twenty years of experience, including the Vietnam War, Senator Charles Mathias (R-MO), introduced S. 95, a bill to abolish the domicile and residency requirements of previous legislation that had been preventing overseas citizens from voting. The bill was cosponsored by a bipartisan group of senators, including Claiborne Pell (D-RI) and Barry Goldwater (R-AZ).³⁸ Citing the frustration experienced by some overseas American citizens that they were required to pay taxes based on their US citizenship yet were unable to vote, even in federal elections, Senator Mathias testified before the Subcommittee on Elections:

The purpose of the legislation which you are considering is to correct those practices and procedures which have resulted in the fact that some 750,000 American civilians residing abroad still are barred from participating in Presidential or Congressional elections. Those civilians include thousands of businessmen, as well as church officials, teachers, lawyers, accountants, engineers and other professional people serving the interests of their country abroad and subject to U.S. tax laws and the other obligations of American citizenship.³⁹

The bill moved fairly quickly through the Senate. The Senate Committee on Rules and Administration debated it briefly then reported it favorably to the full Senate for action on May 13, 1975. The bill was passed two days later.⁴⁰ The House of Representatives was not as efficient in its action.

Passed to the House of Representatives for action, the bill went to the House Committee on House Administration, which had been considering H.R. 3211, the companion bill sponsored by Congressman John H. Dent (D-PA). H.R. 3211 had been introduced in the House on February 19, 1975. By the fall of 1975, the bills were seemingly stalled in endless hearings. Former ambassadors Charles Bohlen, Arthur Goldberg, Averell Harriman, and George H. W. Bush testified and recommended passage.⁴¹

Frustrated with the apparent lack of action, overseas citizens began to actively lobby Congress. The Bipartisan Committee on Absentee Voting, a Paris-based group of Americans living overseas, began to work with Senator Mathias and convinced him to introduce the bill that would ultimately become S. 95. The Bipartisan Committee joined with two other overseas citizens organizations, the Federation of American Women's Clubs Overseas (FAWCO), a longstanding organization that had been in existence since 1931, and the newly organized Association of Americans Resident Overseas (AARO). AARO, headquartered in Paris, had been founded in 1973 as a direct result of the introduction of S.95. Combining its forces with the support of the American Chamber of Commerce in France that provided office space, the two organizations began a grassroots letter-writing campaign.

FAWCO and AARO quickly learned a recurring lesson about overseas citizens—it was difficult to find them. However, by working with the FAWCO clubs throughout Europe and other local organizations like church groups, DOD schools, and veteran organizations, the two organizations expanded their reach. Many overseas citizens did not know who their congressman was let alone the mailing address for the letter-writing campaign. FAWCO and AARO provided the necessary information and encouraged overseas citizens to participate.

In the fall of 1975, former president of FAWCO Sonja Minçbère was in the Chamber of Commerce offices helping to work on the campaign. Stopping for a traditional afternoon cup of tea, “Sonja picked up her tea bag, waved it around and said ‘Tea Party, Boston!’” The Tea Bag Campaign had been born.

The group quickly wrote up a message on AARO stationery:

In 1773 there was a tea party in Boston Harbor because of no representation.
 In 1975, we mail you this tea bag because of the Overseas Voters Right Act,
 So that in 1976 we will be able to vote for you.
 Support H.R. – 3211 and S. -95

The cover letter instructed overseas citizens to staple a tea bag to the card and address the letter to their congressmen. The Chairman of the House Administration Committee noted that the mail on the overseas voting rights issue exceeded all other issues. While the committee had received perhaps one letter on one topic and a dozen or two on another, “but as to overseas voting, we received 382 letters, by far the greatest number of letters that the Committee has received on any and all topics that we have received mail about this year.”⁴²

After six months of work in committee, including an amendment, the bill was finally called to the floor by special rule on December 10 and passed by a vote of 374–43.⁴³ The next week, on December 18, the Senate concurred with the House Amendment and sent the bill to the president for signature.

However, despite the strong lobbying by the overseas citizens groups, the Justice Department was strongly opposed to the bill and recommended that President Gerald Ford veto it. Antonin Scalia, then a legal counsel to the assistant attorney general, argued that it opened the door for increased election fraud and that it was “unfair to permit a person who might have no knowledge or interest in the state in which he was formerly domiciled to cast a vote in that state.”⁴⁴

Gene Marans, a representative of the Bipartisan Committee on Absentee Voting approached Senator Barry Goldwater (R-AZ), a World War II pilot and a major general in the Arizona Air National Guard. Goldwater was also frustrated with the slow response. An outspoken cosponsor of S. 95, he contacted the White House chief counsel Philip W. Buchen with a strong message: “Listen you ___ fools! There are more Republicans in Paris than there are in Detroit! And Ford doesn’t want to be the first President to veto a voting rights bill since the Reconstruction.”⁴⁵ The dam was broken, and President Gerald Ford signed the Overseas Citizens Voting Rights Act of 1975 into law on January 2, 1976.

The law was the first that officially recognized that large numbers of American citizens lived overseas and they had a right to participate in elections back home. The law guaranteed absentee registration and voting rights for citizens outside the United States regardless of whether they maintained a US residence or address. Specifically, it provided that overseas citizen could vote in the state in which he (or she) was “last domiciled immediately prior to his departure from the United States.” To clarify earlier confusion, the law removed any requirement for the overseas voter to have maintained a “place of abode or other address in such State or district” and removed any need for statements of an intention to return to the United States.

States were required to pass laws that permitted absentee registration, thus removing the need for registration in person. The Overseas Citizens Voting Rights Act of 1975 also required that states permit casting of ballots by citizens living outside the United States for all federal elections. There was no mention of requiring these provisions for state and local offices. The attorney general was permitted to take action in a federal district court in the event any state or election district might deny anyone the right to register or vote in a federal election. The law also provided for penalties should a voter submit false information in order to vote under the act.⁴⁶

UOCAVA

No significant legislative activity occurred for the next ten years. The right for military personnel to vote had been cemented in policy as important, and the right to vote by Americans living overseas was also recognized. Ronald Reagan was elected president in 1980 and again by a landslide in 1984, largely on a platform that emphasized a growing military and increased overseas military presence. Congressmen and senators were finding increasing numbers of military personnel within their constituencies as well as military bases being expanded within their districts. Growing support for ensuring that military personnel, as well as the growing overseas American population could participate in the upcoming 1988 general election led to interest in fine-tuning the Overseas Citizens Voting Rights Act of 1975.

On March 12, 1986, Congressman Al Swift (D-WA) introduced H.R. 4393 to “consolidate and improve” absentee registration and voting provision for overseas residents and service personnel. Named the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA), the bill had 101 cosponsors from both political parties. Senator John Warner (R-VA) introduced a companion bill, S. 2539, on June 10, 1986. Eventually, the bill collected fifty-eight cosponsors of both parties. Unlike the slow action experienced in 1975, both bills moved quickly through Congress. The House passed the bill on August 12 and sent it to the Senate, which passed the bill by voice vote on August 15. President Ronald Reagan signed the bill into law on August 28, 1986.⁴⁷

The Uniformed and Overseas Citizens Absentee Voting Act of 1986 repealed the Federal Voting Assistance Act of 1955⁴⁸ as well as the Overseas Citizens Voting Rights Act of 1975.⁴⁹ The Federal Voting Assistance Program was retained along with a new requirement for the president to designate a cabinet officer to be primarily responsible for the provisions of the law. President Reagan signed Executive Order 12642 on June 8, 1988, assigning the secretary of defense as the “presidential designee” under Title I of the act. He authorized the secretary of defense to delegate authority within the Department of Defense.⁵⁰ The Director of the Federal Voting Assistance Program (FVAP) subsequently became the responsible individual.

UOCAVA further updated the earlier acts of Congress and clarified rights for overseas citizens as well as military and other government personnel assigned overseas. Specifically, it provided for the unrestrained ability to vote. It directed states to provide overseas personnel with the opportunity to vote in elections for federal offices, including general, primary, special, and runoff elections and to permit the use of the Federal Write-in Absentee Ballot (FWAB) in general elections for federal offices.⁵¹

The act renewed the requirement that the president report to Congress on the effectiveness of the program following each election.

There is evidence that participation by overseas military personnel in elections increased since the passage of UOCAVA. However, as already noted, FVAP-reported success has likely been exaggerated. Reports by the Government Accountability Office recommended action plans to increase effectiveness of overseas voting initiatives and to provide for more rigorous statistical analysis of overseas and military voter participation.⁵² Studies by the Overseas Vote Foundation report showed continued frustration on the part of overseas voters as to the difficulty in obtaining balloting materials in time to vote, and a general lack of knowledge as to how to find out where to find the necessary information.⁵³

UOCAVA was the landmark piece of legislation that put military and overseas voters on the election map. Along with a reasonably pronounceable acronym that has become a word of its own, it marked a milestone in both federal and state cooperation in coordinating voting processes. The vociferous objections of southern and other states' rights politicians had faded away. Attitudes about the nature of the military voter had changed in a more positive direction, as had the recognition that Americans living overseas had a right to participate in elections. However, more needed to be done—and the election of 2000 highlighted the missing pieces.

CHAPTER 7

Barriers and Disenfranchisement: The MOVE Act

Participation by American military personnel in elections has been minimal for most of the history of the United States. Prior to World War II, with the exception of the Civil War, the principal reason for that lack of participation was disinterest, either active or passive, on the part of the public, politicians, and legislators. Military personnel during that period were often isolated from the public and had little incentive or opportunity to vote.

During World War II, the resistance to expanding the ability for military personnel to vote was due to the same partisan political concerns seen during the Civil War as well as racist and white supremacist motivations. The primary reason for resistance today is wide variance in state laws that present legal and practical barriers to remotely stationed military personnel. The result is that those barriers restrict practical access to a ballot and present a *de facto* disenfranchisement of the military voter.

While the federal government began action to reduce those barriers during World War II—and some progress was made possible by the Federal Voting Assistance Act of 1955 and subsequent amendments—it was only with the passage of the Uniformed Overseas Citizens Absentee Voting Act (UOCAVA) in 1986 that the substantial progress promised began to be noticed. However, the general election of 2000, and in particular, the issues surrounding the counting of absentee ballots in Florida, focused further attention on the problem and spurred serious action by both the federal government and the states.

The controversy surrounding the fate of overseas military absentee ballots in the 2000 presidential election in Florida, marked by the Democratic Party's initial strategy to encourage the disqualification of those ballots, highlighted an assumption that those votes were disproportionately in

favor of the Republican candidate. The Republican Party's reaction, to insist that all of the ballots be counted, indicated a similar assumption on their part.

Controversy over the handling of the military vote, rather than being resolved after the 2000 election, has increased in recent years. In particular, the methods by which absentee ballots are distributed, returned, handled, and counted by election authorities have been at the center of growing attention from the press as well as from military and civilian governmental officials. The assumptions generated by the Florida presidential election in 2000 provide the most notable case, but concerns over military voting have since become a recurring phenomenon, with instances reported in the 2004, 2006, and 2008 elections.¹

Given that a high percentage of the overseas absentee ballots come from active-duty military personnel and their families, such issues raise questions as to how absentee ballots are treated by various state laws and how they are handled by local election officials. The subsequent Help America Vote Act (HAVA) of 2002, passed in response to the voting issues of the 2000 general election, improved matters, but *de facto* disenfranchisement of military personnel, particularly those stationed or deployed outside the boundaries of the United States, remained a reality.

After 9/11 and the rapid expansion of American military personnel—especially those in the army—being assigned overseas, concern about military personnel having access to voting expanded. The midterm election of 2002 occurred too soon after military operations began for action to be taken, but the approach of the presidential elections of 2004, along with the sudden increase in deployed soldiers following the 2003 invasion of Iraq, prompted serious interest in assuring that those service personnel could vote.

Efforts were made to find ways to permit deployed service personnel to vote electronically. The Federal Voting Assistance Program (FVAP) had already been promoting the Voting Over the Internet (VOI) pilot project as an attempt to solve the issue. Begun in the late 1990s, VOI was a proof of concept project designed to see whether Internet voting was feasible for deployed military personnel and other overseas voters. Four states participated in the project and agreed to use it for the 2000 general election.²

The results of the experiment demonstrated that such a method was feasible. However, while the project assessment found no major problems, the conclusion was that the system was not mature and required further development before considering large-scale deployment.³ A similar but larger attempt at Internet voting for UOCAVA voters was planned for the 2004 general election, one that would involve fifty counties in seven states. Following a subsequent security review that warned of vulnerability to

cyber-attack and other security issues, the Department of Defense cancelled the project.⁴

In January 2009, the Pew Center on the States published a landmark study, *No Time To Vote*, that caught the attention of Congress. The study found that overseas and military voters faced serious obstacles to being able to cast a valid ballot in elections. After reviewing the election laws in all fifty states and the District of Columbia, Pew reported that “those who may have voted successfully last fall [2008] did so in the face of procedural hurdles and tight deadlines in half the states and Washington, D.C.”⁵ Some states had their ballots prepared as little as twenty-one days before Election Day.

As illustrated by the Pew report, absentee voting involves four steps, each of which takes time. First, the voter must register to vote and request a ballot. Second, the local election official must validate the registration request and send the blank ballot to the voter. Third, the voter must receive the ballot and complete it. And fourth, the ballot must be transmitted back to the correct election jurisdiction for counting.⁶ Each step often involved multiple actions, each of which is a potential failure point.

Registration and requesting a ballot was, in most cases, actually a two-step process. In thirty-seven states and the District of Columbia the voter was required to register and wait for approval before being able to request an absentee ballot. Thirteen states waived the registration requirement, which shortened the process considerably.⁷ Use of the Federal Post Card Application (FPCA) would have avoided the two-step process, as all states recognized it as a simultaneous registration and ballot request form. However, many overseas and military voters were either unaware of the FPCA or confused about its use.

Wide variation existed in how soon local election jurisdictions were able to mail out blank ballots. While some states were able to have ballots available sixty days before an election, others were able to send ballots out in as few as twenty-one days. Electronic delivery was permitted by most states, but thirteen states required the entire process to be accomplished by mail.⁸

The process of completing the ballot and returning it was hampered in the case of the eight states that required the ballot to be signed by a witness or notarized. That requirement was reminiscent of laws passed during the Civil War and World War II requiring ballots to be countersigned by a commissioned officer or a locally appointed election judge. While notarization, in and of itself, was not particularly difficult, it did add an additional step in the voting process that likely dissuaded some from completing the process.⁹

Return of the ballot to the appropriate jurisdiction was generally accomplished by mail. In the case of overseas military personnel, it was most often by the Military Postal System Agency (MPSA). While mail delivery from overseas military bases and for civilians located in developed countries is usually quite timely, for those stationed at remote locations or on ships at sea, mail could be delayed by several days or weeks. Some states permitted electronic return of a marked ballot, but most did not.

The Federal Write-in Absentee Ballot (FWAB) was designed for overseas and military voters who had requested state ballots but had not received them in time. In those cases, the voter could obtain the FWAB, write in their preferences, and send it back to their home county. However, the use of the ballot is restricted to voting for president, vice president, US senator, and US representative. While all states accepted the FWAB as a valid ballot, many submitted FWABs were rejected by local election officials who found that the voter had either not filed a Federal Post Card Application or had otherwise failed to register to vote. Apparently, many overseas and military voters assumed that the FWAB would suffice as an emergency ballot even if not previously registered to vote. Multiple surveys report a high rate of confusion among overseas and military voters about how to use the FWAB.¹⁰

Spurred by polls reporting that 96 percent of Americans wanted military and overseas voters to be able to vote and that 81 percent of Americans were in favor of “creating a uniform national set of rules for military and overseas voters,” Congress responded by enacting the Military and Overseas Voter Empowerment (MOVE) Act in 2009. The MOVE Act attempted, through four primary provisions, to solve the problem by:¹¹

- Eliminating the requirement for notarization of overseas ballots
- Requiring all states to make voter registration at applications for absentee ballots available electronically along with a Federal Write-In Absentee Ballot in case the official ballots do not arrive in time
- Requiring overseas and military voters to reregister for each election cycle instead of every two election cycles
- Requiring all states to make provision to have ballots available for sending to overseas and military voters at least forty-five days before the scheduled election day

The MOVE Act requirement to have ballots available forty-five days prior to the scheduled election date has been or is being implemented across all states with relatively minor issues remaining to be resolved. In general, delivery of the blank ballot to the voter has been solved. All states now permit electronic transmission, including fax or email, of a blank

ballot to the overseas voter.¹² A recent survey of overseas voters indicates increasing satisfaction with the use of such means of obtaining the blank ballot.¹³ For the 2012 general election, about half of UOCAVA ballots were transmitted electronically.

Returning the marked ballot to the local election official is the most serious problem and requires further work to enhance convenience, speed, and ultimate accuracy in counting. Besides ballots returned as undeliverable, many ballots returned from overseas or military voters are rejected for late arrival, missing signatures, or other administrative errors. Voters using the electronically provided blank ballot are often confused by the instructions as to how to return the marked ballot. Local election officials report receiving returned ballots in various nonstandard forms.¹⁴ Ballots returned in such conditions increase the likelihood of error in transcribing the ballot for submission for counting.

Table 7.1 shows ballot return data for the general elections from 2006 through 2012. The rate of ballot return by UOCAVA voters in 2012 was about the same as it was in 2008. The proportion of returned ballots rejected for any reason decreased slightly, perhaps indicating more familiarity with the process by the overseas voters.¹⁵

Ballot Delivery/Transmission

Getting blank ballots to overseas nonmilitary voters is not a serious problem. US and international mail services can usually deliver a ballot in under a week and often in just a few days. There does appear to be a problem with delivery of mail to military personnel deployed outside the United States, particularly to personnel stationed in hostile fire zones. The

Table 7.1 UOCAVA data summary for elections, 2006–2012

	2006	2008	2010	2012
Overseas eligible voters	4,417,527	4,972,217	4,972,217	4,737,600
UOCAVA ballots transmitted	992,034	989,208	611,058	876,362
UOCAVA ballots returned	333,179	680,463	211,749	606,425
Ballots returned	33.6%	68.8%	34.7%	69.2%
UOCAVA ballots rejected	89152	43247	14,359	33,762
Returned ballots rejected	26.8%	6.4%	6.8%	5.6%
UOCAVA ballots counted	244,027	637,216	197,390	580,813
Transmitted ballots counted	24.6%	64.4%	32.3%	66.3%
Returned ballots counted	73.2%	93.6%	93.2%	95.8%
Overseas voter turnout	7.5%	13.7%	4.3%	12.8%

Source: Overseas eligible voters—United States Election Project (McDonald).

UOCAVA ballot numbers— Election Assistance Commission Annual UOCAVA reports for 2006, 2008, 2010, and 2012.

US Postal Service Administration has demonstrated that it can routinely deliver mail from the United States to Bagram Air Force Base in Afghanistan in four days. However, the Military Postal Service Administration is reported to have difficulty in forwarding mail in a timely manner to army soldiers, particularly if the soldier is in the field or has been reassigned recently.¹⁶

As noted before, transmission of blank ballots to overseas and military voters by electronic means has been generally accepted as appropriate and reasonably secure.¹⁷ All states permit such delivery now. There is wide variance in methodology, however, and some study is necessary to discover whether there are significant differences in accuracy, convenience, and security.

Ballot Return

The most common reason for rejection of UOCAVA ballots is late arrival. However, states are not consistent in how they handle ballots that arrive late. For example, Texas permits ballots mailed from overseas addresses to be accepted up to five days following Election Day while Florida permits them to be accepted up to ten days after the election. Minnesota does not permit any ballots arriving after Election Day to be counted. Consistency among states will help military voter assistance offices provide useful information to deployed military personnel.

Election administrators interviewed for this study were generally of the opinion that ballots returned from overseas should be accepted as valid as long as there is reasonable evidence that the ballots were mailed from overseas and received in the election office within some reasonable time after the election. Most believed that accepting the ballot after the date of the election was reasonable as long as it was likely that the ballot was completed prior to the election deadline. Additionally, many returned ballots have other tracking information attached that would permit the local election official to determine easily when the ballot was mailed.

Assisting military personnel in remote locations to return ballots by electronic means has been adopted by nearly half of the states. Other states have been resistant to permitting electronic balloting, largely on security grounds. The concern is about security of the ballot as well as attempting to preserve the secret ballot concept. However, states are increasingly recognizing that military personnel pose a special case for the return of a ballot, and local experimentation in electronic return of marked ballots is being examined.¹⁸

UOCAVA ballots, as well as absentee ballots in general, are handled differently from ballots cast in a local precinct. Since most states use

specially designed forms that can be scanned to retrieve the voter's data, the UOCAVA and absentee ballot information must be transcribed from the mailed paper to the appropriate form. Absentee ballot boards, usually consisting of at least two people and party observers, take each ballot and transcribe the information onto the official form by hand. This opens the increased likelihood of human error. Under most circumstances, states require local election officials to wait at least until Election Day before permitting the absentee ballot board to open and begin processing the ballots.¹⁹ One of the best practices recommended by the Presidential Commission on Election Administration (PCEA) was for states to adopt technology that would increase use of barcodes to enhance accuracy of transcribing UOCAVA ballots for counting. A promising technology is an active PDF file that, once completed by the voter, converts the votes cast into a barcode that can be scanned at the local election office.

Ballot Rejection

Approximately one-third of UOCAVA ballots are returned as undeliverable due to bad addresses. But the principal reason for rejection of a returned ballot submitted for counting is missing the state deadline.²⁰ In 2010, about one-third of all rejected ballots were set aside for this reason, down from 43 percent in 2008. However, in 2012 over 40 percent of rejected ballots arrived too late for counting.

The second most common reason for rejection is a problem with the voter's signature—either no signature, an incorrect signature, or the signature did not match the one on the Federal Post Card Application or registration certificate. In 2012, about 14 percent were rejected for this reason. Additionally, a small number are rejected due to lack of a postmark (see table 7.2).

Federal Write-in Absentee Ballot

Substantial confusion exists among military and overseas voters about how to use the FWAB. FWABs submitted for counting at local election offices

Table 7.2 Reasons for UOCAVA ballot rejections, 2008–2012

	2008	2010	2012
Not received on time or missed deadline	43.7%	32.4%	40.4%
Problem with voter signature	10.7%	7.1%	14.2%
No postmark	2.2%	0.2%	1.7%

Source: Election Assistance Commission UOCAVA reports for 2008, 2010, and 2012. The report for 2006 not included due to incomplete data collected by the EAC for that election.

are rejected about one-third of the time. The usual reason they are rejected is that no FPCA exists; in other words, the voter did not register to vote. It appears that many voters assume that the FWAB can be submitted at a later date as an emergency ballot with no need to have registered. While twenty-four states permit the FWAB to be used as both a registration and a voting instrument, laws vary as to the elections for which they can be used.²¹ All states permit the FWAB to be used as a ballot, but some restrict the use to federal elections while others allow them in state and local elections.

Partisan Issues

There is no credible evidence to suggest that partisan politics has interfered with the enfranchisement of overseas and military voters. Indeed, considerable evidence indicates that state legislatures and election administrators are taking extraordinary care to ensure that all UOCAVA votes are counted.²²

Voter Efficacy

A core problem with low participation is related to the age of most military personnel. About 65 percent of all active-duty military personnel are under the age of thirty, and about 77 percent of active-duty enlisted personnel are also under the age of thirty.²³ The eighteen-to-twenty-nine-year-old age group has been shown to have the lowest probability of voting. Any efforts to increase the likelihood of military personnel voting must take the general low political efficacy of this age group into account. However, recent research has revealed that military personnel in this age group may have a higher political efficacy than do civilians in the same age group.²⁴

Military Voting Assistance Offices

The MOVE Act required the Department of Defense to establish military voter assistance offices at all military installations. While this was accomplished in many cases, the DOD Inspector General reported that the system was not fully functional in time for the 2012 general election. Congress did not provide additional funding for the offices, and as a result, many were underfunded or not established at all. The DOD Inspector General questioned whether having offices on military bases was the best way to reach military voters. “The biggest population segment in the military are eighteen- to twenty-five-year-olds, who have the lowest voting turnout. Placing [voting-assistance offices] on all geographically separated

installations worldwide may not be the most effective way to reach that age group.” The DOD IG recommended that the FVAP develop a legislative proposal to request relief from the MOVE Act. FVAP recommends a program that invests in “intuitive, easy-to-use web-based tools” rather than voting assistance offices to increase effectiveness and reduce cost.²⁵

The DOD IG’s follow-up in April 2013 reported that the services had established voting assistance offices and staffed them. The report noted outdated regulations and a lack of accommodation for new technological advances. Specifically, the DOD IG recommended that FVAP enhance its survey tool to ensure both a higher response rate and that the correct metrics were being used to collect adequate data on military voter response.²⁶

A principal problem for military voting assistance offices is the wide variation in state election laws. It is difficult for even the most energetic assistance officer to stay up-to-date on what is required in each state. Local unit collateral duty voting officers are even less likely to fully comprehend the details. Local election officials continually report having to deal with military voters who have received inaccurate information from such sources.

The Presidential Commission on Election Administration

In response to continued complaints about election problems, in 2013, President Obama issued an executive order establishing the Presidential Commission on Election Administration.²⁷ The commission was charged, in part, to “improve the experience of voters facing . . . obstacles in casting their ballots, such as members of the military [and] overseas voters.” Specific consideration was directed toward, among other matters, “voting accessibility for uniformed and overseas voters” and to look at “issues presented by the administration of absentee ballot programs.”²⁸

The PCEA met through the summer of 2013, and numerous organizations and individuals testified to a broad array of problems and potential solutions. While the commission dealt with a wide range of election-related issues with respect to military and overseas voters, their work centered around three main issues: first, getting registered to vote while out of the country; second, obtaining an unmarked official ballot; and third, being able to return the marked ballot in a timely manner. Since each state has its own peculiar set of election laws, there is little standard on how each of the listed problems is handled. In the case of overseas citizens and military personnel stationed away from their home jurisdictions, finding out how to access the information is seemingly overwhelming to many and results in nonvoting.

The commission released their report in January 2014. While the PCEA was not tasked to recommend changes to federal election laws, it did make some specific recommendations to states as to how best to administer the overseas and military vote. In order to solve the time delay in registering to vote, states were encouraged to use online voter registration tools. To resolve the issue of missing or late ballots, the PCEA recommended that online tracking of absentee ballots be implemented in all states. Such tracking would permit absentee voters to verify the status of their ballot from when it is mailed to them until it is returned to the local jurisdiction.

The PCEA specifically recommended that states provide all registration and ballot materials by means of a secure website. In order to alleviate the problem of FWABs being rejected due to the voter not being registered, the PCEA urged a best practice of considering the FWAB as a valid voter registration application. To mitigate the chance of human error while transcribing an absentee ballot onto the official form, the commission recommended that overseas and military voters be supported by a means that permits them to create a barcode on their ballots. The barcode could then be scanned at the local jurisdiction, resulting in a higher likelihood of accurately counting the ballot.²⁹

Remaining Issues

The problems faced by the UOCAVA voter have been reduced. However, much remains to be accomplished. Particularly, standardization among states as to when they will accept an absentee ballot for counting will help. All states should consider extending the deadline for receiving absentee ballots from UOCAVA voters to a date after the day of the election, perhaps as long as ten days. Again, some states have already done this and report good results.

Military voting assistance offices have not been adequately staffed, nor are they adequately supported by military commanders to provide the necessary, accurate information to military voters. While progress has been made, the PCEA specifically recommended that the current law establishing these offices be fully enforced in order to provide important support for military voters. Reports from military advocacy groups indicate that the offices can provide useful help, but are too often unused by service personnel due to lack of knowledge of the existence or location of the offices. For example, on Camp Pendleton, a US Marine Corps base in California, the voting assistance office might be located thirty miles from where an individual marine is actually stationed.³⁰

State election authorities are taking UOCAVA and the MOVE Act seriously. Local election officials overwhelmingly go out of their way to ensure

that overseas votes are counted. While some organizations are worried that the requirement for mailing requested overseas ballots at least forty-five days prior to the election is not being met in all instances, local election officials are meeting the deadlines with rare exceptions.

When the deadlines are not met by local officials, state-level officials are paying attention. For example, in September 2014, Texas state election director Keith Ingram discovered that Harrison County, Texas, had twelve overseas ballot requests (Federal Post Card Applications) on which no action had been taken. The county official was warned that immediate correction was needed or the US Department of Justice would be notified. Ballots were eventually mailed to the applicants, but the ballots were late. The county judge investigated to determine whether the county election administrator should be relieved of duty for failure to take sufficient care.³¹

The counties with the lowest rate of UOCAVA ballot rejection take the time to investigate each instance before denying a ballot. However, that requires sufficient time, funding, and staffing, which many counties, especially the smaller ones, do not have. King County, Washington, and Escambia County, Florida, were reported to have had the lowest rates of overseas ballot rejections in recent elections. Studies funded by the Federal Voting Assistance Program in conjunction with the Council of State Governments are trying to determine lessons learned and best practices. Providing electronic voter databases, as recommended by the PCEA, will assist with that process.

While no evidence exists of any active effort to disenfranchise the UOCAVA voter, practical barriers do exist. Further action by states to mitigate those barriers is necessary. Federal guidelines can provide states with recommended solutions, but constitutional restraints limit how far Congress can go in directing state election laws. The trends in supporting the UOCAVA voter are in the right direction, but efforts to enfranchise the overseas and military voter must continue. Pressure on state legislatures by interest groups is effective and generally well-received by both political parties.

CHAPTER 8

American Civil-Military Relations

The basic question underlying this book is: How have military personnel been treated when it comes to permitting them to vote, especially if they were in the field or otherwise deployed away from their home precincts? Related to that is the question of the relationship between Americans and their armed forces. The unevenness of that relationship speaks much to how elected officials have decided to resolve the issue of whether to grant service personnel the right to vote in absentia.

Part of the issue about enfranchising military personnel rests in the question of whether there is a civil-military gap. Do military personnel behave differently than civilians when it comes to voting, especially in partisanship and ideology? Also, do military personnel have such differing views about political matters that it might be dangerous to permit them to participate in electoral matters?

Most recent research centered on the officer corps, a more highly educated, more white, and more male population than is the case with enlisted personnel. Since officers only make up about 15 percent of personnel, more research and understanding of the other 85 percent would appear to be important.

The theoretical debate and critical concern about the civil-military gap has centered less on whether such a gap ought to exist but rather whether it is possible for the gap to be too wide. The assumption is that too large a gap might threaten effective civilian control of the military. Even more specifically, is there such a wide difference between civilians and military citizens that they vote differently?

This chapter will begin by exploring the similarities, differences, and relationship between the civilian and military worlds and will go a long way toward putting military voting into context. It will address several issues. First, what did the founding fathers think about civil-military

relations, and what insights are gained from their ideas by reviewing the *Federalist Papers*? Then, what are the principal theoretical debates in the field that explain the different aspects of American civil-military relations, and, in particular, what do the works of Huntington and Janowitz reveal?¹ What are the important characteristics of the military and civilian worlds, and what are the primary issues that drive and constrain relations between them?

The next section will start with an examination of the “Cold War Puzzle,” the failure of Huntington’s theory to explain adequately what actually occurred in American civil-military relations, and the resultant agency theory alternative. Then, after a glance at issues arising from the Vietnam War, the chapter will explore the so-called Post-Cold war crisis with an in-depth look at the literature of the apparent “culture gap” between the civilian leadership and the military.

Liberal Theory and the Founding Fathers

At the heart of civil-military relations is the problem of how a civilian government can control and remain safe from the military institution it created for its own protection. A military force that is strong enough to do what is asked of it must not also pose a danger to the controlling government. This poses the paradox that “because we fear others we create an institution of violence to protect us, but then we fear the very institution we created for protection.”²

The solution to this problem throughout most of American history was to keep the standing army small. While armed forces were built up during wartime, the pattern after every war up to and including World War II was to demobilize quickly and return to something approaching prewar force levels. However, with the advent of the Cold War in the 1950s, the need to create and maintain a sizable peacetime military force engendered new concerns of militarism about how such a large force would affect civil-military relations in the United States. For the first time in American history, the problem of civil-military relations would have to be managed during peacetime. Maintaining a large standing armed force during peacetime also changed how Americans and politicians viewed voting by military personnel.

The men who wrote the Constitution of the United States were fearful of large standing armies, legislatures that had too much power, and, perhaps most of all, a powerful executive who might be able to wage war on his own authority—each posed dangers to liberal democracy and a free citizenry. While it is often impossible to “gauge accurately the intent of the Framers,”³ it is nevertheless important to understand the motivations and

concerns of the writers with respect to the appropriate relationship between civil and military authority. The *Federalist Papers* provide a helpful view of how the framers understood the relationship between civil authority, as represented by the executive branch and the legislature, and military authority.

In *Federalist* No. 8, Alexander Hamilton worried that maintaining a large standing army would be a dangerous and expensive undertaking. In his principal argument for the ratification of the proposed constitution, he argued that only by maintaining a strong union could the new country avoid such a pitfall. Using the European experience as a negative example and the British experience as a positive one, he presented the idea of a strong nation protected by a navy with no need of a standing army. The implication was that control of a large military force at best is difficult and expensive and at worst, invites war and division. He foresaw the necessity of creating a civilian government that kept the military at a distance.

James Madison, another writer of several of the *Federalist Papers*, expressed his concern about a standing military in comments before the Constitutional Convention in June 1787:

In time of actual war, great discretionary powers are constantly given to the Executive Magistrate. Constant apprehension of War, has the same tendency to render the head too large for the body. A standing military force, with an overgrown Executive, will not long be safe companions to liberty. The means of defense against foreign danger, have been always the instruments of tyranny at home. Among the Romans it was a standing maxim to excite a war, whenever a revolt was apprehended. Throughout all Europe, the armies kept up under the pretext of defending, have enslaved the people.⁴

Coming from a tradition of legislative superiority in government, many were concerned that the proposed Constitution would place so many limitations on the legislature that it would become impossible for such a body to prevent an executive from starting a war. Hamilton argued in *Federalist* No. 26 that it would be equally as bad for a legislature to be unfettered by any other agency and that restraints would actually be more likely to preserve liberty. James Madison, in *Federalist* No. 47, continued Hamilton's argument that distributing powers among the various branches of government would prevent any one group from gaining so much power as to become unassailable. In *Federalist* No. 48, however, Madison warned that while the separation of powers is important, the departments must not be so far separated as to have no ability to control the others.

Finally, in *Federalist* No. 51, Madison argued that to create a government that relied primarily on the good nature of the incumbent to ensure

proper government was a folly. Institutions must be in place to check incompetent or malevolent leaders. Most importantly, no single branch of government ought to have control over any single aspect of governing. Thus, all three branches of government must have some control over the military, and the system of checks and balances maintained among the other branches would serve to help control the military.

Hamilton and Madison thus had two major concerns: (1) the detrimental effect on liberty and democracy of a large standing army and (2) the ability of an unchecked legislature or executive to take the country to war precipitously. These concerns drove American military policy well into the twentieth century. Until the 1950s, the maintenance of a large military force by the United States was an exceptional circumstance and was restricted to times of war. The decision to maintain a large standing army following the Korean War marked an unprecedented change that would impact not only relations between the government and the military but also that between civilians and military personnel.

Institutional and Convergence Theories

In 1945, the United States began a demobilization of the massive military force that had been built up during World War II. Strong public and bipartisan pressure succeeded in forcing the government to bring American soldiers home and reduce the size of the armed forces quickly. Strikes and even some rioting by military personnel at overseas bases in January 1946 pressured President Truman to continue the process despite growing concern about the Soviet Union and an increasing recognition that the United States was not going to be able to retreat into the isolationism of the prewar years. Attempts in Congress to continue conscription to provide a trained reserve as a replacement for a large standing military force failed and, in 1947, the World War II draft law expired.⁵

By the summer of 1950, the armed forces of the United States had fewer than 1.5 million personnel on active duty, down from a high of 12 million in 1945. By the next year, however, in response to North Korea's invasion of South Korea, the size of the US military was again on the rise, doubling to more than 3.2 million personnel. Reaching a high of 3.6 million in 1953, the total number of personnel on active duty in the US military never again dropped below 2 million during the forty-plus years of the Cold War. After the fall of the Berlin Wall and the collapse of the Soviet Union, the size of the active-duty force had, by 1999, dropped to just under 1.4 million personnel. As of December 31, 2014, a total of 1,321,731 men and women remain on active duty in the Department of Defense, plus another 40,024 in the US Coast Guard.

The size of the US military in the latter half of the twentieth century, unprecedented in peacetime, caused concern in some circles, primarily due to the potential effect of maintaining such a large force in a democratic society. Some predicted disaster and were concerned with the growing militarization of American society. These writers were quite sure that a distinctly military culture was inherently dangerous to a nonmilitaristic liberal society.⁶ Others warned that the ascendancy of the military establishment would fundamentally change American foreign policy and would weaken the intellectual fabric of the country.⁷ However, most of the arguments were less apocalyptic and settled along two tracks.

The debate focused primarily on the nature of the relationship between the civilian and military worlds. There was widespread agreement that there were two distinct worlds fundamentally different from one another. The argument was over how best to ensure that the two worlds could coexist without endangering liberal democracy. The two differing views on how best to control those differences were highlighted, respectively, by Samuel P. Huntington's *Soldier and the State* and Morris Janowitz's *The Professional Soldier*.

Institutional Theory

Huntington described the differences between the two worlds as a contrast between the attitudes and values held by military personnel, mostly conservative, and those held by civilians, mostly liberal.⁸ Each world consisted of a separate institution with its own operative rules and norms. The military's function was furthermore inherently different from that of the civilian world. Given a more conservative military world that was illiberal in many aspects, it was necessary to find a method of ensuring that the liberal civilian world would be able to maintain its dominance over the military world. Huntington's answer to this problem was "military professionalism."

Huntington focused his study on the officer corps. He first defined a profession and explained that enlisted personnel, while certainly part of the military world, are not, strictly speaking, professionals. He relegated them to the role of tradesmen or skilled craftsmen, in his definition of the term. It was professional military officers, not the enlisted technicians of the trade of violence, or even part-time or amateur reserve officers, who would be the key to controlling the military world.

Professionalizing the military, or at least the officer corps, which is the decision-making authority within the military world, emphasizes the useful aspects of that institution, such as discipline, structure, order, and self-sacrifice. Professionalizing the military also isolates the corps in a

specialized arena, one in which the military professionals would be recognized as experts in the use of force. As recognized experts not subject to the interference of the civilian world, the military's officer corps would willingly submit itself to civil authority. In Huntington's words, such an arrangement maintained a "focus on a politically neutral, autonomous, and professional officer corps."⁹

In order for the civilian authority to maintain control, it needed to have a way to direct the military without unduly infringing on the prerogatives of the military world, thus provoking a backlash. Civilian leadership would decide the objective of any military action but then leave it to the military world to decide the best way of achieving the objective. The problem facing civilian authority, then, is in deciding on the ideal amount of control. Too much control over the military could result in a force too weak to defend the nation, resulting in failure on the battlefield. Too little control would create the possibility of a coup, that is, failure of the government.

Huntington's answer to the control dilemma was "objective civilian control." This was in contrast to "subjective control," in which direction would be more intrusive and detailed. To put it simply, the more objective civilian control, the more military security. Civilian control, then, is the independent variable for the subsequent dependent variable of military effectiveness.

If civilian control is the critical variable for military effectiveness, it begs the question of how civilian control is then to be determined. Huntington identified two shaping forces or imperatives for civilian control—(1) functional and (2) societal. He broke the societal imperative into two components: ideology and structure. By ideology, he meant a worldview or paradigm: liberal antimilitary, conservative promilitary, fascist promilitary, and Marxist antimilitary. By structure, he meant the legal-constitutional framework that guided political affairs generally and civil-military affairs specifically.¹⁰

With Huntington's imperatives being the independent variables, the variable of civilian control becomes, in turn, an explanatory variable for military security. However, Huntington says that both societal imperatives, ideology and structure, are unchanging, at least in America. If both are unchanging, the functional imperative fully explains changes in civilian control and subsequently in military security. In short, if external threats are low, liberal ideology "extirpates" or eliminates military forces. If external threats are high, liberal ideology produces a "transmutation" effect that will re-create the military in accordance with liberalism, but the effect will be in such a form that it loses its "peculiarly military characteristics." Transmutation will work for short periods, such as to fight a war, but will not, over time, assure military security.¹¹ This appears to explain

well the pattern of American militarization and demobilization, at least until the initiation of the Cold War.

With the understanding that the rise of the Soviet Union created a long-term threat, Huntington concluded that the liberal society of the United States would fail to create adequate military forces to ensure security over the long term. The only circumstance he could foresee that would permit adequate military security was for the United States to change the societal imperative. “The tension between the demands of military security and the values of American liberalism can, in the long run, be relieved only by the weakening of the security threat or the weakening of liberalism.”¹² In Huntington’s view, the only way the United States could adequately provide security in the face of a long-term threat such as the Soviet Union, in other words, was for American society to become more conservative.

Convergence Theory

The other principal thread within the civil-military theoretical debate was the one generated in 1960 by Morris Janowitz in *The Professional Soldier*. Janowitz agreed with Huntington that separate military and civilian worlds existed but differed from his predecessor regarding the ideal solution for preventing danger to liberal democracy. Since the military world as he saw it was fundamentally conservative, it would resist change and not adapt to changes in the world as rapidly as the more open and unstructured civilian society. Thus, according to Janowitz, the military would benefit from exactly what Huntington argued against—outside intervention.

Janowitz introduced a theory of convergence, arguing that the military, despite the extremely slow pace of change, was in fact changing even without external pressure. Convergence theory postulated either a civilianization of the military or a militarization of society.¹³ However, despite this convergence, Janowitz insisted that the military world would retain certain essential differences from the civilian world and that it would remain recognizably military in nature.

Janowitz agreed with Huntington that, because of the fundamental differences between the civilian and military worlds, clashes would develop that would diminish the goal of civilian control of the military. His answer was to ensure that convergence occurred, thus ensuring that the military world would be imbued with the norms and expectations of the society that created it. He encouraged use of conscription, which would bring a wide variety of individuals into the military. He also encouraged the use of more Reserve Officer Training Corps (ROTC) programs to ensure that the military academies did not have a monopoly on the type of officer in the military services.

He specifically encouraged the development of ROTC programs in the more elite universities so that the broader influences of society would be represented by the officer corps. The more such societal influences present within the military culture, the smaller the attitudinal differences between the two worlds and the greater the chance of civilians maintaining control over the military. While Huntington developed a theory to control the difference between the civilian and military worlds, Janowitz developed a theory to diminish the difference.

In response to Huntington's position on the functional imperative, Janowitz concluded that in the new nuclear age, the United States was going to have to be able to deliver both strategic deterrence and an ability to participate in limited wars. Such a regime, new in American history, was going to require a new military self-conception, the constabulary concept: "The military establishment becomes a constabulary force when it is continuously prepared to act, committed to the minimum use of force, and seeks viable international relations, rather than victory."¹⁴ Under this new concept of military establishment, distinctions between war and peace are more difficult to draw. The military, instead of viewing itself as a fire company to be called out in emergency, would then be required to imagine itself in the role of a police force, albeit on the international level rather than domestically. The role of the civilian elite would be to interact closely with the military elite so as to ensure a new and higher standard of professional military education, one that would ensure that military professionals were more closely attuned to the ideals and norms of civilian society.

Vietnam, the Cold War Puzzle, and the Agency Theory Alternative

The Vietnam War opened deep arguments about civil-military relations that remain powerful influences today. One centered on a contention within military circles that the United States lost the war because of unnecessary civilian meddling in military matters. It was argued that the civilian leadership failed to understand how to use military force and improperly restrained the use of force in achieving victory. Among the first to analyze the war critically using Clausewitz as the theoretical basis, Colonel Harry Summers argued that the principal reason for the loss of the Vietnam War was a failure on the part of the leadership to understand the goal, which was victory. The army, always successful on the battlefield, ultimately did not achieve victory because it was misused and misunderstood. Summers demonstrated how the conduct of the war violated many classical principals as described by Clausewitz, thereby contributing to failure.¹⁵ He ended his analysis with a "quintessential strategic lesson learned": that the army must become "masters of the profession of arms,"

thus reinforcing an idea along the lines of Huntington's argument for strengthening military professionalism.¹⁶

McMaster observed that it was easier for officers in the Gulf War to connect national policy to the actual fighting than was the case during the Vietnam War. He concluded that the Vietnam War had actually been lost in Washington, DC, before any fighting occurred, due to a fundamental failure on the part of the civilian and military actors involved to argue the issues adequately.¹⁷ McMaster, who urged a more direct debate between civilians and the military on defense policy and actions, and Summers, who argued for a clear separation between civilians and the military, highlight the controversies over the proper roles of civilian and military leaders.

Despite those controversies and the apparent lessons learned from the Vietnam War, some theorists recognized a significant problem with Huntington's theory insofar as it appears to question the notion of a separate, apolitical professional military. While there is little argument that separate civilian and military worlds exist, there is significant debate about the proper interaction between the two. As discussed above, Huntington proposed that the ideal arrangement was one whereby civilian political leaders provided objective control to the military leadership and then stepped back to permit the experts in violence to do what was most effective. He further stated that the most dangerous arrangement was one wherein civilian leaders intruded extensively in the military world, creating a situation whereby the military leadership was not politically neutral and security of the nation was thus threatened both by an ineffective military and by provoking the military to avoid taking orders.

Arguably, and despite Huntington's urging otherwise, US civilian leadership had been intrusive in its control over the military not only during the Vietnam War but also during much of the Cold War. During that time, the military elite had been extensively involved in the politics of defense budgets and management, and yet the United States managed to emerge successfully from the Cold War. Despite that, none of Huntington's more dire predictions had proven true.

In response to this apparent "puzzle," Feaver laid out an agency theory of civil-military relations that he argued should replace Huntington's institutional theory.¹⁸ Taking a rationalist approach, he used a principal-agent framework, drawn from microeconomics, to explore how actors in a superior position influence those in a subordinate role. He used the concepts of "working" and "shirking" to explain the actions of the subordinate. In his construct, the principal is the civilian leadership that has the responsibility of establishing policy. The agent is the military that will work—carry out the designated task—or shirk—evade the principal's wishes and carry out

actions that further the military's own interests. Shirking at its worst may be disobedience, but Feaver includes such things as "foot-dragging" and leaks to the press.¹⁹

The problem for the principal is how to ensure that the agent is doing what the principal wants done. Agency theory predicts that if the costs of monitoring the agent are low, the principal will use intrusive methods of control. These methods include, for the executive branch, such things as inspections, reports, reviews of military plans, and detailed control of the budget and for Congress, committee oversight hearings and routine reports. For the military agent, if the likelihood that shirking will be detected by the civilian principal is high or if the perceived costs of being punished are too high, the likelihood of shirking is low.

Feaver argued that his theory was different from other theories or models in that it was purely deductive, based on democratic theory rather than on anecdotal evidence, and better enabled analysis of day-to-day decisions and actions on the part of the civilian and military leadership.²⁰ It operated at the intersection of Huntington's institutional approach and Janowitz's sociological point of view. Huntington concentrated on the relationship between civilian leadership and the military as an institution while Janowitz focused on the relationship of the military as individuals to American society. Agency theory provided a link between the two, enabling an explanation of how civil-military relations work on a day-to-day basis. Specifically, agency theory would predict that the result of a regime of intrusive monitoring by the civilian leadership combined with shirking on the part of the military would result in the highest levels of civil-military conflict. Feaver suggested that post-Cold War developments had so profoundly reduced the perceived costs of monitoring and reduced the perceived expectation of punishment that the gap between what civilians ask the military to do and what the military would prefer to do had increased to unprecedented levels.²¹

The Culture Gap Thesis²²

Most of the above discussion assumed that a separation between the civilian and military world was inevitable and likely necessary. The argument had been over whether to control the gap between the two (as Huntington proposed) or minimize the gap by enacting certain policies (as Janowitz proposed). Following the end of the Cold War in 1989, however, the discussion began to focus on the nature of the apparent gap between civilian and military cultures and, more specifically, whether that gap had reached such proportions as to pose a danger to civilian control of the military. Part of the debate was based on the cultural differences between the

more liberal civilian society and the conservative military society and on the recognition that such differences had apparently become more pronounced than in past years.

Alfred Vagts had already begun the discussion from a historical point of view, concentrating on the German/Prussian military experience. He was perhaps most influential with his definition of “militarism,” which he described as the state of a society that “ranks military institutions and ways above the prevailing attitudes of civilian life and carries the military mentality into the civilian sphere.”²³ Louis Smith, whose work predated Huntington’s, discussed issues of congressional and judicial control over the military as well as executive civilian control of military matters.²⁴ However, all those discussions came before a general recognition that the American experience was going to change in the post–World War II era. Once it became apparent that the American military was going to maintain historically high levels of active-duty personnel during peacetime, concerns about the differences between civilian and military cultures quickly came to the forefront. The ensuing debate can be generally divided into three periods with different emphases in each.

The first period, roughly beginning with the end of World War II and ending around 1973 with the end of the military draft, was primarily concerned with defining civil-military relations, understanding the concept of professionalism, and learning how civilians actually controlled the military. As discussed above, Huntington and Janowitz dominated the debate.

The second period started around 1973, with the end of conscription and the establishment of the All-Volunteer Force, and continued until the end of the Cold War. This period was concerned with the supposed lessons of the Vietnam War, how the volunteer force changed the nature of the armed forces, and whether those changes led to wider gaps between military and civilian societies.

The third period, beginning with the end of the Cold War and continuing today, has seen an increasing interest in and concern about the existence of a “civil-military culture gap.” The discussion has centered around three questions: (1) whether such a gap exists in the first place, (2) if it does exist, whether its existence matters, and (3) if it does matter, what changes in policy might be required to mitigate the negative effects of such a gap. Most agree that a gap does exist, but there is widespread disagreement as to whether the gap matters. There has been even less discussion about what policies may be required to mitigate any such gap. However, few have predicted disaster in civil-military relations, and most of the discussion has centered on the nature of the gap and what might be causing it. In this section, the discussion will concentrate on the third period and will explore

the issue by examining the debate surrounding three questions: (1) what is the nature of the gap? (2) why does the gap matter? and (3) how can the problem be corrected?

What Is the Nature of the Gap?

While the debate surrounding a presumed culture gap between civilian and military societies had continued since at least the early 1950s, it became prominent in the early 1990s with the conclusion of the Cold War. The promised “peace dividend” led to a debate over changes in American national security strategy and what that would mean in terms of the transformation of the mission, composition, and character of the armed forces.

The gap debate revolved around two related concepts: (1) the notion of a cultural gap, that is, the differences in the culture, norms, and values of the military and civilian worlds, and (2) the notion of a connectivity gap, that is, the lack of contact and understanding between them.²⁵ Few argued that there was no difference between the two worlds, but some were convinced that the difference itself was the primary danger. Charles Maynes worried that a military force consisting primarily of personnel from the lower socioeconomic classes would ultimately refuse to fight for the goals of the upper classes.²⁶ Tarr and Roman, on the other hand, were concerned that the similarities between military elites and civilian elites enabled a dangerous politicizing trend among the military.²⁷ Chivers represented a small number who believed that the differences between the cultures were so small as to be essentially irrelevant.²⁸

Reasons cited for the cultural and connectivity gaps vary widely. The self-selective nature of the All-Volunteer Force is seen by some to have led to the unrepresentative nature of the armed forces.²⁹ One argument, put forward by a navy chief of chaplains, was that the drawdown in the size of the military was exacerbating differences and making the separation between the military and civilian societies potentially even more divisive. He worried that unless an effective dialogue could be maintained between the military and civilian branches of society, especially in the area of ethical decision making, the American military risked losing the support of society or becoming dangerously militaristic.³⁰ Others argued that the increase in diversity among military personnel has actually strengthened ties between society and the military, especially those ties weakened by the results of the Vietnam War.³¹ Most were persuaded that the societal effects of the Vietnam War remained central to the cultural differences.³²

One unique view, by Elizabeth Kier, which does not neatly fall into either of the cultural- or connectivity-gap categories, centers on the organizational differences between the military and civilian societies. This view

claims to explain much as to why the military has been or may be used to press ahead of society's norms.³³ This view goes beyond the simpler cultural-gap approach and emphasizes the ability of the military society to control the behavior and attitudes of its members in ways not possible in the more open civilian society, as evidenced by such phenomena as desegregation and inclusion of women in the military.³⁴

Why Does the Gap Matter?

Ultimately, the cultural gap matters only if it endangers civilian control of the military or if it reduces the ability of the country to maintain an effective military force. Those who concentrate on the nature of the gap tend not to be concerned about dangerous trends. However, those who are concerned about the lack of understanding between the civilian and military worlds are uniformly convinced that the civil-military relationship in the United States is unhealthy.³⁵ Specifically, they have voiced concerns about a military that may become openly contemptuous of civilian norms and values and may then feel free to openly question the value of defending such a society.³⁶ Others worry whether an inexperienced civilian government will undermine the military by ineffective or inappropriate policies, thus threatening US national security.³⁷

This debate has generally settled on whether the gap is too wide. If too wide, civilian control of the military may be jeopardized due to serious misunderstandings between the two worlds. While most agree that such a gap is to be expected and, in and of itself, is not dangerous, some do concede that the aspects of that gap have led directly to misunderstandings between the two worlds.³⁸ In particular, some have argued that the culture of political conservatism and the apparent increase in partisanship of the officer corps has approached a dangerous limit.³⁹ Nearly all agree that it is possible for the cultural gap to be either too wide or too narrow, but there is wide disagreement as to where the current situation rests on that continuum. While Kier argues that "structure and function do not determine culture," most agree that a difference between the two is necessary and is to be expected because civilian culture is "incommensurate with military effectiveness."⁴⁰

Correcting the Problem

Assuming that a problem exists, many have offered suggestions for narrowing the gap and correcting the problems arising from it. In general, those suggestions are along three lines. The first is that the military must reach out to the civilian world. Given the essentially universal agreement

that civilians must control the military, the duty falls upon the military to find ways to talk to civilians, not the other way around.⁴¹ The second is that civilians must articulate a clear vision of what they expect in terms of the military mission.⁴² And the final suggestion is that the most practical and effective means of bringing about dialogue and understanding is bilateral education, in which both military and civilian elites would jointly attend specialized schools. Such schooling would emphasize military-strategic thinking, American history and political philosophy, military ethics, and the proper relationship between civil and military authority.⁴³

Some argue that the root problem is that the military is self-selecting, rendering the culture as self-perpetuating. Solutions such as the reinstatement of the draft and a European-style national service obligation have been offered, but none appears to have made any progress toward adoption.⁴⁴

What about Enlisted Personnel?

Nearly all the discussion above centered on civilian and military elites, as those groups have been the decision makers with respect to defense and national security policy. Thus, little discussion focused on enlisted personnel, largely because little primary research has been conducted into the political attitudes of enlisted personnel. However, in 1997, a single article in *Atlantic Monthly* about a group of marine enlisted personnel generated extensive debate as to whether a dangerous divide exists between the military and civilian worlds. Journalist Thomas Ricks followed a platoon of marine recruits through basic training in 1995, monitoring the change in their attitudes as compared to the societies from which they came. He cited specific examples of how the recruits saw themselves as morally superior to their former peers in light of their boot camp experience and more fit to be citizens of the United States.⁴⁵ He wondered if, because of their more conservative outlook on life, the new marines accurately understood American society.

In the wake of Ricks's article, numerous writers used his observations as evidence of a growing divide in the United States that portended, at one extreme, a danger to national security and, at the other, a pathology that required correction.⁴⁶ The discussion recalled post-Vietnam War arguments that the civilian culture had degraded and was perhaps not worthy of defense by the military.

The debate is not yet resolved. Aside from the article by Ricks and other scattered journalistic and scholarly commentary, the position of an enlisted person within the American civil-military debate remains unexamined. Especially unresolved is where that population fits into the culture

gap debate. As previously discussed, most writers assume that the opinions of officers are predictive of those held by enlisted personnel. There is reason to question this assumption.

One solution offered to correct the apparent gap between military and civilian cultures is a return to conscription. At the heart of the call for conscription is a belief that the people filling the enlisted ranks are not descriptively representative of the American population and therefore pose an unacceptable risk to American civil-military relations. Or, if the military does not pose a direct risk to civil-military relations, then it may be an undemocratic division of labor in that citizens from the lowest socioeconomic strata of the American population are fighting the wars of the privileged few.

If a principal source of concern about the civil-military gap is about the nature of those in the enlisted ranks, then theory that omits those personnel or studies that assume they are the same as, or at least similar to, officers, are ignoring an important segment of the military population. Knowing about that population will serve to answer the socioeconomic concerns as well as to better understand their actual voting behavior. Chapter 9 will provide the demographic details, and chapter 10 will discuss what is known about military voting participation and issues related to absentee balloting.

CHAPTER 9

American Military Demographics

Introduction

The present state of the American military is often misunderstood. That misunderstanding leads to incorrect conclusions about the politics and voting behavior of service personnel. Given the known relationship between voter demographics and voter behavior, it is essential that the armed services demographics, particularly the characteristics of enlisted personnel, be presented to show how they may be different from those of officers or the general American voting population. This chapter will establish the “ground truth” of the present state of American military demographics, particularly those of enlisted personnel, using official data from Department of Defense (DOD) sources and supported by other data sources.

The current military enlisted force will be reviewed based on five demographic characteristics: racial and ethnic background, gender, household income, educational background, and geographic origin. The data presented here are drawn from recruits, that is, personnel who have just been enlisted in the services, as well as the remainder of the active-duty enlisted component. Recruit data highlight the nature of the individuals entering active duty before any socialization effect of the armed forces can take place. Data about the active-duty enlisted component present the overall characteristics of the entire force, including the effects of socialization and any effects that may cross age cohorts.

Racial and Ethnic Background

Maintaining equitable racial and ethnic representation within the US military has been an ongoing concern for recruiters. While specific racial quotas are not assigned to individual recruiters, the military carefully tracks the racial and ethnic makeup of its personnel. The goals of various services

are to maintain within the military approximately the same proportion of the various races present in the US population. The statistics are tracked annually and provided to Congress in Fiscal Year End Strength Reports.

During the Vietnam War, public support for conscription began to wane. The military services were increasingly concerned that the quality of conscript was less than satisfactory, resulting in a series of severe disciplinary incidents. In 1969, President Richard Nixon established the President's Commission on an All-Volunteer Armed Force to develop a plan to return to an all-volunteer military.

The draft law's expiration on June 30, 1973, and the evolution of the subsequent All-Volunteer-Force (AVF), raised concern as to whether an effective force could be maintained by drawing only from volunteers.¹ Particular attention was paid to whether the "burden of war" might fall disproportionately on particular sectors of the population, especially on minorities and the poor.² The sudden and steady increase in enlistments by blacks reinforced worries that the poor and disadvantaged were being burdened with fighting the nation's wars. In 1973, the proportion of the active-duty force that was black was about 14 percent; by 1980 that proportion had increased to nearly 22 percent.

The increase in such enlistments was credited by a presidential task force on military manpower to "the proud heritage of Black service in the military . . . which has contributed strongly to the prestige of military service in the Black community." The same task force observed that the military offered "better opportunities for responsible work at fair compensation than are available to [blacks] in many segments of the private sector." By 1982, all services had established affirmative action plans to determine whether minorities, particularly blacks, were adequately represented. Where such was not the case, the minorities were "targeted for increased placement efforts."³

*Recruits*⁴

Beginning in 2003, The Heritage Foundation conducted a series of analyses on the quality of recruits and the active-duty enlisted component. Drawing on data from the US Census Bureau and the Defense Manpower Data Center, researchers were able to point out trends in recruiting since the events of September 11, 2001.⁵

In 2006, 65.3 percent of all recruits with no prior military service were white. At the same time, whites made up about 62 percent of the US male population ages eighteen to twenty-four, resulting in a "recruit-to-population" ratio of 1.05.⁶ In the same year, black recruits made up 12.34 percent of total recruits but just 11.87 percent of the male population ages eighteen to twenty-four, a recruit-to-population ratio of 1.04, or about the same as

for whites. Other races had ratios less than 1.0, meaning they were under-representative of the population. Notable exceptions among “other” races were American Indian/Aleut (Native Alaskan) recruits, which had a 2.96 recruit-to-population (RTP) ratio (see table 9.1).

Using the same technique as with the races listed above, we can see that Hispanics are also underrepresented among new recruits with recruit-to-population ratios of 0.66 in 2006 and 0.65 in 2007 (see table 9.2).

Active Enlisted Component

Just as with the US population, whites are the single largest racial group within the US military, comprising about 69 percent of the enlisted force. Despite these figures, since the end of the Vietnam War, whites have been underrepresented when compared to the US population ages eighteen to forty-four.⁷ Blacks, however, have been overrepresented since at least 1975. As of January 2009, blacks comprised 18.6 percent of the enlisted force.

Table 9.1 Racial composition of new enlisted recruits, 2006–2007

	2006			2007	
	<i>Percentage of total US male population, 18–24 years old</i>	<i>Percentage of total recruits</i>	<i>Recruit to population ratio</i>	<i>Percentage of total recruits</i>	<i>Recruit to population ratio*</i>
White	61.99%	65.32	1.05	65.50	1.06
Black	11.87%	12.34	1.04	12.82	1.08
Asian/Pacific Islander	3.49%	3.31	0.95	3.25	0.93
Multi-racial	1.56%	0.57	0.37	0.66	0.42
American Indian/Aleut	0.73%	2.16	2.96	1.96	2.68

Notes: Groups with recruit-to-population ratios greater than 1.0 are overrepresented among enlisted recruits and groups with ratios less than 1.0 are underrepresented.

*2007 ratio calculated using the 2006 population estimates.

Source: Watkins & Sherk, 2008.

Table 9.2 Hispanic proportion among new enlisted recruits, 2006–2007

	2006			2007	
	<i>Percentage of total US male population, 18–24 years old</i>	<i>Percentage of total recruits</i>	<i>Recruit to population ratio</i>	<i>Percentage of total recruits</i>	<i>Recruit to population ratio*</i>
Hispanic	20.02	13.19	0.66	12.93	0.65
Not Hispanic	79.98	86.81	1.09	87.07	1.09

Note: *2007 ratio calculated using 2006 population estimates.

Source: Watkins & Sherk, 2008.

The other races within the military, which make up 12.8 percent of the enlisted force, are underrepresented in the military as compared to the US population. The proportion of other races in the enlisted force has been steadily increasing, however, for more than three decades (see figure 9.1).

African Americans make up a substantially larger proportion within the military than in the US population, especially within the army. However, a sharp decline in black enlistment has been noted since September 11, 2001, and especially since the US intervention in Iraq, which has led to a decrease in the black proportion of the enlisted force. The black active-duty enlisted component since 1973 as compared to civilian blacks ages eighteen to twenty-four is shown in figure 9.2. Despite the recent decline, the proportion of blacks within the US military remains higher than found in the general population (see figure 9.2).

Gender

Gender is the most strikingly unrepresentative demographic within the military when compared to the American population. The female proportion of active-duty enlisted personnel is about 14 percent, while women make up 52 percent of the US population. However, the percentage of women in the military has been increasing steadily since the end of the Vietnam War. While women made up only 2 percent of the military force structure in 1972, by 1986, that percentage had increased to 10, and further increased to 15.2 percent as of January 2015 (see figure 9.3).

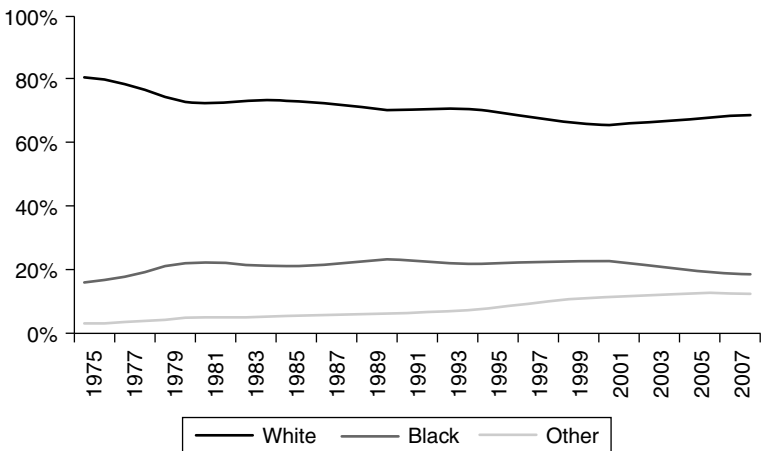


Figure 9.1 Race as a percentage of the total force, 1975–2008

Source: Defense Manpower Data Center, 2009.

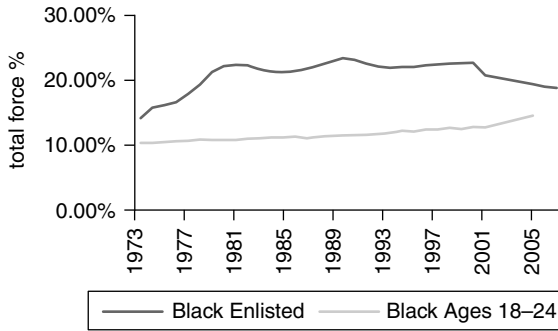


Figure 9.2 Black active enlisted component compared to black civilians aged 18 to 24, 1973–2007

Source: OUSD, P&R, Population Representation of the Military Service, 2000, Table D-17 and Defense Manpower Data Center, Active-duty Accession Enlisted Gains Report, 2008.

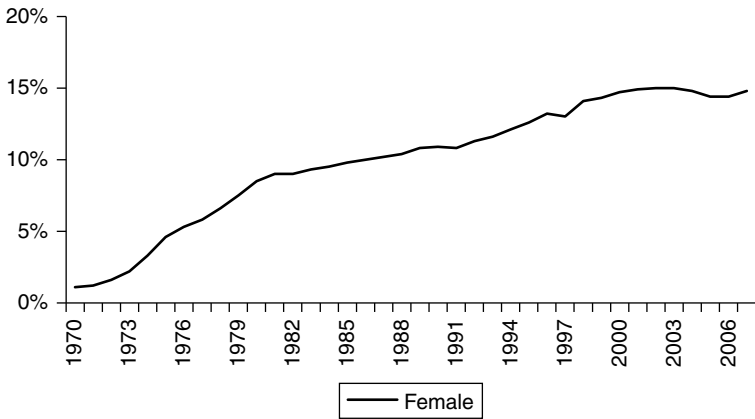


Figure 9.3 Female enlisted members as a percentage of the total active-duty force, 1970–2007

Source: OUSD, P&R, Population Representation of the Military Service, 2005, Table D-13 and Defense Manpower Data Center, Active-duty Accession Enlisted Gains Report, 2008.

The recruitment of women increased dramatically following the Vietnam War, not reaching a peak until the turn of the century. In 1972, women made up less than 2 percent of all recruits. By 1980 more than 13 percent of recruits were women. By 2000, women comprised more than 18 percent of recruits. However, the proportion of female recruits began to decline after 2001 (see figure 9.4).

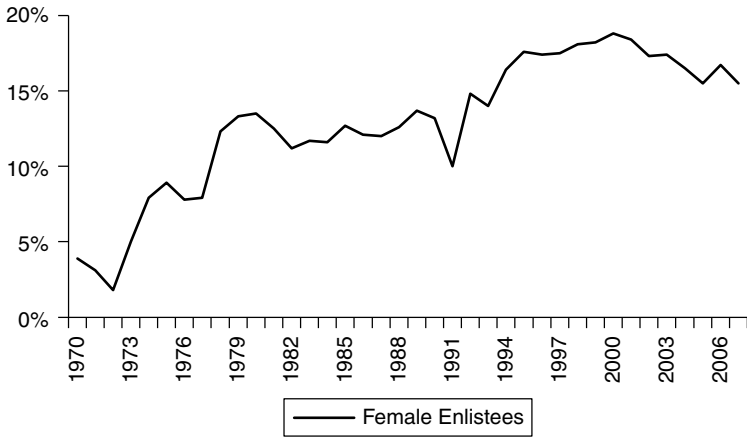


Figure 9.4 Female enlisted members as a percentage of all recruits, 1970–2007

Source: OUSD, P&R, Population Representation of the Military Service, 2005, Table D-5 and Defense Manpower Data Center, Active-duty Accession Enlisted Gains Report, 2008.

As a subgroup, black women are significantly overrepresented in the military. Of the 164,343 women on active duty in all services as of January 31, 2009, 51,074 (31.1%) were black while 88,408 (53.8 %) were white, proportions that do not match the demographics of the general American population. In the army, the overrepresentation of black women is even more pronounced, with black women representing nearly 39 percent of female active-duty personnel and white women representing about 49 percent. Among senior enlisted women in the army, black women outnumber white women by 2.16–1, indicating that reenlistments among black women are higher than among white women.⁸ The same is not true for males in the army, where white men outnumber black men by a ratio of over 2–1.

Household Income

The DOD does not maintain data on the family income of recruits, nor does it collect income data for individuals entering active service. To provide an insight into this question, the Heritage Foundation Center for Data Analysis estimated the income of recruit families in a study published in 2008.⁹ Since the majority of enlistees are entering into their first full-time job, in the absence of data regarding their own income it made the most sense to determine the household income of the family from which the enlistee came. As household income is a key component of socioeconomic status (SES), it is important to have some measure of it. As the

recruits often have little income history of their own, the income of the recruit's family of origin—a staple partial measure of SES—was used.

Data approximating each recruit's family income are estimated by using the address of each individual recruit and census tract data.¹⁰ Census tracts are relatively small, homogeneous areas that average approximately 4,000 residents. Individual recruit hometown data, including their addresses and five-digit zip codes, are available from the Defense Manpower Data Center (DMDC). Census tract data are available from the US Census Bureau.

The estimates of household income are calculated by applying the mean household income for each census tract to each recruit from that tract. For example, in the Heritage Foundation studies using these data, ten military recruits in 2006 came from census tract 013396 in San Diego. Each of those ten recruits was assigned the mean annual income of \$57,380 from that tract as found in the 2000 Census. The mean estimated household income for all 2006 recruits was calculated as \$54,834 per year. The mean household income for recruits in 2007 was \$54,768, slightly higher than the national mean household income of \$50,428.¹¹

The lowest two quintiles, representing mean household incomes under \$42,040, are underrepresented among recruits in both 2006 and 2007. Individuals in the highest two quintiles, representing mean household incomes greater than \$51,127, make up 40 percent of the population but produced 49.3 percent of the recruits in both 2006 and 2007. The lowest two quintiles produced 28.9 percent of the recruits in 2006 and 29 percent in 2007. Research for 2003, 2004 and 2005 shows similar results¹² (see table 9.3).

Table 9.3 Household incomes of US military recruits by quintile, 2003–2007

<i>Household income</i>	<i>US 18–24 years</i>	<i>Recruits 2003</i>	<i>Recruits 2004</i>	<i>Recruits 2005</i>	<i>Recruits 2006</i>	<i>Recruits 2007</i>
Poorest	19.79%	14.61%	14.14%	13.66%	10.60%	10.70%
Next poorest	20.04%	19.56%	19.24%	19.21%	18.30%	18.30%
Middle	20.05%	21.15%	21.21%	21.46%	21.70%	21.70%
Next richest	20.10%	22.52%	22.70%	22.82%	24.30%	24.40%
Richest	20.02%	22.17%	22.72%	22.85%	25.00%	24.90%
<i>Recruits minus US 18–24 years</i>		<i>2003 Diff</i>	<i>2004 Diff</i>	<i>2005 Diff</i>	<i>2006 Diff</i>	<i>2007 Diff</i>
Poorest		-5.18%	-5.65%	-6.13%	-9.19%	-9.09%
Next poorest		-0.48%	-0.80%	-0.83%	-1.74%	-1.74%
Middle		1.10%	1.16%	1.41%	1.65%	1.65%
Next richest		2.42%	2.60%	2.72%	4.20%	4.30%
Richest		2.15%	2.70%	2.83%	4.98%	4.88%

Note: With differences by comparison to US population aged 18–24.

Source: Watkins & Sherk, 2008.

Military enlistees, at least since 2003, have disproportionately come from upper-middle income families. Just less than two-thirds of all recruits have come from the middle three quintiles of households. The 20 percent of households with the lowest income in the United States produce only about 11 percent of recruits.

The mean annual income levels of the households from which recruits are drawn have risen slightly for at least the past decade. Over the same period, the mean income of recruit households has been consistently higher than the mean income of the third quintile of households, further supporting the proposition that recruits in today's military are increasingly from the middle and upper-middle class.

These findings are supported by a 2007 Congressional Budget Office study provided to Congressman John Murtha, the chairman of the Defense Subcommittee of the House Committee on Appropriations, which reported that recruits and enlisted personnel were not as likely to belong to the lowest or the highest income groups but were generally distributed among middle-income families.¹³ While it is generally true that recruitment is easier during downturns in the national economy, comments by public officials stating that the majority of enlisted personnel come from communities of high unemployment, implying that the recruits have no other options, are inaccurate and reflect, at best, an earlier time in American history.¹⁴

Educational Background

The military of today requires recruits who are capable of managing highly technical equipment. Even an army or Marine Corps rifleman, historically the lowest person in the military hierarchy, is not the "cannon fodder" of past wars. All of today's American infantry soldiers and marines are the equivalent, or better, of an elite soldier of earlier days. In order to ensure the recruitment of personnel of sufficient quality who can adequately handle modern requirements, the military services generally require that 90 percent of recruits have graduated from high school and that all but a small portion have scored above the 50th percentile on the Armed Forces Qualification Test (AFQT).

Recruits

The percentage of recruits who have completed at least a high school education has dramatically increased over the past three decades. In 1973, the first year of the All-Volunteer Force and the last year of conscription, only 65 percent of nonprior service enlistees had completed high school. Most of the current assumptions about the generally low level of educational attainment among enlisted personnel likely stem from that period or before.

The high school graduation rate of recruits remained low throughout the rest of the 1970s, although policies were established by the Department of Defense to encourage recruiting of individuals with high school diplomas. Following the dramatic increases in military pay that began in the early years of the Reagan administration, recruiting became easier and the high school completion rate among recruits began to increase sharply, reaching 89 percent by 1983 and 94 percent by 1993. (For the purposes of calculating the high school graduation rate among recruits, the attainment of a GED is not considered by the DOD to be the equivalent of a diploma.)

Of the branches of the military, the army has had the greatest difficulty in maintaining the goal of 90 percent of all recruits having a high school diploma. This has been especially true in the past few years. The other services have not had the same difficulty, largely owing to lower enlistment goals as well as selective enlistments, that is, potential recruits deciding to enlist in the other services and avoiding the army. While the overall high school diploma attainment rate for the Department of Defense for 2005, 2006, and 2007 has been above 90 percent, the army's percentages for the same periods were 84, 73, and 71 percent, respectively. Despite the army's difficulties, since 1981, the high school graduation rate of all DOD enlistees has consistently been higher than that of the general population between ages eighteen and twenty-four (see figure 9.5).

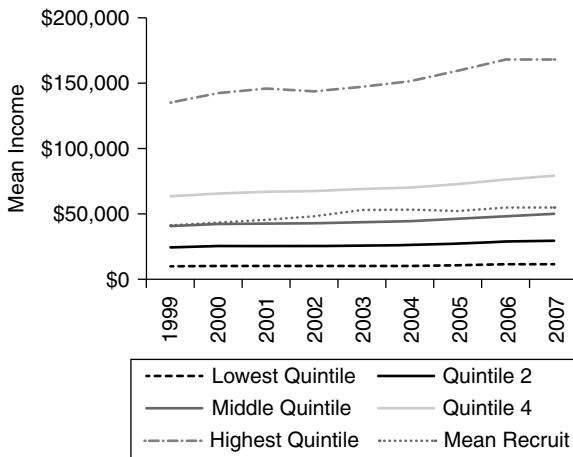


Figure 9.5 Mean household annual income of recruits compared to national mean household annual income by quintile, 1999–2007

Source: US Census Bureau, Historical Income Tables, Table H-3, Mean Household Income Received by Each Fifth and Top 5 Percent All Races: 1967 to 2007.

One difficulty in enlisting high-quality individuals into military service has been the propensity of high school graduates to enter postsecondary education, most often immediately following graduation. The number of individuals who enlist in military service following completion of college has historically been low, suggesting that promising recruits are thus permanently diverted from military careers.¹⁵ In 1973, 33 percent of eighteen- to nineteen-year-old males were enrolled in higher education. By 2003, this figure stood at 47 percent.¹⁶ In 2003, 61 percent of males and 68 percent of females went on to college immediately after high school.

Given the rank structure of the military, most enlisted recruits do not have college degrees. However, in fiscal year 2006, 2.7 percent of all recruits had completed some college courses and another 4.2 percent had already completed an associate's degree or better.¹⁷ Those percentages were similar for fiscal year 2007.

Overall, more than 98 percent of enlisted recruits have a high school diploma or GED equivalent. In fiscal year 2005, only 1.2 percent of recruits had not graduated from high school or completed a GED equivalent, as compared to between 21 and 25 percent of Americans aged eighteen to twenty-four.¹⁸ By fiscal year 2007, 1.4 percent of recruits had not attained a high school equivalent education as compared to 20.8 percent of the US population aged eighteen to twenty-four.¹⁹ Within the Department of Defense, the army enlists a majority (59%) of the non-high school graduate recruits, but even that makes up only 1.5 percent of all army recruits.

The educational attainment of recruits has been consistently higher than the average attainment of the group aged eighteen to twenty-four in nearly every census tract, at least since 1999.²⁰ Following September 11, 2001, the gap between recruits and the population aged eighteen to twenty-four increased for about two years, indicating that the quality of recruits was increasing during that period. That trend of increased educational attainment by recruits reversed slightly after a peak in 2003 but remained above the pre-September 11, 2001, levels. After the 1992 peak of 97.74 percent high school graduation among recruits, a slight downward trend has been observed (see figure 9.6). In general, however, the military continues to draw recruits who are above the average educational attainment for the population aged eighteen to twenty-four in the United States.

Active-Duty Component

Active-duty personnel often take advantage of service-provided opportunities to advance their education. Service personnel are able to offset the cost

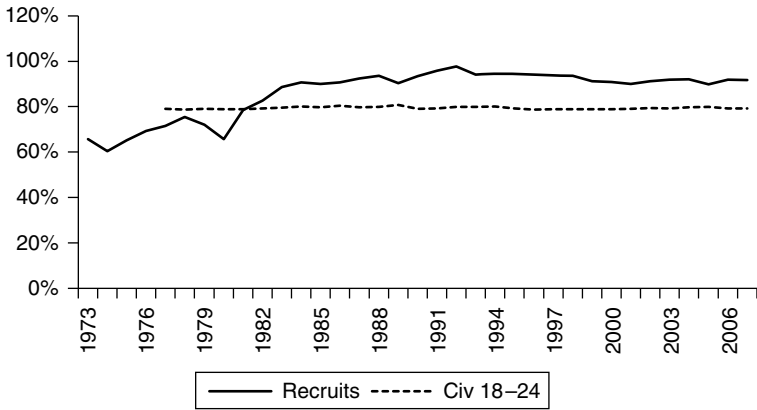


Figure 9.6 Percentage of recruits who are high school graduates compared to civilians aged 18 to 24, 1973–2007

Data for the US population ages 18–24 without HS diplomas are not available for years prior to 1977.

Source: OUSD, P&R, Population Representation of the Military Service, 2005, Table D-7 and Defense Manpower Data Center, Active-duty Accession Enlisted Gains Report, 2008.

of education by filing for tuition assistance, which pays for about 75 percent of the cost of classes. The military and colleges and universities arrange for night classes on many bases and ships. Online degrees are also popular with many service personnel because of the flexibility of course offerings and scheduling. For example, the North Carolina Community College system offers online programs to military personnel and their families at all of their campuses and also provides extension services on various military bases in North Carolina. San Diego Community College claims to provide educational services to over 50,000 military personnel at bases throughout the United States.²¹

While fewer than 5 percent of recruits have an education beyond high school, most enlisted personnel without a high school diploma go on to obtain their GED, and many complete at least some college education while on active duty. While the percentage of recruits who enlist with less than a high school education hovers just below 1.5 percent, fewer than one half of 1 percent of all enlisted personnel on active duty have not achieved at least a GED, indicating a continued interest in education beyond enlistment. All the military services provide means by which enlisted personnel can complete a GED while on active duty. In 2007, 11.3 percent of enlisted personnel had achieved some level of a college education²² (see figure 9.7).

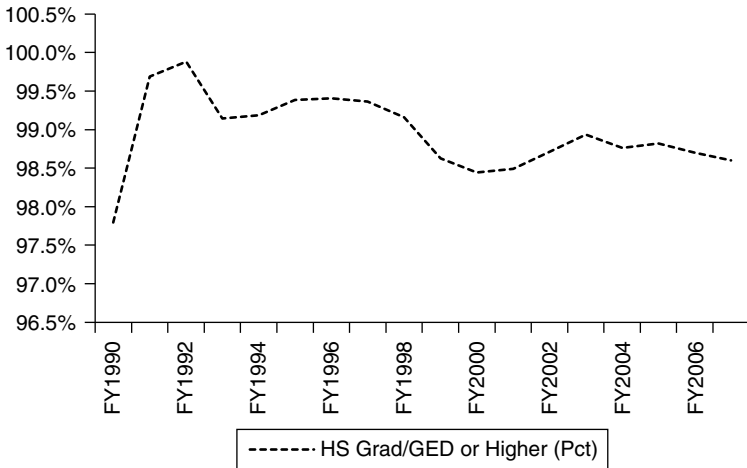


Figure 9.7 Percentage of recruits who are high school graduates, GED, or with higher education

Source: Defense Manpower Data Center, Active-duty Accession Enlisted Gains Report, 2008.

Geographic Origin

Knowing the region of origin for military personnel resolves two questions. First, it becomes apparent whether any one part of the country is providing more than its proportional share of the military force. Second, and more importantly for this study, such knowledge will provide information as to the proportion of military personnel eligible to vote in any given state or region. The data necessary to resolve those two issues are available from the Department of Defense in two separate databases. For the first issue, data on hometowns of recruits will provide the answer. For the second, we can determine where each active-duty military member can vote by finding his or her legal place of residence.

Military personnel are required to maintain a current home of record (HOR) on file with their respective services. This HOR is their legal permanent residence. It is normally the location from which the service member entered active duty and is where the individual service person is permitted to register to vote. For example, a soldier stationed and maintaining a residence in Fort Bliss, Texas, but whose home of record is in Albany, New York, must register to vote in New York, as that state is his legal residence.

A service member deciding to establish a legal residence in a given state for the purpose of voting is required by regulation to change the home of

record to match. Other local laws with respect to legal residence and voting registration may apply as well. However, even though service members are required to change their home of record, they do not always comply, and errors do exist within the DOD database. Despite such shortcomings, the DOD database provides the best information available.

Though the data provided by DOD is organized by state, it is useful to group states into regions to obtain a better understanding about which parts of the United States tend to provide the military with recruits and enlisted members. For this study, the Heritage Foundation Center for Data Analysis divided the United States into four regions and nine divisions based on the US Census Bureau practice: (1) Northeast, (2) Midwest, (3) South, and (4) West. Each is further subdivided into either two or three districts. Territories such as American Samoa, Puerto Rico, and Guam are not included in this study, as voters in those areas are not presently permitted to vote for president of the United States. See table 9.4 for US regions and districts and which states are assigned to each.

Recruits

In order to determine regional comparisons in military recruiting, it is helpful to find the recruit-to-population (RTP) ratio. This is calculated by comparing a region's or district's percentage of total recruits to the same region or district's percentage of the total US male population aged eigh-

Table 9.4 US regions and districts

<i>Region</i>	<i>Division</i>	<i>States</i>
Northeast	New England	Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island
	Mid Atlantic	New York, New Jersey, Pennsylvania
South	East South Central	Kentucky, Tennessee, Mississippi, Alabama
	South Atlantic	Maryland, West Virginia, Delaware, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida
	West South Central	Oklahoma, Texas, Arkansas, Louisiana
Midwest	East North Central	Michigan, Wisconsin, Illinois, Indiana, Ohio
	West North Central	North Dakota, Minnesota, South Dakota, Iowa, Nebraska, Kansas, Missouri
West	Mountain West	Montana, Idaho, Wyoming, Nevada, Utah, Colorado, Arizona, New Mexico
	Pacific West	Alaska, Hawaii, Washington, Oregon, California

Note: Based on US census regions and divisions.

Source: Watkins & Sherk, 2008.

teen-to-twenty-four years. For this study, recruiting statistics for 2007 were obtained from Defense Manpower Data Center and compared to the eighteen-to-twenty-four-year-old male population for the same period as compiled by the Integrated Public Use Microdata Series (IPUMS) from the Minnesota Population Center, University of Minnesota. The resultant RTP ratios for the various regions and districts were then compared to show the proportion of total recruits coming from each part of the United States.²³

The South is overrepresented among military recruits, with an RTP ratio of 1.19. The Northeast is underrepresented, with an RTP ratio of 0.73. Wide variation exists among individual states, however. Montana, with only 0.3 percent of the US male population aged eighteen to twenty-four, provides 0.5 percent of the total recruits for an RTP ratio of 1.67. Others at the higher end of the scale include Nevada (1.50), Oregon (1.39), and Maine (1.35). Washington, DC has the lowest RTP ratio of 0.25, providing only 0.05 percent of all recruits from about 0.3 percent of the eighteen-to-twenty-four-year-old male population. Other states at the lower end of the scale include North Dakota (0.53), Utah (0.56), Rhode Island (.058), and Massachusetts (0.60) (see table 9.5).

The West South Central district has an RTP ratio of 1.26, the highest of any district in the United States. Three of the four states in that district (Arkansas, Oklahoma, and Texas) are ranked in the top ten states by RTP ratio. Texas alone, with 8.3 percent of the male population aged eighteen to twenty-four, produced nearly 11 percent of all military recruits in 2007

Table 9.5 Military enlisted recruit-to-population ratios by region/district, 2007

<i>Region/division</i>	<i>Total percent 2007 recruits</i>	<i>Total percent 18–24 y/o US males</i>	<i>Recruit-to-population ratio</i>
Northeast	12.81%	17.58%	0.73
Mid Atlantic	9.51%	13.10%	0.73
New England	3.30%	4.50%	0.73
Midwest	21.56%	22.02%	0.98
East North Central	14.76%	15.10%	0.98
West North Central	6.80%	6.90%	0.99
South	42.97%	36.23%	1.19
East South Central	6.28%	5.70%	1.10
South Atlantic	21.62%	18.50%	1.17
West South Central	15.07%	12.00%	1.26
West	22.66%	24.17%	0.94
Mountain	7.70%	7.20%	1.07
Pacific	14.96%	17.00%	0.88

Source: Watkins & Sherk, 2008.

followed by California with just over 10 percent. California, with about 13 percent of the male population aged eighteen to twenty-four, had an RTP ratio of 0.80. Of the fifty states, twenty-nine states, representing about 51.9 percent of the eighteen-to-twenty-four-year-old male population, have an RTP ratio of 1.00 or greater.

Active Enlisted Component

As with recruits, the proportion of active-duty enlisted personnel varies by state and region within the United States. DOD statistics track the home of record for each member, permitting a tabulation of active-duty personnel by state. Comparing that tabulation to the voter eligible population (VEP) in each state results in the military percentage of the voter eligible population.

The voter eligible population is a subset of the voter age population (VAP). The VAP is calculated by simply tallying all citizens who are of voting age. VEP is a subset of VAP that excludes those individuals who are incarcerated, convicted felons, and others not permitted to vote by law. For the purposes of this study, the VEPs calculated by the United States Elections Project at George Mason University are used.²⁴ States are grouped into regions and districts in the same manner as for recruits above.

As with recruits, the South has the highest military percentage of the voter eligible population (0.58 percent).²⁵ The Northeast has the lowest percentage with only 0.41 percent of its VEP being on active duty in the military. The national military percentage of the VEP, meanwhile, stands at 0.48 percent.²⁶ Among the South's districts, the West South Central district (Arkansas, Louisiana, Oklahoma, and Texas) has the highest percentage of all districts, with 0.64 percent. In the northeast region, the Mid-Atlantic district (New Jersey, New York, and Pennsylvania) has the lowest military VEP percentage, at 0.39 percent.

As for the individual states, Montana and Wyoming have the highest military percentage of the VEP at 0.74 percent followed by Texas (0.68 percent), Alaska (0.67 percent), South Carolina (0.66 percent), and Virginia (0.63 percent). The states with the lowest percentages are Massachusetts (0.26 percent), Connecticut (0.29 percent), and Minnesota (0.29 percent). See Appendix F for a listing of the active-duty military population as a percentage of the voting eligible population by state.

Thus, with respect to the questions posed about the regional origin of enlisted personnel, the South, and particularly the Southwest, provides more than the average proportion of enlistees, and the Northeast is especially underrepresented. The same is true with respect to the active-duty percentage of the voting eligible population (see table 9.6).

Table 9.6 Military personnel as a percentage of Voter Eligible Population (VEP) by region/district, 2008

<i>Region/division</i>	<i>Home of Record total</i>	<i>Voter Eligible Population (VEP)</i>	<i>Military percentage of VEP</i>
Northeast	174,239	42,911,339	0.41%
Mid Atlantic	109,883	27,869,757	0.39%
New England	64,356	15,041,582	0.43%
Midwest	190,895	47,168,371	0.40%
East North Central	131,350	33,016,448	0.40%
West North Central	59,545	14,151,923	0.42%
South	415,428	72,116,665	0.58%
East South Central	63,004	12,721,905	0.50%
South Atlantic	214,462	37,830,641	0.57%
West South Central	137,962	21,564,119	0.64%
West	216,785	42,221,707	0.51%
Mountain	68,674	13,006,392	0.53%
Pacific	148,111	29,215,315	0.51%
US	997,347	204,418,082	0.49%

Source: Home of Record Totals, DMDC, 2008. Voter Eligible Population, United States Elections Project, McDonald, 2008.

Summary

Some observers insist that the military of today is largely made up of the poor and disadvantaged who have no alternative but to enter military service. Examples include writers for the *Washington Post*, the *Los Angeles Times*, and the *New York Daily News*.²⁷ Others argue that the military has been forced to accept unqualified recruits in order to meet its recruiting goals.²⁸ Congressman Charles Rangel of New York has been advocating a return to conscription for several years, largely based on an assumption that the military is a “mercenary force” and “is dominated by men and women who need an economic leg-up.”²⁹

Contrary to the above-mentioned assertions, today’s active-duty military is not principally a body of economically disadvantaged people, as it may have been thirty years ago. Many reported stereotypes of military personnel are apparently based on outdated information. While it was true as recently as the 1960s and 1970s that the average enlisted person came from a poor socioeconomic background, was undereducated, was more likely to be unable to get a job in the civilian market, or chose to enter the military to avoid incarceration, it is not true today.

The active-duty enlisted force of today is drawn largely from middle-income families, is more highly educated than the equivalent general

population, and is more likely to come from a rural, rather than an urban, household. Since September 11, 2001, recruits are more likely to have come from families with moderately higher incomes than was the case before that date. Similarly, recruits from the lowest two quintiles of household income are underrepresented.

CHAPTER 10

American Military Political Behavior

So, how do soldiers vote? We know more now than we did a decade ago, but we know less than we do about the general population. The short answer, though, is that soldiers vote much like most Americans and the usual demographic predictors are good. The slightly longer answer is that officers who tend to vote for Republicans while enlisted are more evenly divided in their support for the two major political parties.

Most information on how American military personnel vote is anecdotal in nature. While good data are available for veterans, legal and practical barriers exist that make it difficult for pollsters to ask active-duty military personnel how they vote. Additionally, the services are reluctant to provide access to service personnel for privacy reasons as well as concern over politicization. However, some quantitative research has been accomplished, and it reveals much about the way some soldiers vote.

In the waning years of the Vietnam War, some studies were beginning to gain an understanding of the political nature of the American military. Holsti's Foreign Policy Leadership Project (FPLP) demonstrated that senior officers were increasingly favoring the Republican Party.¹ Prior to that, it was probable that officers were equally likely to favor either major political party, if not being entirely apolitical.² However, reaction to the Vietnam War, the increasing realignment of southern conservatives with the Republican Party, and the open courting of the military by President Reagan made it evident that the officer corps was strongly pro-Republican. Nonetheless, no work was done to determine the party identification of enlisted personnel who made up about 85 percent of the armed forces.

In the late 1990s, Feaver and Kohn completed their Triangle Institute for Security Studies (TISS) survey of senior officers of all services and found that group to be overwhelmingly identifying with the Republican

Party over the Democratic Party, by ratios of 8:1.³ Again, no study was done of junior officers or of enlisted personnel.

Using data gathered in 2004, Dempsey conducted a Citizenship and Service (C&S) survey of army personnel that, for the first time, included significant numbers of enlisted personnel. His data showed that while officers—particularly senior officers—were indeed strongly identified as conservative and Republican, similar to the results of the TISS study, the political behavior of enlisted personnel more closely matched the general population.⁴ The Survey on Enlisted Personnel (SOEP), described here, using data from 2008, 2009, and 2012, essentially found the same results.⁵

The findings of the FPLP, TISS, C&S, and the SOEP were all remarkably consistent in showing that senior officers of all services were conservative and tended to identify with the Republican Party. The C&S study and the SOEP examined enlisted personnel in detail. Counter to apparent conventional wisdom, both found that enlisted personnel do not behave politically the same way as officers do. These findings about enlisted personnel are consistent with the usual demographic predictors of political behavior in the United States.

The Survey on Enlisted Personnel

The Survey on Enlisted Personnel (SOEP) was conducted in 2008 and 2009 a few months on either side of the November 2008 General Election.⁶ The principal purpose of the survey was to generate data that would lead to an answer for the following principal question:

To what extent do the political attitudes and behavior of enlisted personnel differ from or resemble those of the officer corps and the general American population?

Answering the question required the determination of the party identification and political ideology of active-duty enlisted personnel and then comparing those findings with what is known about the officer corps and the general American population. Additionally, given the information available from the data acquired through the survey, a comparison can be made between the attitudes and behavior of active-duty enlisted personnel and those of veteran enlisted personnel.

Party Identification and Ideology

The initial course of action was to determine the party identification (PID) of active-duty enlisted personnel and then compare those findings with

the party identification of veteran enlisted personnel, officers, and the general American population. In the survey, respondents self-reported party identification on a seven-point scale: from Strong Republican to Moderate Republican, Independent-Leaning Republican, Independent, Independent-Leaning Democrat, Moderate Democrat, or Strong Democrat. Other party identifications, such as Libertarian, were scored as Independents. In order to analyze the results accurately, sampling errors, specifically those for race and gender, were corrected by weighting each of six subgroups—white males, white females, black males, black females, other males, and other females—in accordance with their proportion in the known active-duty enlisted population (see table 10.1).

The PID comparison of the various groups is based on five samples. The samples of active-duty personnel and veteran enlisted personnel were drawn from the present survey (SOEP), as was the modern officer sample. The civilian sample was drawn from the American National Election Study for 2008 (ANES 2008) survey data. For purposes of comparison to previous research, officer attitudes were also drawn from the 1998 TISS survey.

The second course of action was to determine the political ideology of active-duty enlisted personnel and compare the findings to the political ideology of veteran enlisted personnel, officers, and the general American population. Respondents self-reported their political ideology on a five-point scale: Strongly Liberal, Somewhat Liberal, Middle of the Road, Somewhat Conservative, or Strongly Conservative. As with party identification, each demographic subgroup was weighted appropriately to correct for sampling errors. Finally, along with the determination of party identification and political ideology, self-reported shifts in PID since September 11, 2001, were examined, as were questions of political efficacy among the comparison groups.

Table 10.1 Active-duty enlisted personnel population statistics, November 30, 2008

<i>Ethnicity</i>	<i>Active-duty enlisted strength</i>			<i>Active-duty enlisted percentage of whole</i>		
	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
White	715,966	88,313	804,279	61%	8%	69%
Black	166,710	50,890	217,600	14%	4%	19%
Other	120,838	24,666	145,504	10%	2%	12%
Total	1,003,514	163,869	1,167,383	86%	14%	100%

Note: Totals may not add up due to rounding.

Source: DMDC, January 15, 2009.

Party Identification

The data obtained by the SOEP from active-duty enlisted personnel were divided into the six demographic subgroups. The reported party identification was applied to the total number of enlisted personnel in each subgroup, and three broad categories were produced: Republican, Democrat, and Independent/Other. Those who reported identifying as Republican or Democratic were further divided into the categories of strong, moderate, or leaning. In the case of the TISS officer sample, only the three broad categories of Democrat, Republican, or Independent/Other were available.

Results

About 41 percent of the weighted active-duty enlisted sample reported a Republican PID (see table 10.2) About 24 percent reported a Democratic PID, while about 35 percent reported an Independent PID or having some party identification other than Republican or Democrat. The 2008 ANES study reported the general American population having a Republican PID of about 43 percent, only a 2 percent difference from active-duty enlisted personnel. However, it also reported a Democratic PID of about 45 percent, about 21 percent higher than for active-duty enlisted personnel. Active-duty enlisted personnel were about three times more likely than the general population to report themselves as Independent/Other. A greater proportion of the civilian sample reported a strong or moderate partisan

Table 10.2 Party identification (PID)

<i>Party identification</i>	<i>Active enlisted</i>	<i>Veteran enlisted</i>	<i>Officers (1998)</i>	<i>Officers (2008)</i>	<i>Civilian (ANES)</i>
Strong Republican	11	14	–	12	18
Moderate Republican	16	18	–	32	15
Lean Republican	14	12	–	8	9.28
Total Republican	41	44	60	52	43
Independent	35	32	28	16	12
Lean Democrat	7	7	–	12	11
Moderate Democrat	10	8	–	4	15
Strong Democrat	7	9	–	16	19
Total Democrat	24	24	11	32	45
Total	100	100	100	100	100
N	1195	1079	1086	209	1617

Note: Tables may not add up due to rounding.

Source: Officers (1998) from TISS data, civilians from ANES 2008 data. All other data from the SOEP.

position (Republican 76%; Democrat 76%) than did the active-duty enlisted sample (Republican 66%; Democrat 71%). Thus, it would appear that active-duty enlisted personnel, while identifying with the Republican Party in about the same proportion as the general population, are less likely to be strong partisans (either Republican or Democrat) and more likely to report being Independent. Enlisted personnel are also substantially less likely than civilians to identify with the Democratic Party.⁷

In general, the surveys found that the military population had a smaller proportion of Democrats than did the general population, while the proportion of Republicans was about the same as in the general population. That finding led to the calculation of a ratio of Republicans to Democrats—partisan ratio—and the ratio of Independents to those who identify with a political party—Independent ratio (see table 10.3⁸).

Active-duty enlisted personnel demonstrate a 1.7 to 1 partisan ratio (Republican: Democrat), a ratio similar to that found in the veteran enlisted (1.8 to 1) and the 2008 officer sample (1.6 to 1). The civilian sample shows a .95 to 1 partisan ratio. Thus, active-duty enlisted personnel who identify with a political party are about twice as likely as civilians to identify with the Republican Party. However, active-duty enlisted personnel are nearly four times as likely as civilians to report being Independent. Active-duty enlisted personnel are substantially less likely than civilians to identify with the Democratic Party. The Republican-to-Democrat ratio may well explain the observations of a Republican dominated military. Despite the fact that the overall proportion of Republicans within the military is no greater than that found within the general population, that there are twice as many individuals who will state that they are Republicans as those who will state that they are Democrats can easily give the impression of a heavily Republican population. However, it must be remembered that active-duty enlisted personnel remain strongly Independent when compared to the civilian population.

Partisanship being skewed toward the Republican Party can be partially explained by the relatively high number of recruits who come from parts of the country in which the Republican Party maintains a strong following, that is, the southern and mountain states (see chapter 9, especially table

Table 10.3 Party identification (PID) ratios

<i>PID ratios</i>	<i>Active-duty enlisted</i>	<i>Veteran enlisted</i>	<i>Officer (1998)</i>	<i>Officer (2008)</i>	<i>Civilian (ANES)</i>
Partisan ratio (R/D)	1.7:1	1.8:1	5.5:1	1.6:1	.95:1
Independent ratio (I/R+D)	.54:1	.41:1	.39:1	.19:1	.14:1

Note: Data for calculations drawn from Table 10.1.

9.6). Many of the regions of the United States that have a strong Democratic Party following—the northeast and parts of the Midwest—are not as strongly represented among recruits. Why so many Independents are found within the military is not as easy to explain, but it may stem from the laws that restrict open involvement of military personnel in political activity and the enforced apolitical environments on military bases and ships.

Another likely explanation for the lack of Democratic identifiers in the military may be self-selection. A comparison of statistics between Texas and California, two states that combined produce over one-fifth of all recruits annually, reveals just how powerful the effect of self-selection is. Texas, a state that typically produces a Republican majority in general elections, produces about 11 percent of all recruits, and California, a state that typically votes Democratic, produces about 10 percent of recruits each year. Of personnel hailing from Texas, about 63 percent report a Republican party identification. About 20 percent reported being Independent, while only about 17 percent reported a Democratic PID. In California, about 35 percent report a Republican PID while over 50 percent report being Independent, and only a miniscule 5 percent of enlisted personnel reported identifying with the Democratic Party. This pattern repeats itself in other traditionally Democratic-voting states, such as Washington and Oregon, where 44 percent of enlisted personnel from those states report being Independent while less than 18 percent report being Democrats. Republicans make up about 38 percent of enlisted personnel from Washington and Oregon.

Party Identification Findings: Active Duty Enlisted

Finding #1: American military enlisted personnel are *less strongly partisan* than the general American population.

Finding #2: American military enlisted personnel are about *as likely* as the general American population to identify with the Republican Party.

Finding #3: American military enlisted personnel are about *half as likely* as the general American population to identify with the Democratic Party.

Finding #4: American military enlisted personnel are about *four times as likely* as the general American population to report themselves as Independents or as identifying with a party other than the Republican or Democratic parties.

Officers

Previous research has shown that over 60 percent of the officer corps identified with the Republican Party and that about 11 percent identified with

the Democratic Party, with about 28 percent identifying as Independent/Other.⁹ In order to see what changes may have occurred in officer PID in the ten years since the TISS survey was completed, a small number of officers (209) was surveyed by the SOEP. The more recent data show that a Republican bias remains within the officer corps, although identification with the Democratic Party appears to have been significantly higher in 2008 than was found to be the case in 1998. However, it is premature to conclude much from a comparison of the two samples because of the small size of the SOEP officer sample, the heavy weighting of the TISS sample with senior officers, the occurrence of the Afghanistan and Iraq wars, and the presidential candidacy of Barack Obama.

The wars in Afghanistan and Iraq have likely had at least two simultaneous effects: intensification of support for the Republican Party by those who previously identified with that party and intensification of alienation from the Republican Party by those who had previously identified with the Democratic Party or had been Independent. The candidacy and election of Barack Obama as president has most likely increased support of the Democratic Party among African American service personnel, while simultaneously increasing their alienation from the Republican Party. The drop in black recruits following September 11, 2001, was a strong indicator of dissatisfaction with the Republican administration's policies on the part of the African American community.

Party Identification Findings—Officers

Finding #5: American military officers are *more likely* to identify with the Republican Party than does the general American population.

Finding #6: American military officers are *less likely* to identify with the Democratic Party than does the general American population.

Finding #7: American military officers are *more likely* than enlisted personnel to identify with the Republican Party.

Finding #8: American military officers are *less likely* than enlisted personnel to identify as Independents or with a party other than the Republican or Democratic Parties.

Veteran Enlisted Personnel

A large number of respondents to the SOEP were enlisted personnel who are now veterans (N=1079). This provided an opportunity to detect differences between the attitudes of those still on active duty and those who have left active duty. As one might expect, there is great similarity between the two samples, but enlisted personnel on active duty as of 2008 were

more likely to report identifying as Independent than were veterans. Veterans reported a Republican PID at about the same rate as the general population but were much less likely to identify as Democrats.

Party Identification Findings: Veteran Enlisted Personnel

Finding #9: Veteran enlisted personnel are *less likely* than active-duty enlisted personnel to identify as Independents or with a party other than the Republican or Democratic Parties.

Finding #10: Veteran enlisted personnel are about *twice as likely* as the general American population to identify as Independents or with a party other than the Republican or Democratic Parties.

To present the gap data more graphically, we subtract the proportions of each category (Republican, Independent, and Democrat) within each of the various comparison groups from the active-duty enlisted proportions and show the result as a difference plot or gap (see figure 10.1). A bar

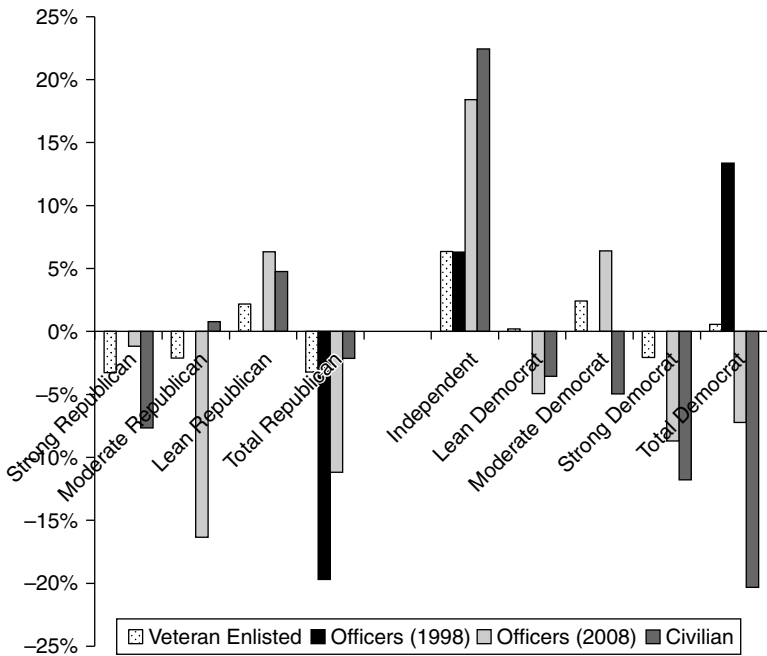


Figure 10.1 Party identification gap analysis

Note: Comparison of veteran enlisted, officers (1998), officers (2008), and civilians to active-duty enlisted personnel.

reaching in the positive (up) direction is a category in which the active-duty enlisted sample has demonstrated a higher proportion than the comparison group. A bar reaching in the negative (down) direction is a category in which the active-duty enlisted sample has demonstrated a lower proportion than the comparison group. Active-duty enlisted personnel are more likely than any of the other sample groups to identifying as Independent. The figure also shows that enlisted personnel are less likely to identify with the Republican Party than any of the comparison groups and, with the exception of officers in 1998, are less likely to identify with the Democratic Party.

Party Identification Shifts since September 11, 2001

The data obtained by the SOEP suggests a shift in party identification among officers between 1998 and 2008. To better understand the dynamics of party identification among enlisted personnel, it was helpful to determine if any change had occurred in recent years. As no previous survey of enlisted personnel had been conducted, it was necessary to find an alternative method to detect any changes that may have occurred. Given the suggestion that the events of September 11, 2001, and the subsequent wars in Afghanistan and Iraq may have had either an intensification of previously held attitudes or a frustration with military policy, we asked the respondent to self-report if they had experienced any shift in party identification. The SOEP asked two questions:

- Q #69. Has your party identification changed over the past seven years?
The available responses were “Yes,” “No,” or “Don’t Know.”
- Q #70. Since the events of 9/11 and the U.S. involvement in Iraq and Afghanistan, would you say that you are (1) more strongly Democrat, (2) less strongly Democrat, (3) more strongly Republican, (4) less strongly Republican, (5) switched from Democrat to Republican, (6) switched from Republican to Democrat, (7) are more strongly Independent than before, (8) are less strongly Independent than before, and (9) haven’t moved/don’t know.

The data available from the SOEP permitted analysis of reported PID change by active-duty enlisted personnel, veteran enlisted personnel, and officers. As no similar questioning had been conducted of the general American population, it was not possible to compare the military population with civilians.

The first analysis was a cross-tabulation of reported PID with reported change in PID. Among active-duty enlisted Republicans, 84 percent

[(22+16)/45] reported either being more strongly Republican or no change in intensity of PID, whereas among Democrats, 77 percent [(12+5)/22] reported being either more strongly Democrat or no change in intensity of PID. Among Independents, 88 percent [(15+14)/33] reported either being more Independent or no change. Among veteran enlisted Republicans, 78 percent [(28+11)/45] reported either being more strongly Republican or no change, whereas among Democrats 78 percent [(13+4)/23] reported being either more strongly Democrat or no change. Among Independents, 89 percent [(18+6)/27] reported either being more Independent or no change. Among officer Republicans, 84 percent [(32+14)/55] reported either being more strongly Republican or no change in PID, whereas among Democrats, 65 percent [(17+2)/29] reported being either more strongly Democrat or no change. Among Independents, 75 percent [(8+3)/16] reported either being more Independent or no change.

Thus, in the case of both active-duty and veteran enlisted personnel, over three-quarters of the sample reported either no change in PID or strengthening of a preexisting PID. Among active-duty enlisted personnel, the data suggest less of that effect with Democrats than was seen among veteran enlisted personnel. The effect was more pronounced among independents than among Republicans or Democrats. In the case of officers, the effect is most pronounced among Republicans (see table 10.4).

Table 10.4 Shift in party identification by PID

	<i>More Dem</i>	<i>Less Dem</i>	<i>More Rep</i>	<i>Less Rep</i>	<i>D to R</i>	<i>R to D</i>	<i>More Ind</i>	<i>Less Ind</i>	<i>No change</i>	<i>Total</i>
Active-duty										
Republican	0%	0%	22%	3%	2%	0%	2%	0%	16%	45%
Independent	0%	0%	2%	1%	0%	1%	15%	0%	14%	33%
Democrat	12%	1%	0%	0%	0%	1%	2%	0%	5%	22%
Total	13%	1%	24%	4%	3%	2%	19%	0%	35%	100%
N=878										
Veteran										
Republican	0%	0%	28%	4%	1%	0%	5%	0%	11%	50%
Independent	1%	0%	1%	0%	0%	0%	18%	0%	6%	27%
Democrat	13%	0%	1%	0%	0%	1%	2%	0%	5%	23%
Total	14%	1%	31%	4%	1%	2%	25%	0%	22%	100%
N=844										
Officer										
Republican	0%	0%	32%	5%	0%	0%	3%	0%	14%	55%
Independent	0%	0%	2%	2%	0%	0%	8%	0%	3%	16%
Democrat	17%	0%	1%	0%	0%	2%	7%	0%	2%	29%
Total	17%	0%	35%	8%	0%	2%	18%	0%	19%	100%
N=173										

Party Identification Change Findings

Finding #11: Over *three-quarters* of active-duty enlisted personnel and veteran enlisted personnel report either *an intensification of or no change* in party identification since September 11, 2001.

Finding #12: Republican active-duty enlisted personnel and officers are *more likely* than veteran enlisted personnel to report either *an intensification of or no change* in Republican PID than are Democratic active-duty enlisted personnel and officers.

Finding #13: Independent veteran enlisted personnel are *more likely* than officers or active-duty enlisted personnel to report either *an intensification of or no change* in being Independent.

While the absolute shift in party identification is revealing, a comparison of gaps, or gap analysis, between various sample groups, highlights differences between the three comparison groups. Active-duty enlisted personnel show a greater tendency to report no change in PID than either veteran enlisted personnel or officers. Active-duty enlisted personnel are also less likely than either veteran enlisted personnel or officers to be more partisan, that is, more Republican or more Democrat and are more likely to report being Independent.

The data also suggest that active-duty enlisted personnel may be slightly more likely than either veteran enlisted personnel or officers to have switched party identification. This tendency is about 2.5 times more likely among junior enlisted personnel (E-1 through E-5) than with senior enlisted personnel (E-6 through E-7), which would be consistent with older individuals having more stable PID. The total number of individuals reporting such a switch in PID from Democrat to Republican is small (twenty-two, or less than 3% of the sample), but a smaller number (sixteen, or less than 2% of the sample) reported a switch in PID from Republican to Democrat (see table 10.5).

Party Identification Change Gap Analysis Findings

Finding #14: Active-duty enlisted personnel are *less likely* than veteran enlisted personnel or officers to report any change in PID.

Finding #15: Active-duty enlisted personnel are *less likely* than veteran enlisted personnel or officers to report an intensification of PID.

Finding #16: Active-duty enlisted personnel are slightly *more likely* than veteran enlisted personnel or officers to report having changed PID from the Democratic Party to the Republican Party.

Table 10.5 PID Change Gap analysis

	<i>More Dem</i>	<i>Less Dem</i>	<i>More Rep</i>	<i>Less Rep</i>	<i>D to R</i>	<i>R to D</i>	<i>More Ind</i>	<i>Less Ind</i>	<i>No change</i>	<i>Total</i>
Gap Analysis AD-Vet										
Republican	0%	0%	-7%	-1%	2%	0%	0%	0%	4%	-5%
Independent	-1	0%	1%	1%	0%	0%	0%	0%	8%	7%
Democrat	-1	0%	-1%	0%	0%	0%	0%	0%	0%	-1%
Total	-1%	0%	-7%	0%	2%	0%	0%	0%	13%	
Gap Analysis AD-Off										
Republican	0%	0%	-11%	-2%	2%	0%	-1%	0%	2%	-10%
Independent	0%	0%	0%	-1%	0%	1%	7%	0%	11%	18%
Democrat	-5%	1%	-1%	0%	0%	-1%	-5%	0%	4%	-8%
Total	-5%	1%	-12%	-3%	3%	0%	1%	0%	16%	0%

Active-duty enlisted minus veteran enlisted.
 Active-duty enlisted minus officers.

Political Ideology

Respondents were asked to report their political ideology on a five-point scale: strongly conservative, somewhat conservative, middle-of-the-road, somewhat liberal, and strongly liberal. Using methodology similar to that used above, the reported political ideology of each demographic subgroup was calculated and then summarized with the appropriate weighting. The proportions for the categories were determined for each of the same five sample groups: active-duty enlisted personnel, veteran enlisted personnel, officers (1998), officers (2008), and civilians. The results are summarized in table 10.6.¹⁰

Findings

The political ideology of active-duty enlisted personnel is roughly similar to that reported by the general American population in the 2008 ANES study, but the general population sample is more likely to report being either “strongly liberal” or “strongly conservative” while active-duty personnel are more likely to report themselves as moderate or “middle of the road.” As with PID, ideological ratios reveal differences between the comparison groups. Active-duty enlisted personnel report about the same conservative to liberal ratio (1.4 to 1) as does the civilian population (1.3 to 1). Both of those ratios are not as high as those shown with veteran enlisted personnel (2.1 to 1), the 1998 officer sample (8 to 1), and the 2008 officer sample (1.7 to 1). Active-duty enlisted personnel also demonstrate a likelihood similar to that of the civilian population of reporting themselves as

Table 10.6 Political ideology

<i>Political ideology</i>	<i>Active enlisted</i>	<i>Veteran enlisted</i>	<i>Officers (1998)</i>	<i>Officers (2008)</i>	<i>Civilian (ANES)</i>
Strongly Conservative	19	18	13	23	24
Somewhat Conservative	19	30	51	29	15
Total Conservative	38	48	64	51	38
Middle of the Road	34	29	28	19	32
Somewhat Liberal	18	18	7	15	12
Strongly Liberal	10	5	1	15	18
Total Liberal	28	23	8	30	30
Total	100	100	100	100	100
N =	1200	1085	1199	206	1626

Note: Totals may not add up due to rounding.

Source: Officers (1998) from TISS (1998) data, Civilians from ANES 2008 data. All other data from the SOEP.

Table 10.7 Ideology ratios

<i>Ideology Ratios</i>	<i>Active-duty enlisted</i>	<i>Veteran enlisted</i>	<i>Officer (1998)</i>	<i>Officer (2008)</i>	<i>Civilian (ANES)</i>
Conservative : Liberal ratio	1.4:1	2.1:1	8:1	1.7:1	1.3:1
Moderate ratio [M/(C+L)]	.52:1	.41:1	.39:1	.23:1	.47:1

Note: Data for calculations drawn from Table 10.6.

Independent. So, while active-duty enlisted personnel are more likely to be Republicans than Democrats, they are quite similar to the general population when it comes to ideology (see table 10.7¹¹).

Political Ideology Findings—Active Duty Enlisted

Finding #17: The political ideology of active-duty enlisted personnel is *similar* to that reported by the general American population.

Finding #18: Active-duty enlisted personnel are *more moderate* than the general American population, being *less likely* to report themselves as “strongly conservative” or “strongly liberal.”

Officers

Reported ideology is markedly different between active-duty enlisted personnel and officers, although the limited data suggests a difference

between the officers of 1998 and those of 2008. Officers are more likely than either active-duty enlisted personnel or the general American population to report being conservative. Indeed, while over half of the officer corps reports being conservative, only about a third of active-duty enlisted personnel report the same. However, the 2008 officer sample shows a higher likelihood of officers reporting as liberal than the officer sample of 1998. This may result from some differences between the two samples, particularly the inclusion of a higher proportion of junior officers in the SOEP (2008) sample than was present in the TISS sample (1998).

Political Ideology Findings—Officers

Finding #19: Active-duty officers are *more likely* than enlisted personnel to report being conservative.

Finding #20: Active-duty officers are *less likely* than enlisted personnel to report being middle of the road.

Veteran Enlisted Personnel

Veteran enlisted personnel are about 10 percent more likely than active-duty enlisted personnel to report being conservative and are less likely than active-duty enlisted personnel to report being liberal or middle of the road. This may be a result of age cohort effects, as it is known from other studies that personnel who enlisted in the 1980s were more likely to report being Republican and conservative than was true for those who enlisted in the late 1990s or 2000s.¹² The majority of personnel who enlisted in the 1980s are no longer on active duty, while most of those currently on active-duty were enlisted in the late 1990s and early 2000s.

Political Ideology Findings—Veteran Enlisted Personnel

Finding #21: Veteran enlisted personnel are *more likely* than active-duty enlisted personnel to report being conservative.

Finding #22: Veteran enlisted personnel are *less likely* than active-duty enlisted personnel to report being middle of the road.

Finding #23: Veteran enlisted personnel are *less likely* than active-duty enlisted personnel to report being liberal.

The gap analysis of differences between active-duty enlisted personnel and the other comparison samples is presented in figure 10.2.

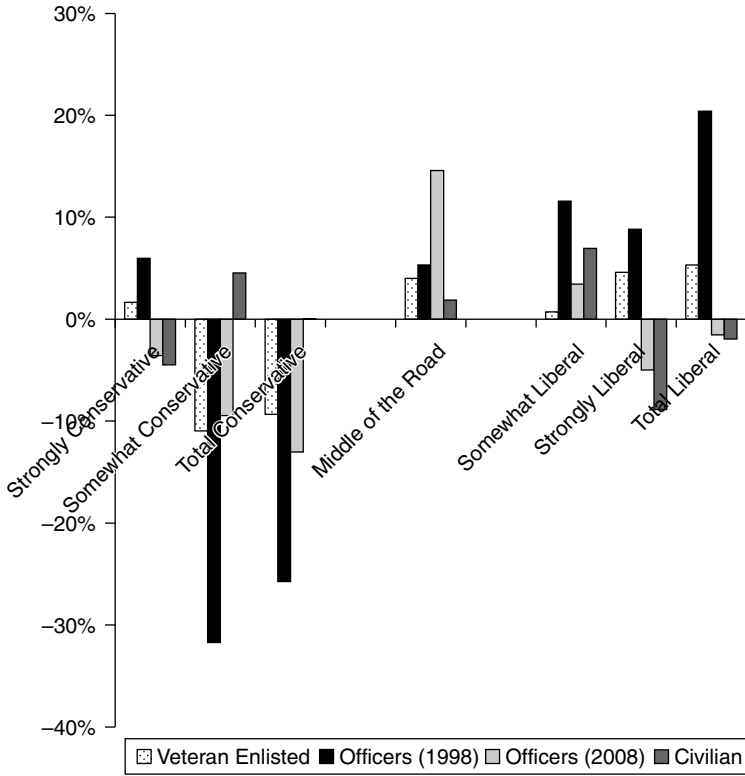


Figure 10.2 Political ideology gap analysis

Note: Comparison of veteran enlisted, officers (1998), officers (2008), and civilians to active-duty enlisted personnel.

Cross-Tabulation of Party Identification and Political Ideology

In order to compare the groups in more detail, party identification and political ideology are cross-tabulated (see table 10.8). This highlights the distribution of conservative, middle of the road, and liberal respondents within the Republican and Democratic parties as well as among Independents. Readily apparent is the expected distribution of conservative Republicans and liberal Democrats, but the distribution varies by sample group. For example, while only about one-fourth of active-duty enlisted personnel report being conservative Republicans, over half of officers report the same. Among the civilian sample, about 21 percent report being liberal Democrats as compared to only about 11 percent of active-duty enlisted personnel.

Table 10.8 Cross-tabulation: party ID and political ideology

	<i>Democrat</i>	<i>Other</i>	<i>Republican</i>	<i>Total</i>
a. Active-duty Enlisted Sample*				
Conservative	0%	6%	28%	34%
Other	14%	16%	8%	38%
Liberal	11%	14%	2%	28%
Total	26%	37%	38%	N=1256
b. Veteran Enlisted Sample*				
Conservative	1%	10%	38%	49%
Other	10%	15%	6%	31%
Liberal	14%	4%	2%	20%
Total	25%	30%	46%	N=1039
c. Officer Sample (TISS 1998)*				
Conservative	2%	9%	55%	66%
Other	6%	9%	11%	27%
Liberal	4%	2%	1%	8%
Total	12%	20%	67%	N=1086
d. Officer Sample (2008)*				
Conservative	0.00%	3%	48%	51%
Other	3%	13%	4%	20%
Liberal	29%	0%	0.00%	29%
Total	32%	16%	52%	N=207
e. Civilian Sample (ANES 2008)*				
Conservative	11%	3%	25%	38%
Other	19%	5%	7%	32%
Liberal	26%	2%	3%	30%
Total	56%	10%	34%	N=1617

Note: * Sum of all nine cells is 100%.

Totals may not add up due to rounding.

Political Ideology Gap Analysis Findings

Finding #24: Active-duty enlisted personnel who identify with the Republican Party demonstrate the *same* distribution of ideology as the general American population.

Finding #25: Active-duty enlisted personnel who identify with the Democratic Party are *less likely* than the general American population to report being liberal.

Finding #26: Active-duty enlisted personnel who identify with the Republican Party are *less likely* than veteran enlisted personnel to report being conservative.

Finding #27: Active-duty enlisted personnel who identify with the Democratic Party are *less likely* than officers to report being liberal.

Finding #28: Active-duty enlisted personnel who identify with the Republican Party are *less likely* than officers to report being conservative.

Gap analysis better highlights the differences. The active-duty enlisted sample was compared with each of the other four sample groups. Each of the nine cells was calculated by subtracting the comparison group proportion from that of the active-duty enlisted sample. A positive result indicates that the active-duty enlisted group had a higher proportion of representation in the particular characteristic than was shown in the comparison group. A negative result indicates a lower proportion of representation than seen in the comparison group. The results are presented in table 10.9.

Table 10.9 Gap analysis of party ID and political ideology cross-tabulations

	<i>Democrat</i>	<i>Other</i>	<i>Republican</i>	<i>Total</i>
Active-duty enlisted–Veteran enlisted gap				
Conservative	0%	–4%	–10%	–15%
Other	4%	1%	2%	7%
Liberal	–3%	10%	0%	8%
Total	1%	7%	–8%	
Calculated by subtracting results of Table 10.8b from Table 10.8a.				
Active-duty enlisted–Officer (1998) gap				
Conservative	–1%	–3%	–27%	–31%
Other	8%	6%	–4%	11%
Liberal	7%	12%	1%	20%
Total	14%	16%	–30%	
Calculated by subtracting results of Table 10.8c from Table 10.8a.				
Active-duty enlisted–Officer (2008) gap				
Conservative	0%	6%	–20%	–13%
Other	12%	4%	3%	18%
Liberal	–18%	14%	–2%	–5%
Total	–6%	25%	–19%	
Calculated by subtracting results of Table 10.8d from Table 10.8a.				
Active-duty enlisted–Civilian gap				
Conservative	–10%	4%	3%	–4%
Other	–4%	10%	0%	6%
Liberal	–15%	13%	0%	–2%
Total	–30%	27%	3%	
Calculated by subtracting results of Table 10.8e from Table 10.8a.				

Note: Result of each cell calculated by subtracting the respective comparison group from the active-duty enlisted sample. Totals may not add up due to rounding.

Political Efficacy

As much of the discussion about the culture gap revolved around the voting behavior of military enlisted personnel, it is reasonable to explore the political efficacy of this population. Previous research has demonstrated that a strong positive correlation exists between high political efficacy and the likelihood that an individual will vote.¹³ Even though the demographics of the military population translate into standard electoral patterns, it would be helpful to know if the usual predictor of high political efficacy is present in this high voter turnout population. In order to test this, the SOEP asked the respondents to reply to the following two standard internal political efficacy questions:

Q.2. Sometimes politics and government seem so complicated that a person like me can't really understand what's going on.

Q.3. So many other people vote in the national election that it doesn't matter much to me whether I vote or not.

Each respondent was then asked to agree or disagree with the statement across a standard five-point scale. The distribution of responses was calculated for each of seven different comparison groups: whites, blacks, other races, males, females, junior enlisted personnel, and senior enlisted personnel. These particular comparison groups were chosen to provide a cross-sectional view of differences along racial and gender lines. The last two groups, junior and senior enlisted personnel, were chosen to determine the existence of any age-related differences (see table 10.10).

For the purposes of the analysis below, junior enlisted personnel are defined as pay grades E-1 through E-5 while senior enlisted personnel are pay grades E-6 through E-9. Such a categorization is consistent with the practice of the army, air force, and Marine Corps, defining E-6 and higher as senior noncommissioned officers. The navy makes the divide between E-6 and E-7, but for the sake of consistency, all four services will be categorized similarly.

While variation exists between the groups, overall there appears to be a high level of political efficacy in all demographic groups. Contrary to what has usually been found in the national population, blacks demonstrated a higher level of efficacy than did whites. While it is reasonable to assume that the candidacy of Barack Obama in 2008 was likely a significant factor in a heightened sense of political efficacy among blacks, that explanation for the correlation cannot be substantiated because we have no efficacy data among military personnel prior to the present survey.

Senior enlisted personnel demonstrated a higher level of efficacy than did junior enlisted personnel. This finding supports earlier research

Table 10.10 Active-duty enlisted political efficacy by race, gender, pay grade

	<i>White</i>	<i>Black</i>	<i>Other</i>	<i>Male</i>	<i>Female</i>	<i>Jr. Enlisted</i>	<i>Sr. Enlisted</i>
Vote Doesn't Matter							
Agree Strongly	4%	3%	5%	4%	1%	5%	3%
Agree Somewhat	11%	4%	8%	8%	9%	12%	6%
Neither	4%	0%	6%	4%	0%	7%	2%
Disagree Somewhat	12%	14%	27%	19%	3%	23%	12%
Disagree Strongly	70%	80%	53%	64%	87%	54%	77%
Total	100%	100%	100%	100%	100%	100%	100%
N	652	292	295	1031	208	489	750
Too Complicated							
Agree Strongly	6%	10%	0%	5%	8%	9%	4%
Agree Somewhat	20%	19%	17%	18%	26%	16%	21%
Neither	8%	0%	2%	5%	1%	4%	5%
Disagree Somewhat	19%	33%	34%	21%	47%	23%	27%
Disagree Strongly	47%	38%	47%	50%	19%	48%	43%
Total	100%	100%	100%	100%	100%	100%	100%
	656	292	295	1035	208	493	750

Note: Jr. Enlisted = E-1–E-5; Sr. Enlisted = E-6–E-9.

Totals may not add up due to rounding.

showing that older voters generally report a higher political efficacy than younger voters.¹⁴

In the 2008 ANES survey, nearly 70 percent of respondents replied that they agreed strongly or agreed somewhat that “politics and government seem so complicated that a person like me can’t really understand what’s going on.” In comparison, only 28 percent of active-duty enlisted personnel agreed strongly or agreed somewhat with this statement, while over 68 percent disagreed strongly or disagreed somewhat with the same statement. Such a marked difference between military and civilian political efficacy, combined with documented high voting turnout rates on the part of military personnel, may be connected to the efforts on the part of the military to encourage voting. It may also be related to the higher level of education on the part of military personnel as compared to the general American population.

Political Efficacy Findings

Finding #29: American enlisted personnel demonstrated a substantially *high level* of political efficacy when compared to the general American population.

Finding #30: Junior enlisted personnel demonstrated a *lower level* of political efficacy than did senior enlisted personnel.

Finding #31: Black active-duty enlisted personnel demonstrated a *higher level* of political efficacy than did white active-duty enlisted personnel.

Summary

American military enlisted personnel are proportionally no more likely than civilians to identify with the Republican Party but are substantially less likely to identify with the Democratic Party. Additionally, enlisted personnel are not as strongly partisan, being less likely than other sample groups to report being either “strong Democrats” or “strong Republicans.” Not surprisingly then, enlisted personnel are about four times as likely to report being Independent when compared to the civilian population.

Similarly, enlisted personnel are less strongly ideological than the other sample groups. Of those who reported being either liberal or conservative, a higher proportion of enlisted personnel reported a more moderate position than the other sample groups.

Of particular note is the high level of political efficacy suggested by the survey results. That such a high efficacy would come from this relatively young age group is of interest.

CHAPTER 11

Conclusion: So What and Who Cares?

It is the sense of Congress that each person who is an administrator of a Federal, State, or local election should be aware of the importance of the ability of each uniformed services voter to exercise the right to vote; and should perform that persons duties as an election administrator with the intent to ensure that each uniformed services voter receives the utmost consideration and cooperation when voting.

Public Law 107107—MOVE Act

Americans want their soldiers to vote. At least that is what the public says in recent surveys and what politicians say publically. But this has not always been the case. Throughout much of American history, soldiers and sailors, while important, were not considered part of the state electorate. Reminiscent of the warnings against the maintenance of a large standing army, military personnel were seen as dangerous to democracy and inimical to liberty. Most states took steps to ensure that the troops in any federal army were specifically barred from voting and from impacting local politics as a result. Soldiers, especially those soldiers in the federal army, were not considered state citizens and therefore not eligible to vote in state elections.

Wars shook that thinking, however. Most notably, the Civil War and World War II, but also, to some extent, the Spanish-American War and World War I. The post-Korean War decision to maintain a large standing army in peacetime also caused concern from an electoral as well as a liberty point of view. Never before had the United States had to contend with so many citizens in uniform while not engaged in a war. The concurrent expansion in the numbers of Americans living overseas in the post-World War II years brought new pressure on legislators to change election laws

concerning voters who lived overseas to permit them to participate more easily in the political process.

Wars and the impact they have on society increased interest in ensuring that citizens who go away to fight are not denied the right to vote. However, until recently that right to vote was strongly contested, often along political party lines. Today, there is little evidence of either major political party objecting to the soldier vote. However, accusations of partisan interest remain. To be accused of disenfranchising military voters is a smear no politician wants to endure. The soldier vote can still bring out strong emotions.

Convinced that in recent years the military vote was strongly in the favor of Republican candidates, Republicans often look for opportunities to accuse Democrats of opposing military voters. In an attempt to gain favor in Ohio just before the 2012 general election, the Romney campaign accused the Obama administration of undermining the voting rights of military personnel, while the facts of the case, *Obama for America v. Husted*, do not bear out that claim. That the Romney campaign would use that argument says much about which party they thought military voters would support.¹ The complaints and accusations say more about how important it is to gain the Electoral College votes of Ohio in the election than anything else. The military vote became a partisan political issue that sparked debate and confusion.²

Some progress has been seen, however, even among the strongly partisan press. Recognition that the military vote may not be identifying as strongly Republican is beginning to take hold. Recent studies demonstrating that the military vote, particularly the enlisted vote, more or less matches that of the general American population are apparently being read and taken seriously.

For example, during a television discussion in August 2010 about the issue of requests by states on the forty-five-day waiver of the MOVE Act, one commentator said, “There’s a perception—and it’s not true—in American political history that somehow, voters are going to be Republican—military voters are going to be Republican. That goes back to the Civil War. Since then, there’s been no discernible pattern.”³ The rest of the conversation still seemed to imply that there were politicians who still believed that the military vote was strongly Republican, but at least that one commentator was reporting accurately.

Military voters have rarely had much impact in swaying elections. The total number of Americans participating in the military by serving on active duty has always been small. American liberal democratic tradition has maintained a long-standing distrust of the military. Fears of a large standing army predated the American Revolution and remain strong

today. Dwight Eisenhower's warning about the military-industrial complex was a recent version of that fear.⁴ Just less than 0.5 percent of the US population is currently on active duty. That is the lowest percentage since 1940, prior to the US entry into World War II. Even including all those in the Reserves and the National Guard, only about 1 percent of the American population serves in the military. The nearest the United States ever came to total mobilization was during World War II when active participation in the military reached 8.66 percent, when over 12.1 million were in uniform. Since that time, the percentage has steadily decreased with only brief spikes in 1952 (2.31%) during the Korean War and in 1968 (1.77%) during the Vietnam War. Since 1968, the proportion of Americans directly participating in active military service has been on a continual decline.⁵

A legitimate question is why Americans should be worried about whether military personnel and citizens living overseas are able to vote. The best argument, of course, is that they are citizens and have a right to vote. However, as discussed in chapter 5, we know that there is no constitutional right to vote. Another reason often cited throughout American history is that those who actually go in harm's way to fight for the country have a particular claim to being enfranchised. But, as we have seen, that right has often been challenged for various reasons, not the least of which have been partisan political and even racial grounds.

Another good question is why we should grant the right to vote to citizens who are not in the country. Indeed, for much of the history of the United States, the assumption was that elections were local in nature and only conducted in person in one's home precinct. Besides, if a citizen were not home, how could he even know what the local issues were and make an intelligent vote? As recently as 1975, the federal government argued that citizens living overseas were unable or unlikely to stay up-to-date on important matters that might inform their voting.⁶

However, the occasional (and traumatic) calling up of large numbers of citizens to go to war and to be away from their homes during a major election, especially presidential elections, seems to bring out a desire to ensure the enfranchisement of soldiers. Indeed, the case might be made today that we are bending over backward to give soldiers the right to vote, even giving them access to the ballot that regular citizens do not have.

The circumstances for deployed military personnel to be able to vote today is certainly better than it has been at any time in American history. It is not, however, solved. There remains a *de facto* disenfranchisement of military voters, both those deployed overseas and those stationed away from their home precincts. States remain at the center of election law, but federal standards have brought about progress. No politician today

will make public comments that might be construed as denying a military person the right to vote. That does not resolve the issue of how best to ensure the return of the marked ballot to the correct precinct for counting in a timely manner. Despite all efforts, at least a third of all absentee ballots mailed to military personnel overseas are returned undeliverable.

According to data reported by states and territories to the Federal Election Commission, at least 285,309 overseas voters who apparently wanted to cast a ballot were not able to do so. Of those, about 150,000 were military personnel stationed or deployed overseas. While that number only represents about one tenth of 1 percent of all the votes cast in the 2012 general election, it does represent a significant number of Americans who were, in effect, disenfranchised. The number does not count the other military personnel who did not vote for other reasons, such as difficulty in accessing the system.

Reports of disenfranchisement of military personnel arouse attention, both with the public and the press. However, despite some alarmists, such reports have not risen to the level of serious concern for the existence of voter fraud.⁷ While over a quarter of a million overseas citizens were apparently unable to cast a valid ballot in the 2012 election, there have only been 2,068 alleged voter fraud cases nationwide since 2000. A public official who believes that voter fraud is a serious issue should certainly believe that the disenfranchisement of military and overseas citizens is a larger problem by several orders of magnitude. However, the response by lawmakers to resolve this apparent mismatch of effort is, at best slow, and certainly requires serious attention.

The trend in complaining about military and overseas voter enfranchisement has shifted from attacking states and their laws to holding the federal government, and in particular, the Department of Defense accountable. One military voting watchdog group, the Military Voter Protection Project (MVPP), argues that while it is the personal responsibility of the individual voter to cast a ballot, the emphasis by the Department of Defense (DOD) on registering and voting has declined. Specifically, MVPP blames “the federal bureaucracy and a little bit of stubbornness by the Department of Defense.”⁸

The argument blaming DOD for the failure is based largely on failure to adequately fund and staff military Voting Assistance Offices (VAO) on major bases and the general lack of knowledge on the part of unit voting assistance officers. Other arguments are aimed at the attorney general and a perceived failure to hold states accountable to the requirement of UOCAVA and the MOVE Act. Funding and manning of the VAOs has been largely resolved, but ensuring that service personnel learn about them,

can access them conveniently, and decide to actually use them remains a problem. Noncompliance by states with the requirements of UOCAVA and MOVE is also not as serious a problem as it once was. All states are now in compliance with the requirement to have ballots mailed out to UOCAVA voters forty-five days before an election. However, the issue of how to handle runoff elections and issues related to the presidential primary election season, such as caucuses, remain.

What is clear is that a member of the American armed forces deployed or stationed overseas will have a more difficult time casting a ballot than will other American citizens, including civilians living overseas.⁹ While that difficulty is not caused by any overt discriminatory action, it nevertheless exists. Much has been done in the past few decades to mitigate that de facto disenfranchisement. However, much remains to be done in order to fully understand the bounds of that disenfranchisement and the limits of what can be done to correct it.

One serious issue is the significantly lower rate at which young citizens vote. Given the relative youth of the American military, any attempt to increase voter participation within the armed services must take that historical behavior into account. Young people do not vote, at least not in the same proportion to their population as do older citizens, and there may be little that can be done to change that behavior. However, being able to access a ballot easily and then to be able to return it quickly and reliably will go a long way toward mitigating the problem. Voter education is always a good thing, and anything that can be done to increase the availability and quality of that education will also be of considerable help.

States need to continue to upgrade their voter websites, especially those pages dedicated to the UOCAVA voter. Investigations into and investments in the modern electronic delivery of ballots is also needed, all of which is expensive. To the extent that security permits, the return of marked ballots electronically should be authorized. Extending the period after an election during which overseas absentee ballots will be accepted for counting should be made more uniform between the states. Ten days is not too long and will go a long way toward reducing the number of ballots not counted due to being late. Allowing use of the Common Access Card (CAC), the electronic military identification card issued to all active duty personnel, instead of requiring wet signatures, may reduce the number of ballots that are rejected for signature issues. It may even be helpful, in certain isolated cases, to permit use of video conferencing to allow a remotely stationed service person to cast a proxy vote. Internet voting, while apparently not technically feasible now, if implemented well will go a long way toward bringing the youth vote to the polls.

The United States is a federal republic and, as such, it will always be difficult to completely standardize voting qualifications and voting laws. However, states should avoid the temptation to pass “one-size-fits-all” laws that treat all voters exactly the same. Having special-circumstance options for certain unusual hardship situations, such as personnel on isolated stations or on ships at sea, will permit state and local election officials more flexibility in allowing those individuals the opportunity to access the ballot.

Most public officials recognize that it is important not to deny service personnel the opportunity to vote in elections. Most lawmakers actually go out of their way to ensure that the laws are not the problem. However, most of those lawmakers are not experts in election laws and most are certainly not experts in absentee voting laws. Even more of a gap exists in lawmakers’ knowledge and understanding of the hardships of being in the military and of being stationed overseas or on a ship. It is here that the public can and must engage their state and federal officials to keep them informed of problems and potential technical and administrative solutions. Lobbying by organized groups works and, in the case of overseas and military voters, is effective and generally welcomed.

Recurring Themes and Debates

Much of the previous writing recounts the details surrounding the six recurring themes of absentee voting by military personnel first described in chapter 1. While some of the themes are seemingly obvious byproducts of a governmental system driven by partisan politics, understanding events in light of those recurring debates is helpful.

The first of the themes was that *political interest in supporting absentee voting for deployed military personnel has arisen primarily during wars when large numbers of Army soldiers are deployed away from home*. The primary examples of this theme were the Civil War and World War II. The decision to maintain a large standing army following the Korean War can be seen as part of that theme in that millions of service personnel were on active duty and away from home. The existence of the draft personalized their absence to the citizenry, resulting in legislative action to ensure their participation in elections. The deployment of significant numbers of army troops overseas following 9/11 and the use of large numbers of National Guard troops in combat appears to have brought about the same effect.

The second theme about *whether states or the federal government have precedence in determining how voting must occur and who must be permitted to vote* remains contentious but has been partially resolved. While it is clear that the

federal system of the United States leaves most of the details of election law to the states, all states essentially support recent federal legislation, ensuring that overseas and military citizens are afforded a reasonable opportunity to vote in all elections, including state and local elections.

The third theme, *the wide variation in state election laws*, is, of course, related to the second and remains problematic. Many of the problems faced by overseas and military voters lie in the lack of conformity of state election laws, which, in turn, fosters confusion and failure to cast a ballot that is counted.

The fourth theme, *whether voting anywhere other than at one's home precinct should be permitted* has been largely resolved. No elected official will state that overseas citizens or military personnel must be in their home precinct to vote. The change in attitude is relatively recent, though, with the US government actively arguing as recently as 1975 that citizens living overseas might not be provided the right to vote.

The fifth theme, *lawmaking for absentee voting about military personnel has largely been contentious along party lines* seems to be largely gone. Despite historical incidents of such partisan contention, since the passage of UOCAVA in 1986, including HAVA in 2001 and the MOVE Act in 2009, all bills were passed with strong bipartisan support. There is no indication of any change in that pattern. The vestiges of that theme remain, though, with assumptions, incorrect as they may be, that the military always votes Republican.

The sixth theme, that *assumptions about the party preferences of military personnel were critical to whether and how each political party supported the soldier vote*, remains to some extent. Actions and statements by some public officials and political parties appear to reveal a lingering concern that military personnel in particular may only support one of the two primary political parties.

Alexander Keyssar, author of *The Right to Vote*, a seminal volume on the history of contested enfranchisement in America, calls democracy a "project."¹⁰ By that he means that figuring out how to make democracy happen in the real world has its problems. It took over five centuries between the signing of the Magna Carta in 1215 until the ratification of the US Constitution to develop ideas of limited government and the gradual involvement of the citizenry in the political process. The right to vote in the United States has always been contentious and remains so today. However, progress has been made. Thus, it is a project not yet complete.

In the same way, the enfranchisement of overseas and military citizens is also a project. From a time when few could even imagine voting while not in his home precinct, we now envision voting from our homes via the Internet. The idea that a citizen living overseas or a soldier stationed in

Afghanistan ought not to be afforded the right to vote is uncommon. Keyssar claims the story of the right to vote has a “partially happy ending.” So does the story of the soldier vote. Much remains to be done, but much has already been done. I end with the last line from Keyssar’s book: “The gains so far achieved need to be protected, while the vision of a more democratic society can continue to inspire our hopes and our actions.”¹¹

Appendix A: Military and Overseas Ballot Returns

A.1 Civil War Union soldier vote returns, 1862

State	General vote		Soldier vote		Soldier/ General
	Republican	Democrat	Republican	Democrat	
Iowa	67,842	49,498	14,880	4,136	16.2%
	57.8%	42.2%	78.2%	21.8%	
Wisconsin	66,801	67,985	8,373	2,046	7.7%
	49.6%	50.4%	80.4%	19.6%	

Note: Only four Union states passed soldier vote laws prior to the fall 1862 elections. Only Iowa and Wisconsin kept records of those ballots. Missouri and Minnesota did not keep separate records.

Source: Data obtained from multiple sources, including Josiah Henry Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed; and Horace Greeley. 1866. *The American Conflict: A History of the Great Rebellion in the United States of America, 1860–65*, vol 2. Hartford, CT: O.D. Case & Company.

A.2 Civil War Union soldier vote returns, 1864

State	General Vote		Soldier Vote		Soldier/ General
	Lincoln	McClellan	Lincoln	McClellan	
California	62,134	43,841	2,600	237	2.7%
	58.6%	41.4%	91.6%	8.4%	
Iowa	87,331	49,260	17,310	1,921	14.1%
	63.9%	36.1%	90%	10%	
Kansas	14,228	3,871	2,867	543	18.8%
	78.6%	21.4%	84.1%	15.9%	
Kentucky	27,786	64,301	1,194	2,823	4.4%
	30.2%	69.8%	29.7%	70.3%	
Maine	72,278	47,736	4,174	741	4.1%
	60.2%	39.8%	84.9%	15.1%	
Maryland	40,153	32,739	2,800	321	4.3%
	55.1%	44.9%	89.7%	10.3%	
Michigan	85,352	67,370	9,402	2,959	8.1%
	55.9%	44.1%	76.1%	23.9%	

Continued

A.2 Continued

State	General Vote		Soldier Vote		Soldier/ General
	Lincoln	McClellan	Lincoln	McClellan	
New Hampshire	86,595 72.4%	33,034 27.6%	2,066 75%	690 25%	2.3%
Ohio	265,154 56.3%	205,568 43.7%	41,146 80.8%	9,757 19.2%	10.8%
Pennsylvania	296,389 51.8%	276,308 48.2%	26,712 68.4%	12,349 31.6%	6.8%
Vermont	42,422 76.1%	13,325 23.9%	243 83.2%	49 16.8%	0.5%
Wisconsin	79,564 55.5%	63,875 44.5%	11,372 82.2%	2,458 17.8%	9.6%
Total (Note 2)	1,159,386 56.3%	901,228 43.7%	121,886 77.8%	34,848 22.2%	7.6%
Total (Note 3)	2,263,625 55.7%	1,802,237 44.3%	121,886 77.8%	34,848 22.2%	3.9%

Note:

(1) Minnesota and Missouri permitted soldier voting in the field, but no separate record of those votes was maintained or kept.

(2) Total includes only those Union states with soldier voting tallies.

(3) Total includes all Union states, including those with no soldier vote tallies.

Source: Data obtained from multiple sources, including Josiah Henry Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed; and Horace Greeley. 1866. *The American Conflict: A History of the Great Rebellion in the United States of America, 1860–'65*, vol 2. Hartford, CT: O.D. Case & Company.

A.3 World War II war ballot returns, 1942

State	Applications	Late applications	Ballots received	Late ballots received
Alabama	600	50	–	–
Arizona	166	–	64	–
Arkansas	900	–	100	–
California	6,000	–	300	900
Colorado	746	–	–	–
Connecticut	749	–	378	–
Delaware*	196	7	93	25
Florida	1,000	–	500	–
Georgia	–	–	–	–
Idaho	286	12	257	–
Illinois	8,380	–	4,447	–
Indiana	7,000	–	1,700	–
Iowa	1,251	–	465	–
Kansas	1,016	11	280	23
Kentucky*	883	–	326	–
Louisiana	–	–	–	–
Maine	–	–	–	–

Continued

A.3 Continued

<i>State</i>	<i>Applications</i>	<i>Late applications</i>	<i>Ballots received</i>	<i>Late ballots received</i>
Maryland	750	–	254	–
Massachusetts	2,638	–	566	–
Michigan	3,302	417	643	169
Minnesota	2,192	–	671	–
Mississippi	411	–	89	12
Missouri	1,683	100	432	74
Montana	369	19	102	37
Nebraska	725	35	264	3
Nevada	792	–	357	–
New Hampshire	626	–	249	–
New Jersey	58,097	–	?	–
New Mexico *	275	–	217	–
New York	8,259	643	1,333	832
North Carolina	786	39	250	58
North Dakota	4,585	–	955	–
Ohio	10,484	–	7,006	–
Oklahoma	774	100	276	72
Oregon	645	–	323	–
Pennsylvania	4,585	156	668	514
Rhode Island	632	–	316	–
South Carolina	181	–	87	–
South Dakota	400	–	–	–
Tennessee	715	60	119	28
Texas	1,906	210	1,685	–
Utah	261	31	73	–
Vermont	128	11	37	–
Virginia	697	–	281	–
Washington	–	–	–	–
West Virginia	744	–	290	–
Wisconsin	–	–	1,521	–
Wyoming	208	19	77	25
Total	136,686	1,920	28,061	2,793

Note: *No absentee voting in this state.

Source: Russ W. Carter. 2005. *War Ballots*, 27. The data was compiled from US War Ballot Commission reports. Some data is estimated.

A.4 World War II state war ballot returns, 1944

<i>State</i>	<i>Ballots sent</i>	<i>Ballots returned</i>	<i>% returned</i>
Alabama	9,832	5,420	55.1%
Arizona	11,418	6,911	60.5%
Arkansas	23,847	6,400	26.8%
California	238,865	167,000	69.9%
Colorado	41,499	29,954	72.2%

Continued

A.4 Continued

<i>State</i>	<i>Ballots sent</i>	<i>Ballots returned</i>	<i>% returned</i>
Connecticut	83,762	60,361	72.1%
Delaware	8,842	3,392	38.4%
Florida	41,720	27,492	65.9%
Georgia	49,647	31,198	62.8%
Idaho	19,792	13,020	65.8%
Illinois	197,819	172,699	87.3%
Indiana	93,028	79,412	85.4%
Iowa	69,669	50,191	72.0%
Kansas	41,156	31,281	76.0%
Kentucky	59,870	33,455	55.9%
Louisiana	38,072	13,647	35.8%
Maine	17,973	12,950	72.1%
Maryland	41,239	31,660	76.8%
Massachusetts	170,170	117,079	68.8%
Michigan	165,602	147,024	88.8%
Minnesota	82,856	65,465	79.0%
Mississippi	25,013	7,093	28.4%
Missouri	101,701	77,490	76.2%
Montana	12,568	9,401	74.8%
Nebraska	33,099	22,610	68.3%
Nevada	4,055	3,284	81.0%
New Hampshire	22,007	12,181	55.4%
New Jersey	355,000	161,745	45.6%
New Mexico	9,638	6,745	70.0%
New York	554,445	427,752	77.1%
North Carolina	86,999	46,583	53.5%
North Dakota	16,197	11,103	68.5%
Ohio	258,333	167,365	64.8%
Oklahoma	51,179	31,982	62.5%
Oregon	39,458	30,356	76.9%
Pennsylvania	660,000	255,226	38.7%
Rhode Island	39,750	22,818	57.4%
South Carolina	3,429	3,101	90.4%
South Dakota	12,939	10,093	78.0%
Tennessee	49,903	28,791	57.7%
Texas	29,452	12,053	40.9%
Utah	18,679	13,419	71.8%
Vermont	7,046	5,500	78.1%
Virginia	70,355	38,475	54.7%
Washington	61,824	44,524	72.0%
West Virginia	50,406	40,082	79.5%
Wisconsin	115,401	80,714	69.9%
Wyoming	15,909	8,309	52.2%
Total	4,211,463	2,684,806	63.7%

Source: Russ W. Carter. 2005. *War Ballots*, 59. The data was compiled from US War Ballot Commission reports.

A.5 World War II federal war ballot returns, 1944

<i>State</i>	<i>Total ballots received</i>	<i>Ballots counted</i>	<i>Ballots rejected</i>	<i>Ballots sent to other states</i>	<i>Ballot acceptance rate (%)</i>
California	19,411	19,270	141	–	99.3
Connecticut	3,737	3,482	255	3	93.2
Florida	3,048	2,787	261	–	91.4
Georgia	4,333	4,051	282	3	93.5
Maine	1,350	1,341	9	–	99.3
Maryland	3,587	3,303	284	3	92.1
Massachusetts	7,451	6,813	638	–	91.4
Michigan	8,234	7,595	639	–	92.2
Nebraska	4,722	4,721	1	–	99.9
New Hampshire	1,333	1,257	76	–	94.3
New Jersey	7,476	6,985	491	–	93.4
New Mexico	478	438	40	2	91.6
North Carolina	3,467	3,171	296	–	91.5
Oklahoma	2,178	2,003	175	–	91.9
Oregon	3,703	3,041	662	–	82.1
Rhode Island	1,670	1,669	1	–	99.9
Texas	19,275	17,975	1,300	27	93.3
Utah	1,012	939	73	–	92.8
Vermont	594	563	31	–	94.8
Washington	7,441	7,419	22	2	99.7
Total	104,500	98,823	5,677	40	94.6

Source: Russ W. Carter. 2005. *War Ballots*, 51. The data was compiled from US War Ballot Commission reports.

Appendix B: Federal Voting Documents (FPCA and FWAB)

Federal Post Card Application

Voter Registration and Absentee Ballot Request Federal Post Card Application (FPCA)

For any questions about this form, consult the Voting Assistance Guide available in hard copy or on FVAP.gov or your Voting Assistance Officer.

For absent Uniformed Service members, their families, and citizens residing outside the U.S. Please print in black ink.

<p>Classification Make only 1 selection.</p> <p>(In most States, you must be absent from your voting district to use this form).</p>	1	<p>I request an absentee ballot for all elections in which I am eligible to vote AND:</p> <p><input type="checkbox"/> I am a member of the Uniformed Services or Merchant Marine on active duty OR <input type="checkbox"/> I am an eligible spouse or dependent.</p> <p><input type="checkbox"/> I am an activated National Guard member on State orders.</p> <p><input type="checkbox"/> I am a U.S. citizen residing outside the United States, and I intend to return.</p> <p><input type="checkbox"/> I am a U.S. citizen residing outside the United States, and my return is not certain.</p> <p><input type="checkbox"/> I am a U.S. citizen and have never resided in the United States.</p>
<p>Political party</p>	2	<p>Your State may require you to specify a political party to vote in primary elections: _____</p>
<p>Legal name</p>	3	<p>Last name _____ Suffix _____</p> <p>First name _____ Middle name _____</p> <p>Previous name (if applicable) _____</p>
<p>Identification Some States require your full SSN. Check your State's pages in the Voting Assistance Guide on FVAP.gov.</p>	4	<p>State Driver's License or ID _____</p> <p>OR Social Security Number _____</p> <p>Birth date _____ Sex <input type="checkbox"/> M <input type="checkbox"/> F Race _____</p> <p style="text-align: right; font-size: small;">See instructions</p>
<p>Contact information Include international prefixes. No DSN numbers.</p>	5	<p>Telephone _____</p> <p>Fax _____</p> <p>Email _____</p>
<p>Ballot receipt</p>	6	<p>Rank from 1-3 in order of preference, be sure appropriate contact information is provided above.</p> <p>I prefer to receive my ballot, as permitted by my State, by: <input type="checkbox"/> Email/Online <input type="checkbox"/> Mail <input type="checkbox"/> Fax</p>
<p>Voting residence address Usually your last U.S. residence or your legal U.S. residence. See instructions.</p>	7	<p>Street Address (not P.O. Box) _____ Apt. # _____</p> <p>City/Town/Village _____</p> <p>County _____ State _____ Zip Code _____ - _____</p>
<p>Where to send my ballot This is your current mailing address and should be different from above. If required, place a forwarding address in box 9.</p>	8	
<p>Additional requirements for your State Such as: mail forwarding address, additional email address/phone number, or other State required information. See Voting Assistance Guide.</p>	9	

Affirmation (REQUIRED): I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Signature X

You must sign and send in.

Today's date _____

M M D D Y Y Y Y

Witness signature / date if required by your State.

Signature _____

Date _____

Standard Form 76 (Rev. 08-2013)

Instructions for Federal Post Card Application Voter Registration and Absentee Ballot Request

The gray numbers and instructions below correspond to the gray numbered boxes on the face of the form.

- 1 The classification you choose may determine in which election(s) you will be allowed to vote. Choose the one that best represents your current situation.
- 2 If you want to vote in primary elections, most States require you to specify a political party. Check your State's pages in the Voting Assistance Guide on FVAP.gov to see if your State requires you to specify a political party.
- 3 The information you enter for your name should match the information you normally put on legal or official forms. For example, it should be the same name that appears on your Driver's License or other government-issued ID.
- 4 While most States allow you to enter either your Driver's License number or the last 4 digits of your Social Security Number, some will invalidate this form without your full SSN. Check your State's pages in the Voting Assistance Guide on FVAP.gov to see if your State requires the full SSN. Also, many States ask that you provide your race or ethnic group in order to demonstrate that they are complying with the Voting Rights Act and the National Voter Registration Act.
- 5 If there are questions or problems with your form, local election officials will use this information to contact you. An email address is the simplest and fastest way for them to do so. Your voting materials will be sent to the email address that you provide here if you request it and your State allows it. Include an alternate email or phone number in Box 9 if necessary.
- 6 Indicate your preferred method for receiving your ballot by ranking each box 1, 2, or 3. All States and jurisdictions must send absentee ballots to military and overseas voters by at least one of the following: email, online download, or fax if requested. Check your State's pages in the Voting Assistance Guide on FVAP.gov to learn what your State allows. You can always get your absentee ballot by mail.
- 7 This determines the jurisdiction where you vote. For military voters the voting address is your legal U.S. residence. For overseas citizens this is usually the U.S. address where you last lived. You do not need to have any current physical ties to this address. Do not use a post office box number. If the area has no street names, enter the route number and box number.
- 8 Enter the address where you want voting materials to be sent. Voting materials will be sent to this address unless you enter a forwarding address in Box 9.
- 9 Enter anything here that would help ensure that your ballot is accepted. Check your State's pages in the Voting Assistance Guide on FVAP.gov for anything your State may specifically require here. For example, some States require last date of residency in the U.S., previous location of registration, overseas employer, or witness address. If you want your voting materials to be sent somewhere other than where you live now, enter that alternate (forwarding) address here. Provide an alternate email address and phone number here.

Affirmation Read this carefully. It is what you are agreeing to under oath and penalty of perjury by filing out and sending in this form. Some States require that your form be witnessed. Check the Voting Assistance Guide on FVAP.gov for your State's requirements.

For any questions about this form, consult the Voting Assistance Guide available in hard copy or on FVAP.gov or your Voting Assistance Officer.

Agency Disclosure Statement

The public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 4800 Mark Center Drive, East Tower, Suite 03020, Alexandria, VA 22304-3100. (OMB CONTROL # 0704-0503). Respondents should be aware that notwithstanding any other provision of law, no person shall be subjected to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE ADDRESS ABOVE.

Privacy Act Statement

Authority: The authority to collect your personal information on this form comes from 42 USC 19728, "Uniformed and Overseas Citizens Absentee Voting Act (UCOA/VA)."

Principal Purpose: This form serves as an application for registration and/or request for absentee ballot for all persons covered by UOCAVA.

Routine Use(s): There is no retention of this information by the Federal government. Completed forms are sent by you to an appropriate State election official.

Disclosure: Your disclosure of personal information is voluntary. However, failure to provide the requested personal information may keep the pertinent jurisdiction from processing this request and may prevent you from voting absentee.

From
(Your name and current complete military or overseas mailing address)

International airmail postage is required if not mailed in the U.S. Postal Service, APO/FPO system, or diplomatic pouch.



U.S. Postage Paid
39 USC 3406

PAR AVION



OFFICIAL ABSENTEE BALLOTING MATERIAL – FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL – DMM 703.8.0

To
(Your local election office in the United States. Check your State's pages in the Voting Assistance Guide on FVAP.gov for contact information.)

Federal Write-in Application Ballot

Federal Write-in Absentee Ballot (FWAB)

For absent Uniformed Service members, their families, and citizens residing outside the U.S.

For any questions about this form, consult the Voting Assistance Guide available in hard copy or on FVAP.gov or your Voting Assistance Officer.

Instructions for Voter's Declaration/Affirmation

The gray numbers and instructions below correspond to the gray numbered boxes on the face of the form.

- 1 In most States, you must have registered and requested an absentee ballot from your voting jurisdiction to use this form. If you have not done this, you cannot use this form unless your State allows voter registration via the FWAB. If your State does not allow you to register to vote using this form and you have not already submitted a Federal Post Card Application or registered/requested an absentee ballot by other means, your FWAB will not be counted.
- 2 The classification you choose may determine in which election(s) you will be allowed to vote. Choose the one that best represents your current situation.
- 3 The information you enter for your name should match the information you used to register to vote. The local election official who receives this form will match this to your voter registration information.
- 4 While most States allow you to enter either your Driver's License number or the last 4 digits of your Social Security Number, some will invalidate this form without your full SSN. Check your State's pages in the Voting Assistance Guide on FVAP.gov to see if your State requires the full SSN.

Also, many States ask that you provide your race or ethnic group in order to demonstrate that they are complying with the Voting Rights Act and the National Voter Registration Act.
- 5 If there are questions about your form, local election officials will use this information to contact you. An email address is the simplest and fastest way for them to do so. Your voting materials will be sent to the email address(es) that you provide here if you request it and your State allows it. Include an alternate phone number in Box 9 if necessary.
- 6 If you want to vote in primary elections, most States require you to specify a political party.
- 7 This determines the jurisdiction where you vote. For military voters the voting address is your legal U.S. residence. For overseas citizens this is usually the U.S. address where you last lived. You do not need to have any current physical ties to this address. Do not use a post office box number. If the area has no street names, enter the route number and box number. The address you enter here must match the address you used when you requested an absentee ballot.
- 8 Enter the address where you want voting materials to be sent. Voting materials will be sent to this address unless you enter a forwarding address in Box 9.
- 9 Enter anything here that would help ensure your ballot is accepted. Indicate your preferred method for receiving future ballots: email, online download, or fax if requested. You can always get your absentee ballot by mail. Check your State's pages in the Voting Assistance Guide on FVAP.gov for anything your State may specifically require here.

Affirmation Read this carefully. It is what you are agreeing to under oath and penalty of perjury by filling out and sending in this form. Some States require that your form be witnessed. Check your State's pages in the Voting Assistance Guide for your State's requirements.

Instructions for Official Federal Write-in Absentee Ballot

- To vote, write in either a candidate's name or a political party for each office. Your State may allow you to vote in State and local elections in the Addendum section of this ballot. If you submit the FWAB and later receive your State ballot you should make every reasonable effort to inform your local election office and return your State ballot.
- Some States allow you to send your Federal Write-in Absentee Ballot electronically after printing, signing and scanning.
- To return by mail, fold the ballot. Put it in a blank envelope, seal the envelope, and mark it "Security Envelope." This security envelope keeps your vote private.
- Put the security envelope and the Declaration / Affirmation form into a larger envelope together. Seal the larger envelope.
- To send your ballot:
- For non-U.S. mailing, put the correct amount of local postage in the top right corner on the front of the large envelope.
 - In the upper left corner, enter your current complete military or overseas mailing address and the election date.
 - Under "To," enter the name and mailing address of the local election official to whom you are sending the packet. It must be the same local election office where you sent your request for an absentee ballot.

Agency Disclosure Statement

The public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100, (OMB CONTROL #0704-0502). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE ADDRESS ABOVE.

Privacy Act Statement

Authority: The authority to collect your personal information on this form comes from 42 USC 1973ff, "Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)."

Principal Purpose: This form serves as a write-in absentee ballot for elections for Federal office or other elections provided by State law or special provisions for all persons covered by UOCAVA.

Routine Use(s): There is no retention of this information by the Federal government. Completed forms are sent by you to an appropriate State election official.

Disclosure: Your disclosure of personal information is voluntary. However, failure to provide the requested information may result in the Federal Write-in Absentee Ballot not being recognized and therefore not counted.

Voter's Declaration/Affirmation

Federal Write-in Absentee Ballot (FWAB)

For any questions about this form, consult the Voting Assistance Guide available in hard copy or on FVAP.gov or your Voting Assistance Officer.

For absent Uniformed Service members, their families, and citizens residing outside the U.S.

Please print in black ink.

Qualification & Voter Registration Many States require that you be registered and request an absentee ballot before using this form.	1	Have you already registered and requested an absentee ballot? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answer No, you can do this via the Federal Post Card Application, or in a few States, by marking the box below. Check your State's pages in the Voting Assistance Guide on FVAP.gov to see if your State allows registration via this form. <input type="checkbox"/> I also want to register to vote and/or request an absentee ballot for all elections in which I am eligible to vote.
Classification Make only 1 selection.	2	<input type="checkbox"/> I am a member of the Uniformed Services or Merchant Marine on active duty OR <input type="checkbox"/> I am an eligible spouse or dependent. <input type="checkbox"/> I am an activated National Guard member on State orders. <input type="checkbox"/> I am a U.S. citizen residing outside the United States, and I intend to return. <input type="checkbox"/> I am a U.S. citizen residing outside the United States, and my return is not certain. <input type="checkbox"/> I am a U.S. citizen and have never resided in the United States.
Legal name	3	Last name <input style="width: 150px;" type="text"/> Suffix <input style="width: 50px;" type="text"/> First name <input style="width: 150px;" type="text"/> Middle name <input style="width: 100px;" type="text"/> Previous name (if applicable) <input style="width: 200px;" type="text"/>
Identification Some States require your full SSN. Check your State's pages in the Voting Assistance Guide on FVAP.gov .	4	State Driver's License or I.D. <input style="width: 100px;" type="text"/> OR Social Security Number <input style="width: 100px;" type="text"/> Birth date <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> / <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> Sex <input type="checkbox"/> M <input type="checkbox"/> F Race <input style="width: 100px;" type="text"/> <small>See Instructions</small>
Contact information Include international prefixes. No DSN numbers.	5	Telephone <input style="width: 100px;" type="text"/> Fax <input style="width: 100px;" type="text"/> Email <input style="width: 150px;" type="text"/> Alternate Email <input style="width: 150px;" type="text"/>
Political party	6	Your State may require you to specify a political party to vote in primary elections: <input style="width: 150px;" type="text"/>
Voting residence address Usually your last U.S. residence or your legal U.S. residence. See instructions.	7	Street Address (not P.O. Box) <input style="width: 200px;" type="text"/> Apt. # <input style="width: 50px;" type="text"/> City/Town/Village <input style="width: 150px;" type="text"/> County <input style="width: 100px;" type="text"/> State <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> Zip Code <input style="width: 40px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/> <input style="width: 20px;" type="text"/>
Where to send my voting materials This is your current mailing address and should be different from above. If required, place a forwarding address in Box 9.	8	
Additional requirements for your State Such as: future ballot receipt preference, mail forwarding address, additional phone, or other State required information. See your State's pages in the Voting Assistance Guide on FVAP.gov .	9	

Affirmation (REQUIRED): I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge.
- I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent, or if so, my voting rights have been reinstated, and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.
- In voting, I have marked and sealed this ballot in private and have not allowed any person to observe the marking of this ballot, except those authorized to assist voters under State and Federal law.

Signature

You must sign and send in.

Today's date /

Witness signature/date if required by your state.

Signature

Date

Appendix C: Survey on Enlisted Personnel (SOEP): Data Collection and the Survey Instrument

At the core of this study is the question of the reported cultural gap between the military and civilian societies. The theoretical discussion has shown that most writers believe that it is necessary for some gap to exist, but it is possible for the gap to become excessive. The review of demographics presented the over and underrepresentation of various segments of the population in the military as well as the geographic dispersion of enlistees, such that certain regions of the United States provide greater than the expected proportion of enlistees, thus potentially exacerbating any gap. Absentee voting is apparently problematic, but the military population votes at a higher rate than does the general American population, raising questions as to how the demographic composition of the armed forces might affect voting preferences.

In order to find answers to the questions at the core of this research project, it is necessary to determine the voting choices of American military personnel, particularly enlisted personnel. At present, no reliable data exist on the voting behavior of enlisted personnel. The single best study on politics and the military, the TISS survey, did not focus on the enlisted ranks but rather concentrated on senior officers and civilian veteran and nonveteran elites. Data from *Military Times* surveys are helpful, but the authors of those reports admitted that their data were not complete and were drawn solely from the readership of that newspaper (Trowbridge 2004). Thus, it became necessary to develop a new resource with more reliable data about enlisted personnel.

The Department of Defense (DOD) maintains detailed databases on its personnel, both military and civilian. Demographic data such as race, ethnicity, gender, home of record, and educational attainment are collected and made available to users by the Defense Manpower Data Center (DMDC) in Arlington, Virginia. DMDC is assigned to the Office of the

Under Secretary of Defense for Manpower and Readiness (OUSD M&R), a principal assistant to the Secretary of Defense. Access to data by nonfederal governmental requestors is normally provided via Freedom of Information Act (FOIA) requests. For the purposes of this research project, and because of my former active-duty military status, a special arrangement with OUSD M&R provided exceptional access to the database without an attendant requirement to use the FOIA. Data was normally provided within two days following requests to DMDC. Unless noted as having come from a standard DMDC report, all personnel data was provided to me in the form of Microsoft Excel files from DMDC.

US law inhibits the polling of active-duty military personnel about their voting practices (U.S. Code, Title 18 1948). Proxies for that information, based on earlier electoral behavioral research, must therefore be used. The best such proxies are party identification and ideology, which have proven over time to be exceptionally accurate predictors of voting choices. As the law does not prohibit asking such proxy questions, to do so is technically legal, but the military services are wary of any questioning of active-duty personnel on political matters and the services generally refuse to cooperate directly. That tendency proved true in the case of this research.

A letter was sent to the Under Secretary for Personnel and Readiness, Dr. David S. C. Chu, requesting the cooperation of the Department of Defense (DOD). The response indicated that, while the DOD thought the project was worthwhile, regulations prevented direct support. However, the suggestion was made to contact other individuals within the office who might provide some unofficial support.

Contact with those individuals resulted in information about a number of other offices, both within and outside the Department of Defense, which were able to provide suggestions on how to contact an audience of enlisted personnel without the necessity of using DOD channels. While being unable to obtain direct access to active-duty personnel with assistance from the Department of Defense was a setback, the unofficial contacts enabled access to resources that led to more potential survey respondents.

Anticipating such resistance from the DOD, alternative methods of reaching the target population had previously been determined, based not only on the information provided by the Department of Defense, but also on my own lengthy active-duty service in the US Navy. Several commanding officers whom I knew were most helpful despite knowing that the Department of Defense and the military services were not officially supporting the study. The result of those contacts was good access to the navy

and the Marine Corps and somewhat less access to the army and air force.

Another means of contact was a social networking website, TogetherWeServed.com, which caters to active-duty and veteran military personnel. The posting of information about the survey allowed access to several thousand potential respondents, most of whom are current and former navy personnel. Friends and family currently on active duty in the other services helped provide access to Marine Corps and army personnel via the same website. All those I contacted were asked to direct potential respondents to the website I established for the survey.

Because access to more potential respondents was needed, email was also used. Contacts with several acquaintances still on active duty in the various services led to a compilation of a list of 1,657 email addresses known to be of active-duty military personnel. A solicitation email was sent to those subjects, and 482 responses were obtained, a 29.1 percent response rate, with just over half of those responses from active-duty personnel. A small number of surveys (forty-six) were administered in person with a paper instrument to military personnel who I encountered during the course of daily work in central Texas.¹

The website CivMilResearch garnered another 568 responses. A special survey administered to the active-duty enlisted personnel at the Naval Reserve Officer Training Corps (NROTC) units at two universities, the University of Texas at Austin and Auburn University in Alabama, resulted in thirty-nine respondents. Another eighty-three responses were obtained by a combination of telephone interviews and responses to emails to various associations known to have numerous active-duty enlisted personnel as members. Thirty-eight responses were deleted by me after determining that they were submitted by those who had never been in the military, were obviously faked, or were not sufficiently complete.

Several hundred responses were obtained by using the social networking website Facebook.² A paid advertisement was arranged that put a link on the homepages of all members of Facebook who indicated a connection with the military. The advertisement was left active for about six weeks and resulted in responses from a large number of active duty personnel, particularly from the US Army and Army National Guard.

The survey instrument was hosted online by servers at Survey Monkey, a professional online survey development company. The collected data were downloaded in a Microsoft Excel format and with some manual modification to the variable names in the file, imported into SPSS for analysis. Survey Monkey also provides an online means of rudimentary analysis, including filtering and a limited ability to cross tabulate.

Survey Subjects

The survey resulted in 2,652 valid respondents, all of whom are or were active-duty American military personnel. Of the respondents, 1,452 were on active duty with the remainder being non-active-duty veterans or guard/reserve personnel. The veteran group was made up of three subgroups: (1) retired military, (2) National Guard or Reserve personnel not currently on active duty, and (3) other formerly active-duty personnel now discharged from active service. Of the active-duty personnel, 1,243 were enlisted personnel, the primary target of this study. The sample is summarized in table C.1 below.

The distribution of the active-duty respondents by gender, service, and pay grade reveals that the senior pay grades (E-5 and up) were overrepresented in the survey (see tables C.2 and C.3). This distribution is similar to that of the *Military Times*' electronically administered surveys. The reason for the lack of participation by the most junior enlisted personnel (E-3 and below) is unknown, but it is likely due to lack of access to computers during normal duty hours as well as differing Internet use by that age group. Research by the Pew Internet and American Life Project indicates that younger Internet users are more likely to use social networking sites, rather than email, for communication.³ Of fifty-five emails sent to known E-3 and below personnel, only seven garnered a response. The best response was from the paid advertisement on Facebook, which, along with TogetherWeServed, yielded another eighty-eight responses. Ultimately, a total of 262 E-4 and below responded to the survey, or about 21 percent of all active-duty enlisted responses.

Over a sixth (16.7 %) of the sample was female (see table C.2), a proportion only slightly higher than the proportion of women in the active-duty enlisted population, which is 14 percent. As with the overall sample, the female sample was skewed to the more senior ranks but at about the same proportion as the male sample. The distribution of respondents by service showed overrepresentation of the navy and underrepresentation of the air force (see table C.3). While the overrepresentation of respondents from the

Table C.1 Summary of survey responses

Source	Response	Active		Veteran		Invalid
		Officer	Enlisted	Officer	Enlisted	
Email	482	46	214	5	201	16
Hand	46	0	39	0	7	0
Website	2,040	159	894	167	800	20
NROTCU	39	2	37	0	0	0
Other	83	2	59	13	7	2
Total	2,690	209	1,243	185	1,015	38

navy is easily explained by my career in that service as well as holding a senior rank that permitted access not easily obtained by other researchers, that service connection did not yield similar results with the army or air force. It did, however, yield some good response from the Marine Corps. The Marine Corps has proven to be the most resistant to political surveying of its personnel, to include the TISS surveys.

An examination of the race or ethnicity of respondents shows a slight underrepresentation of whites (66 %) and blacks (only 16 % of those responding) and an overrepresentation of other races (18 %) (see tables C.4 and C.5). Nonproportional representation in the sample will be compensated for during analysis by use of weighting based on the known population distribution.

The data-collection period for SOEP began August 23, 2008, and ended March 26, 2009, a period of 216 days, or about seven months, with a mid-point of December 8, 2008. For purposes of comparison to the active-duty military population, the end-strength as reported by the Defense Manpower Data Center (DMDC) on November 30, 2008, will be used. The numbers

Table C.2 Active-duty enlisted sample by pay grade and gender

<i>Pay grade</i>	<i>E-1</i>	<i>E-2</i>	<i>E-3</i>	<i>E-4</i>	<i>E-5</i>	<i>E-6</i>	<i>E-7</i>	<i>E-8</i>	<i>E-9</i>	<i>Total</i>	<i>Proportion</i>
Male	0	7	80	164	191	231	251	68	43	1035	83%
Female	1	5	2	3	37	134	10	9	7	208	17%
Total	1	12	82	167	228	365	261	77	50	1243	100%

Table C.3 Active-duty enlisted sample by pay grade and service

<i>Pay grade</i>	<i>E-1</i>	<i>E-2</i>	<i>E-3</i>	<i>E-4</i>	<i>E-5</i>	<i>E-6</i>	<i>E-7</i>	<i>E-8</i>	<i>E-9</i>	<i>Total</i>	<i>Proportion</i>
Army	1	12	10	60	90	95	74	27	7	376	30%
Navy	0	0	21	31	54	186	86	8	9	395	32%
Marine	0	0	51	55	30	54	34	16	9	249	20%
Air Force	0	0	0	21	54	30	67	26	25	223	18%
Total	1	12	82	167	228	365	261	77	50	1243	100%

Table C.4 Active-duty enlisted sample by service and race

<i>Pay grade</i>	<i>Army</i>	<i>Navy</i>	<i>Marine</i>	<i>AF</i>	<i>Total</i>	<i>Proportion</i>
White	231	166	110	107	614	66%
Black	28	64	44	10	146	16%
Other	54	45	21	51	171	18%
Total	313	275	175	168	931	100%

Table C.5 Active-duty enlisted sample by race and gender

	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
White	541	58%	73	8%	614	66%
Black	92	10%	54	6%	146	16%
Other	153	16%	18	2%	171	18%
Total	786	84%	145	16%	931	100%

Note: Totals may not add due to rounding.

Table C.6 Active-duty enlisted personnel population statistics, November 30, 2008

<i>Ethnicity</i>	<i>Active-duty enlisted strength</i>			<i>Active-duty enlisted Percentage of whole</i>		
	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>
White	715,966	88,313	804,279	61%	8%	69%
Black	166,710	50,890	217,600	14%	4%	19%
Other	120,838	24,666	145,504	10%	2%	12%
Total	1,003,514	163,869	1,167,383	86%	14%	100%

Note: Totals may not add due to rounding.

Source: DMDC, January 15, 2009.

of each of the six demographic groups used in the present study as reported on that date as well as the respective percentage of the total is shown in table C.6.

The percentages in table C.6 are used as the weights for each of the appropriate demographic subgroups. For example, while only 10 percent of the sample was black male (see table C.5), for the purposes of analysis, that subgroup will be weighted as though it were 14 percent of the sample. In this case, once any given characteristic has been determined for black males, the impact of that subsample will be applied to the entire sample by increasing its effect by a factor of 1.4 (14/10). The same procedure will be applied to the other five demographic subgroups.

Survey Instrument

The questions in the survey instrument were drawn primarily from the Triangle Institute for Strategic Studies' "Survey on the Military in the Post Cold War Era."⁴ Additional questions from the American National Election Study (ANES) were also used, as were some general demographic questions based on similar questions in standard survey instruments. The questions were purposely designed to be identical or as close as possible to those

used in other studies, to enable direct comparisons between the data from this study and those collected by earlier studies.

The initial question, which asked if the respondent would voluntarily participate in the survey, was followed by the right direction/wrong track question from ANES.⁵ The next two items were typical questions about political efficacy, also from the National Election Study, asking whether the respondent believed the political process was too complicated and whether voting mattered.⁶ Because these questions had been asked of the general population by the National Election Study during the same time period as the present survey, direct comparisons of the responses of service personnel to those of the general US population was possible.

The next questions were drawn directly from the Triangle Institute survey. The specific questions were selected to determine attitudes of the enlisted military population as compared to those of the officer corps, known from previous studies. Because the sample actually collected included a large number of veterans in addition to the active-duty personnel, comparisons of attitudinal differences in views of military and civilian cultures between those on active duty and veterans were possible.

Questions 4 through 15 asked whether a series of terms applied or did not apply to either the military or civilian culture. Questions 16 through 27 asked the respondent's opinion on whether a series of statements about the military hurt or had no effect on military effectiveness. Questions 28 through 37 asked whether the respondent agreed or disagreed with a series of statements that people have made about the American military. Questions 38 through 42 sought the respondent's opinion on a number of statements concerning the military's role in civilian society. Finally, questions 43 through 52 asked for opinions about statements concerning the relationship between civilian and military society. These last two sets of questions would ultimately provide the best insight into attitudes about the civil-military relationship.

The final series of TISS-based questions asked about the respondent's attitude toward the military service and reasons for enlisting in the first place. The survey ended with a set of questions, developed by the author and based on TISS and other surveys, on various demographic signifiers such as race, ethnicity, gender, home of record, educational level, and parental education level, as well as political ideology and party identification.

Development of the Survey

After initial development in paper format, the survey instrument was converted to the online format on Survey Monkey. A limited number of

military acquaintances were asked to respond as a preliminary test. That experience led to further modifications to the format and the questions, resulting in a second online version, which was provided to the Naval Reserve Officer Training Corps units at the University of Texas and at Auburn University. All forty-six active-duty enlisted personnel in those two programs were invited to participate, resulting in thirty-seven responses for an 80.4 percent response rate.⁷ Two officers, the commanding officers of those respective NROTC units, also provided responses that were added to the officer database. Based on that experience, additional modifications were made to the questionnaire, and the final version was subsequently developed. Once posted online, the survey was made available for the project.

The responses obtained from the first online version were not included in this study; as most came from officer personnel, some of the questions showed significant format differences from the later versions. Responses from the second version, completed almost entirely by enlisted personnel, were included as all the questions were identical to the final version. Some minor modifications to the database from version two of the survey were required to ensure that it imported successfully into SPSS with the data from the third, and final, survey. Two questions asked in the final version of the survey were not asked in the second. The text of the final version of the survey is shown in Appendix D and the Code Book is in Appendix E.

Appendix D: Survey on Enlisted Personnel (SOEP)

I am conducting research into the attitudes and thinking of American military personnel. I would very much like to know your opinions. Your and all other survey responses are anonymous, and anything you say will be completely confidential.

Let us begin with a few general questions . . .

1. Do you feel things in the United States are generally going in the RIGHT DIRECTION, or do you feel things have pretty seriously gotten off on the WRONG TRACK?
 1. Right direction
 2. Wrong track
 3. Don't know

For the next two items, please tell me whether you agree strongly, agree somewhat, neither agree nor disagree, disagree somewhat, or disagree strongly with the statements:

2. Sometimes politics and government seem so complicated that a person like me can't really understand what's going on.
 1. Agree strongly
 2. Agree somewhat
 3. Neither agree nor disagree
 4. Disagree somewhat
 5. Disagree strongly
 6. Don't know

3. So many other people vote in the national election that it doesn't matter much to me whether I vote or not.

1. Agree strongly
2. Agree somewhat
3. Neither agree nor disagree
4. Disagree somewhat
5. Disagree strongly
6. Don't know

The next set of questions asks you to make some judgments about civilian and military culture in this country. First, think of the military culture. Please indicate whether the term applies or does not apply.

	<i>Applies</i>	<i>Does not apply</i>
4A. Honest		
5A. Intolerant		
6A. Materialistic		
7A. Corrupt		
8A. Generous		
9A. Self-Indulgent		
10A. Hard-Working		
11A. Rigid		
12A. Disciplined		
13A. Creative		
14A. Loyal		
15A. Overly-Cautious		

Now, think of the civilian culture. Please indicate whether the same terms as above apply or do not apply.

	<i>Applies</i>	<i>Does not apply</i>
4B. Honest		
5B. Intolerant		
6B. Materialistic		
7B. Corrupt		
8B. Generous		
9B. Self-Indulgent		
10B. Hard-Working		
11B. Rigid		
12B. Disciplined		
13B. Creative		
14B. Loyal		
15B. Overly-Cautious		

There are different things that people say might keep the military from being effective during times of war. For each of the following, please indicate if it might greatly hurt military effectiveness, somewhat hurt military effectiveness, has no effect on military effectiveness, or it is not happening at all in the U.S. military.

	<i>Isn't happening</i>	<i>No effect</i>	<i>Somewhat hurts</i>	<i>Greatly hurts</i>	<i>Don't know</i>
16. Americans' lack of trust in the uniformed leaders of the military					
17. The tensions created when women enter a new workplace					
18. The military becoming less male-dominated					
19. The military getting too involved in non-military affairs					
20. A ban on language and behavior that encourage camaraderie among soldiers					
21. A system for promotions and advancement in the military that does not work well					
22. Non-military people getting too involved in military affairs					
23. Sexual harassment in the military					
24. The military trying to hold on to old-fashioned views of morality					
25. A military culture and way of life that is very different from that for non-military					
26. The military's lack of confidence in our political leadership					
27. Inaccurate reporting about the military and military affairs by the news media					

Here are some statements people have made about the American military. For each, please indicate whether you agree strongly, agree, somewhat, are neutral, disagree somewhat or disagree strongly.

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
28. An effective military depends on a very structured organization with a clear chain of command						
29. Military symbols (uniforms, medals) and military traditions (ceremonies and parades) are necessary to build morale, loyalty, and camaraderie in the military						
30. Even though women can serve in the military, the military should remain dominated by male values and characteristics						
31. The U.S. military has done a much better job of eliminating racial discrimination within the military than American society in general						
32. Even in a high tech era, people in the military have to have characteristics like strength, toughness, physical courage, and the willingness to make sacrifices						
33. The bonds and sense of loyalty that keep a military unit together under the stress of combat are fundamentally different from the bonds and loyalty that organizations try to develop in the business world						
34. The chance to retire with a good pension at a young age is very important in the military						

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
35. It is very important to keep company stores, childcare centers, and recreational facilities on military bases in order to keep a sense of community						
36. Military leaders care more about the people under their command than leaders in the non-military world care about citizens						
37. The new emphasis on joint education, training, and doctrine across branches of the military has improved the effectiveness of the armed forces						

These questions ask for your opinion on a number of statements concerning the military's role in civilian society. For each, please indicate whether you agree strongly, agree somewhat, are neutral, disagree somewhat or disagree strongly.

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
38. Members of the military should not publicly criticize senior members of the civilian branch of the government						
39. Members of the military should not publicly criticize American society						
40. Members of the military should be allowed to publicly express their political views just like any other citizen						

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
41. It is proper for the military to explain and defend in public the policies of the government						
42. It is proper for the military to advocate publicly the military policies it believes are in the best interests of the United States						

Here are some statements people have made about the U.S. military. For each, please indicate whether you agree strongly, agree somewhat, are neutral, disagree somewhat or disagree strongly.

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
43. Most members of the military have a great deal of respect for civilian society.						
44. Most members of civilian society have a great deal of respect for the military.						
45. All male citizens should be required to do some national service.						
46. All female citizens should be required to do some national service						
47. I am proud of the men and women who serve in the military.						
48. I have confidence in the ability of our military to perform well in wartime.						
49. The U.S. Armed Forces are attracting high-quality, motivated recruits.						

	<i>Strongly agree</i>	<i>Somewhat agree</i>	<i>Neutral</i>	<i>Somewhat disagree</i>	<i>Strongly disagree</i>	<i>Don't know</i>
50. Even if civilian society did not always appreciate the essential military values of commitment and unselfishness, our armed forces could still maintain required traditional standards.						
51. The American people understand the sacrifices made by the people who serve in the U.S. military.						
52. I expect that ten years from now America will still have the best military in the world.						

53. I would be disappointed if a child of mine joined the military.

1. Agree strongly
2. Agree somewhat
3. Neutral
4. Disagree somewhat
5. Disagree strongly
6. Don't know

54. How would you generally characterize your experience in the military?

1. Very positive
2. Somewhat positive
3. Mixed
4. Somewhat negative
5. Very negative
6. Don't know

55. How would you characterize your primary motivation to join the military? Please check the one closest to your primary motive.

1. To gain skills valued in the civilian job market
2. To have a career in the military
3. To earn veteran's benefits
4. To serve my country

5. To get an education
6. There were no other options
7. Other (please specify)
8. Don't know

56. I would leave military service if: (Please circle all that apply)

1. The senior uniformed leadership does not stand up for what is right in military policy
2. The country does not provide adequate facilities and weapons for the military to succeed
3. The pay and benefits further lagged behind compensation in civilian economy
4. There are reduced opportunities to train in my military specialty
5. Deployment schedules keep me away from my family too much
6. Chances for promotion were less than they are now in my service
7. The challenge and sense of fulfillment I derive from my service were less
8. Other (please specify)
9. Don't know

57. Morale in my service is

1. Very low
2. Low
3. Moderate
4. High
5. Very high
6. No opinion

Now, I'd like to ask a few questions to gather some background information.

In what year were you born?

What is the highest level of education that you have obtained?

1. Some High School
2. High school
3. Some college
4. College graduate
5. Some graduate work
6. Graduate degree

Are you currently on active-duty?

1. Yes
2. No

During what years have you been/were you on active military service?

Start _____ End _____

In which service are you presently serving or were serving upon leaving active military service?

1. Army
2. Navy
3. Air Force
4. Marines
5. Coast Guard
6. Army National Guard
7. Air National Guard
8. Army Reserve
9. Navy Reserve
10. Air Force Reserve
11. Marine Corps Reserve
12. Coast Guard Reserve

What is your present pay-grade (or pay-grade upon discharge from the service)?

- E-1
- E-2
- E-3
- E-4
- E-5
- E-6
- E-7
- E-8
- E-9
- W-1
- W-2
- W-3
- W-4
- W-5
- O-1
- O-2
- O-3

- O-4
- O-5
- O-6
- O-7
- O-8
- O-9
- O-10

What is/was your primary arm or specialty?

1. Law enforcement (USA 31) (USN MA) (USMC 58)
2. Logistics/supply/transport (USA 88, 89, 92) (USN CS, SH, SK) (USMC 04, 30, 31, 33, 34, 35, 65, 66, 70)
3. Technical/equipment maintenance (USA 45, 52, 63, 94) (USN FC, ST, ET) (USMC 11, 21, 28, 60/61/62)
4. Administrative/Combat service support (legal, admin, finance, public affairs, medical, recruiting, religious) (USA 27, 41, 42, 44, 46, 68, 79, 56) (USN YN, PS) (USMC 01, 43, 44, 46, 55, 68, 80)
5. Chem/PsyOp/Civil Affairs (USMC 05, 57)
6. Combat arms or platform (including aircraft, vehicles, ships/craft) (USA 11, 13, 14, 18, 19, 21, 72, 73) (USN Aviation ratings, Engineering ratings, hull/deck ratings, construction ratings) (USMC 03, 08, 13, 18, 23, 73)
7. Intelligence/cryptology (USA 96, 97, 98) (USN IS, CT) (USMC 02, 26, 27)
8. Shipboard operations/deck operations (USN OS, BM)
9. Communications/IT/Signal (USA 25, 33) (USN IT) (USMC 06, 28)
10. Other (Please specify) _____

Have you deployed abroad for a military operation with the U.S. armed forces since September 11, 2001?

1. Yes
2. No

Have you been deployed in-country to Afghanistan or Iraq since September 11, 2001?

1. Yes
2. No

How would you describe your political views?

1. Very liberal
2. Somewhat liberal

3. Middle of the road
4. Somewhat conservative
5. Very conservative
6. Don't know

Generally speaking, how do you think of yourself politically?

1. Strong Republican
2. Moderate Republican
3. Lean slightly more to the Republicans
4. Independent
5. Lean slightly more to the Democrats
6. Moderate Democrat
7. Strong Democrat
8. Don't know
9. Other (please specify) _____

Has your party identification changed over the past seven years?

1. No
2. Yes
3. Don't know

Since the events of 9/11 and the U.S. involvement in Iraq and Afghanistan, would you say that you:

1. Are more strongly Democrat than before
2. Are less strongly Democrat than before
3. Are more strongly Republican than before
4. Are less strongly Republican than before
5. Switched from Democrat to Republican
6. Switched from Republican to Democrat
7. Are more strongly Independent than before
8. Are less strongly Independent than before
9. Haven't moved/Don't know

What is the highest level of education that your father obtained?

1. Less than high school
2. High school
3. Some college
4. College graduate
5. Some graduate work
6. Graduate degree
7. Don't know

What is the highest level of education that your mother obtained?

1. Less than high school
2. High school
3. Some college
4. College graduate
5. Some graduate work
6. Graduate degree
7. Don't know

Where did you live most of the time when you were growing up?

_____ (list state or territory)

- I moved around a lot
- Lived outside the U.S.
- Don't know

What is your racial/ethnic identity?

1. White or Caucasian (not Hispanic)
2. Hispanic
3. Asian-American
4. Black or African American (not Hispanic)
5. American Indian, Eskimo or Aleut
6. Prefer not to answer
7. Other (specify) _____

What is your gender?

1. Male
2. Female

Thank you very much for your time! Your cooperation is greatly appreciated!

Appendix E: SOEP Survey Codebook

<i>VAR</i>	<i>VAR LABEL</i>	
Q00a	RESPONDANT SERIAL NR	Sequential serial number in order of receipt
Q00b	HOW COMPLETED	1. Hand 2. Electronic
Q00c	DATE COMPLETED	MM/DD/YYYY
Q01	US RIGHT OR WRONG DIRECTION	1. Right direction 2. Wrong direction 3. Don't know
Q02	GOVT COMPLICATED	1. Agree strongly 2. Agree somewhat 3. Neither agree nor disagree 4. Disagree somewhat 5. Disagree strongly 6. Don't Know
Q03	VOTE MATTERS	1. Agree strongly 2. Agree somewhat 3. Neither agree nor disagree 4. Disagree somewhat 5. Disagree strongly 6. Don't Know
Q04a	MIL HONEST	1. Applies 2. Does Not Apply
Q04b	CIV HONEST	1. Applies 2. Does Not Apply
Q05a	MIL INTOLERANT	1. Applies 2. Does Not Apply
Q05b	CIV INTOLERANT	1. Applies 2. Does Not Apply
Q06a	MIL MATERIALISTIC	1. Applies 2. Does Not Apply
Q06b	CIV MATERIALISTIC	1. Applies 2. Does Not Apply

<i>VAR</i>	<i>VAR LABEL</i>	
Q07a	MIL CORRUPT	1. Applies 2. Does Not Apply
Q07b	CIV CORRUPT	1. Applies 2. Does Not Apply
Q08a	MIL GENEROUS	1. Applies 2. Does Not Apply
Q08b	CIV GENEROUS	1. Applies 2. Does Not Apply
Q09a	MIL SELFINDULGENT	1. Applies 2. Does Not Apply
Q09b	CIV SELFINDULGENT	1. Applies 2. Does Not Apply
Q10a	MIL HARDWORK	1. Applies 2. Does Not Apply
Q10b	CIV HARDWORK	1. Applies 2. Does Not Apply
Q11a	MIL RIGID	1. Applies 2. Does Not Apply
Q11b	CIV RIGID	1. Applies 2. Does Not Apply
Q12a	MIL DISCIPLINE	1. Applies 2. Does Not Apply
Q12b	CIV DISCIPLINE	1. Applies 2. Does Not Apply
Q13a	MIL CREATIVE	1. Applies 2. Does Not Apply
Q13b	CIV CREATIVE	1. Applies 2. Does Not Apply
Q14a	MIL LOYAL	1. Applies 2. Does Not Apply
Q14b	CIV LOYAL	1. Applies 2. Does Not Apply
Q15a	MIL OVERCAUTIOUS	1. Applies 2. Does Not Apply
Q15b	CIV OVERCAUTIOUS	1. Applies 2. Does Not Apply
Q16	DISTRUST OF MIL LEADERS	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q17	WOMEN ENTERING WORKPLACE	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q18	MIL LESS MALE	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q19	MIL IN NONMIL AFFAIRS	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q20	BAN ON BAHAVIOR	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q21	BAD PROMOTIONS SYSTEM	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q22	NONMIL IN MIL AFFAIRS	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q23	SEXUAL HARASSMENT	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q24	OLD FASHIONED MORALS	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q25	DIFF MIL CULTURE	1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q26	NO CONFID IN POL LDERS	<ol style="list-style-type: none"> 1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q27	INACCURATE REPORTING	<ol style="list-style-type: none"> 1. Isn't happening 2. No effect 3. Somewhat hurts 4. Greatly hurts 5. Don't know
Q28	CHAIN OF COMMAND	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q29	MIL SYMBOLS	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q30	REMAIN MASCULINE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q31	ELIMINATE RACIAL DISCRIM	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q32	STRENGTH AND SACRIFICES	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q33	BOND AND LOYALTY	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q34	PENSION AT YOUNG AGE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q35	ON BASE FACILITIES	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q36	LDRS CARE ABOUT PEOPLE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q37	JOINT EDUC AND TRAINING	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q38	NOT CRITICIZE CIVIL GOVT	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q39	NOT CRITICIZE AMER SOCIETY	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q40	EXPRESS POLITICAL VIEWS	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q41	DEFEND GOVT POLICIES	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q42	ADVOCATE MIL POLICIES	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q43	MIL RESPECTS CIV	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q44	CIV RESPECTS MIL	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q45	MALES REQRD NATL SERVICE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q46	FEMALES REQRD NATL SERVICE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q47	PROUD OF THOSE WHO SERVE	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q48	CONFIDENCE IN WARTIME	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q49	HIGH QUALITY RECRUITS	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q50	MIL SHOULD MAINTAIN STDS	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q51	PEOPLE UNDERSTAND SACRIFICES	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q52	10 YRS US STILL HAVE BEST MILITARY	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q53	DISAPPOINTED IF CHILD JOINED	<ol style="list-style-type: none"> 1. Strongly agree 2. Somewhat agree 3. Neutral 4. Somewhat disagree 5. Strongly disagree 6. Don't know
Q54	EXPERIENCE IN MILITARY	<ol style="list-style-type: none"> 1. Very positive 2. Somewhat positive 3. Mixed 4. Somewhat negative 5. Very negative 6. Don't know
Q55	PRIMARY MOTIVATION JOINING MIL	<ol style="list-style-type: none"> 1. To gain skills in the civilian job market 2. To have a career in the military 3. To earn veteran's benefits 4. To serve my country 5. To get an education 6. There were no other options 7. Other (specified) 8. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q56	LEAVE MIL	<ol style="list-style-type: none"> 1. The senior uniformed leadership does not stand up for what is right in military policy 2. The country does not provide adequate facilities and weapons for the military to succeed 3. The pay and benefits further lagged behind compensation in civilian economy 4. There are reduced opportunities to train in my military specialty 5. Deployment schedules keep me away from my family too much 6. Chances for promotion were less than they are now in my service 7. The challenge and sense of fulfillment I derive from my service were less 8. Other (specified) 9. Don't know
Q57	MORALE IN SERVICE	<ol style="list-style-type: none"> 1. Very low 2. Low 3. Moderate 4. High 5. Very high 6. No opinion
Q58	YEAR OF BIRTH	YYYY
Q59	ACTIVE SERVICE	<ol style="list-style-type: none"> 1. Yes 2. No
Q60	YEARS OF ACTIVE SERVICE	Start Year (YYYY), End Year (YYYY) Still on active service
Q61	LEVEL OF EDUCATION	<ol style="list-style-type: none"> 1. Some High School 2. GED 3. High School graduate 4. Some college 5. College graduate 6. Some graduate work 7. Graduate degree
Q62	SERVICE	<ol style="list-style-type: none"> 1. Army 2. Navy 3. Air Force 4. Marines 5. Coast Guard 6. Army National Guard 7. Air National Guard 8. Army Reserve 9. Navy Reserve 10. Air Force Reserve 11. Marine Corps Reserve 12. Coast Guard Reserve

<i>VAR</i>	<i>VAR LABEL</i>	
Q63	PAY-GRADE	<ol style="list-style-type: none"> 1. E-1 2. E-2 3. E-3 4. E-4 5. E-5 6. E-6 7. E-7 8. E-8 9. E-9 10. W-1 11. W-2 12. W-3 13. W-4 14. W-5 15. O-1 16. O-2 17. O-3 18. O-4 19. O-5 20. O-6 21. O-7 22. O-8 23. O-9 24. O-10
Q64	PRIMARY ARM	<ol style="list-style-type: none"> 1. Law enforcement (USA 31) (USN MA) (USMC 58) 2. Logistics/supply/transport (USA 88, 89, 92) (USN CS, SH, SK) (USMC 04, 30, 31, 33, 34, 35, 65, 66, 70) 3. Technical/equipment maintenance (USA 45, 52, 63, 94) (USN FC, ST, ET) (USMC 11, 21, 28, 60/61/62) 4. Administrative/Combat service support (legal, admin, finance, public affairs, medical, recruiting, religious) (USA 27, 41, 42, 44, 46, 68, 79, 56) (USN YN, PS) (USMC 01, 43, 44, 46, 55, 68, 80) 5. Chem/PsyOp/Civil Affairs (USMC 05, 57) 6. Combat arms or platform (including aircraft, vehicles, ships/craft) (USA 11, 13, 14, 18, 19, 21, 72, 73) (USN Aviation ratings, Engineering ratings, hull/deck ratings, construction ratings) (USMC 03, 08, 13, 18, 23, 73) 7. Intelligence/cryptology (USA 96, 97, 98) (USN IS, CT) (USMC 02, 26, 27) 8. Shipboard operations/deck operations (USN OS, BM) 9. Communications/IT/Signal (USA 25, 33) (USN IT) (USMC 06, 28) 10. Other (specify)

<i>VAR</i>	<i>VAR LABEL</i>	
Q65	DEPLOYED ABROAD FOR OPERATION	<ol style="list-style-type: none"> 1. Yes 2. No
Q66	DEPLOYED IRAQ OR AFGHANISTAN	<ol style="list-style-type: none"> 1. Yes 2. No
Q67	POLITICAL VIEWS	<ol style="list-style-type: none"> 1. Very liberal 2. Somewhat liberal 3. Middle of the road 4. Somewhat conservative 5. Very conservative 6. Don't know
Q68	PARTY IDENTIFICATION	<ol style="list-style-type: none"> 1. Strong Republican 2. Moderate Republican 3. Lean slightly more to the Republicans 4. Independent 5. Lean slightly more to the Democrats 6. Moderate Democrat 7. Strong Democrat 8. Other 9. Don't know
Q69	PARTY IDENTIFICATION CHANGE	<ol style="list-style-type: none"> 1. No 2. Yes 3. Don't know
Q70	NEW PARTY IDENTIFICATION	<ol style="list-style-type: none"> 1. Are more strongly Democrat than before 2. Are less strongly Democrat than before 3. Are more strongly Republican than before 4. Are less strongly Republican than before 5. Switched from Democrat to Republican 6. Switched from Republican to Democrat 7. Are more strongly Independent than before 8. Are less strongly Independent than before 9. Haven't moved/Don't know
Q71	FATHERS LEVEL OF EDUCATION	<ol style="list-style-type: none"> 1. Less than High School 2. High School 3. Some college 4. College graduate 5. Some graduate work 6. Graduate degree 7. Don't know
Q72	MOTHERS LEVEL OF EDUCATION	<ol style="list-style-type: none"> 1. Less than High School 2. High School 3. Some college 4. College graduate 5. Some graduate work 6. Graduate degree 7. Don't know

<i>VAR</i>	<i>VAR LABEL</i>	
Q73	STATE/LOC GROWING UP	<ol style="list-style-type: none"> 1. Alabama 2. Alaska 3. American Samoa 4. Arizona 5. Arkansas 6. California 7. Colorado 8. Connecticut 9. Delaware 10. District of Columbia 11. Florida 12. Georgia 13. Guam 14. Hawaii 15. Idaho 16. Illinois 17. Indiana 18. Iowa 19. Kansas 20. Kentucky 21. Louisiana 22. Maine 23. Maryland 24. Massachusetts 25. Michigan 26. Minnesota 27. Mississippi 28. Missouri 29. Montana 30. Nebraska 31. Nevada 32. New Hampshire 33. New Jersey 34. New Mexico 35. New York 36. North Carolina 37. North Dakota 38. Northern Marianas Islands 39. Ohio 40. Oklahoma 41. Oregon 42. Pennsylvania 43. Puerto Rico 44. Rhode Island 45. South Carolina 46. South Dakota 47. Tennessee 48. Texas

<i>VAR</i>	<i>VAR LABEL</i>	
		49. Utah
		50. Vermont
		51. Virginia
		52. Virgin Islands
		53. Washington
		54. West Virginia
		55. Wisconsin
		56. Wyoming
		57. Move around a lot within the U.S.
		58. Lived overseas (non-US country)
		99. Don't know
Q74	RACE	1. White or Caucasian (not Hispanic)
		2. Hispanic
		3. Asian American
		4. Black or African-American (not Hispanic)
		5. American Indian, Eskimo, or Aleut
		6. Pacific Islander
		7. Other (specified)
		8. Prefer not to answer
Q75	GENDER	1. Male
		2. Female

Appendix F: Active-Duty Military Home of Record (HOR) Population by State as a Percentage of the Voter Eligible Population (VEP)¹

<i>Home of Record</i>	<i>Total</i>	<i>Voting eligible population</i>	<i>% of voting eligible population</i>
Alabama	25,941	3,539,018	0.73%
Alaska	4,205	511,792	0.82%
Arizona	27,751	4,383,008	0.63%
Arkansas	11,848	2,109,664	0.56%
California	134,275	23,666,758	0.57%
Colorado	30,058	3,674,216	0.82%
Connecticut	9,651	2,542,607	0.38%
Delaware	3,106	663,663	0.47%
District of Columbia	1,202	477,582	0.25%
Florida	94,446	13,485,081	0.70%
Georgia	51,179	6,603,887	0.77%
Hawaii	7,864	982,615	0.80%
Idaho	8,149	1,091,410	0.75%
Illinois	42,113	8,899,143	0.47%
Indiana	23,781	4,754,726	0.50%
Iowa	10,299	2,251,485	0.46%
Kansas	12,177	2,030,350	0.60%
Kentucky	14,525	3,228,938	0.45%
Louisiana	18,245	3,311,501	0.55%
Maine	6,302	1,046,008	0.60%
Maryland	23,685	4,062,931	0.58%
Massachusetts	16,671	4,808,650	0.35%
Michigan	37,221	7,312,108	0.51%
Minnesota	14,598	3,861,043	0.38%
Mississippi	12,906	2,166,811	0.60%
Missouri	25,561	4,432,424	0.58%
Montana	5,686	774,459	0.73%
Nebraska	7,692	1,316,676	0.58%

<i>Home of Record</i>	<i>Total</i>	<i>Voting eligible population</i>	<i>% of voting eligible population</i>
Nevada	11,171	1,800,969	0.62%
New Hampshire	5,596	1,013,302	0.55%
New Jersey	23,585	5,916,716	0.40%
New Mexico	8,952	1,436,189	0.62%
New York	58,451	13,319,786	0.44%
North Carolina	45,449	6,946,385	0.65%
North Dakota	2,045	539,152	0.38%
Ohio	45,877	8,648,932	0.53%
Oklahoma	17,328	2,713,268	0.64%
Oregon	16,601	2,834,868	0.59%
Pennsylvania	43,883	9,650,361	0.45%
Rhode Island	3,214	768,849	0.42%
South Carolina	26,163	3,486,345	0.75%
South Dakota	3,515	613,114	0.57%
Tennessee	25,610	4,735,808	0.54%
Texas	124,187	16,111,165	0.77%
Utah	8,679	1,832,988	0.47%
Vermont	2,045	493,355	0.41%
Virginia	44,883	5,834,057	0.77%
Washington	31,136	4,821,144	0.65%
West Virginia	6,721	1,447,048	0.46%
Wisconsin	14,697	4,208,757	0.35%
Wyoming	2,292	425,101	0.54%
Total	1,254,675	217,586,213	0.58%

Notes

1 War, Politics, and the Soldier Vote: Some History

1. See Alexander Keyssar. 2000. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books; Manfred Berg. 1994. "Soldiers and Citizens: War and Voting Rights in American History," in *Reflections on American Exceptionalism*, ed. David K. Adams and Cornelis A. Van Minnen, 188–225. Staffordshire: Keele University Press; and Pamela Karlan. 2003. "Ballots and Bullets: The Exceptional History of the Right to Vote," *University of Cincinnati Law Review* 71 (Summer): 1345–1372.
2. Duane Hamilton Hurd. 1885. *History of Hillsborough County, New Hampshire*. Philadelphia: J. W. Lewis & Co., 435. Also available at http://www.nh.search-roots.com/documents/Hillsborough/History_Hollis_NH.txt. Retrieved January 12, 2013.
3. Charles Francis Adams. 1856. *The Works of John Adams, Second President of the United States*, vol. 9. Boston: Little, Brown, and Company, 377–378. John Adams. 1977. "John Adams to James Sullivan, May 27, 1776," in *Papers of John Adams*, vol. 4, ed. Robert J. Taylor, 208–212. Cambridge, MA: Belknap Press of Harvard University Press.
4. *Laws of the State of New York*. 1886. Albany, NY: Weed, Parsons and Company, 30. Available at <https://books.google.com/books?id=D8GwAAAAMAAJ&pg=PA30#v=onepage&q&f=false>; See also William M. Burcher. 1944. "A History of Soldier Voting in the State of New York," *New York History*, 25(4): 459–481.
5. Corlandt F. Bishop. 1893. *History of Elections in the American Colonies*. New York: Columbia College. Available at <https://archive.org/stream/historyelection00bishgoog#page/n8/mode/2up>; Albert Edward McKinley. 1905. *The Suffrage Franchise in the Thirteen English Colonies in America*. Philadelphia: Ginn & Co. Available at <https://archive.org/stream/suffragefranchis00mcki#page/n7/mode/2up>; Chilton Williamson. 1960. *American Suffrage: From Property to Democracy, 1760–1860*. Princeton, NJ: Princeton University Press; Charles S. Sydnor. 1952. *Gentlemen Freeholders: Political Practices in Washington's Virginia*. Chapel Hill: University of North Carolina Press, 14–15, 19–26, 67–69. See also Thomas J. Baldino and Kyle L. Kreider. 2010. *Of the People, by the People, for the People: A Documentary Record of Voting Rights and Electoral Reform*. Santa Barbara, CA: Greenwood Press, 3–4.

6. Williamson. 1960. *American Suffrage*, 11–12, 40–41.
7. Keyssar. 2000. *Right to Vote*, 5–6, 29.
8. Keyssar. 2000. *Right to Vote*, 6, 14–15.
9. Josiah Henry Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed, 189–196; Oscar Osburn Winther. 1944. “The Soldier Vote in the Election of 1864.” *New York History* 25 (October): 440–458.
10. Abraham Lincoln. 1894. *The Complete Works of Abraham Lincoln*, ed. John G. Nicola and John Hay. New York: Francis D. S. Tandy, Company. Lincoln wrote to Sherman on September 19, 1864 in advance of the state election in Indiana:

Major General Sherman,

The State election of Indiana occurs on the 11th. of October, and the loss of it to the friends of the Government would go far towards losing the whole Union cause. The bad effect upon the November election, and especially the giving the State Government to those who will oppose the war in every possible way, are too much to risk, if it can possible be avoided. The draft proceeds, notwithstanding its strong tendency to lose us the State. Indiana is the only important State, voting in October, whose soldiers cannot vote in the field. Any thing you can safely do to let her soldiers, or any part of them, go home and vote at the State election, will be greatly in point. They need not remain for the Presidential election, but may return to you at once. This is, in no sense, an order, but is merely intended to impress you with the importance, to the army itself, of your doing all you safely can, yourself being the judge of what you can safely do.

Yours truly

A. Lincoln
11. Winther. 1944. “Soldier Vote,” 547.
12. Benton. *Voting in the Field*, 72; Horace Greeley. 1866. *The American Conflict: A History of the Great Rebellion in the United States of America, 1860–’65*, vol. 2. Hartford, CT: O. D. Case, 672. Winther (1944) incorrectly identifies the late, uncounted votes as having come from Kansas. Benton’s account is more likely the correct one, however, with Minnesota soldier votes having been counted.
13. Don Rickey. 1999. *Forty Miles a Day on Beans and Hay: The Enlisted Soldier Fighting the Indian Wars*. Norman: University of Oklahoma Press; Tracy Campbell. 2006. *Deliver the Vote: A History of Election Fraud, an American Political Tradition-1742–2004*. New York: Perseus Books.
14. Thomas R. Lounsbury. 1866. “Ought Soldiers To Vote?” *The Nation*. October 25, 331.

15. The quote, variously ascribed to the White House, the War Department, or General George Marshall himself, is in a memorandum for President Franklin Roosevelt from Assistant Secretary of War, Robert P. Patterson, dated October 8, 1940. The memorandum was in response to a meeting conducted at the White House on September 27, 1940, and was approved by the Secretary of War, Henry Stimson, and the Army Chief of Staff, General George C. Marshall. The president initialed it and wrote "OK" on the document which was subsequently published as official policy on October 9, 1940. See Ulysses Lee. 1966. *The Employment of Negro Troops [United States Army in World War II]*. Washington, DC: U.S. Government Printing Office. Also see Michael Anderson. 2001. "Politics, Patriotism, and the State: The Fight over the Soldier Vote, 1942–1944," in *Politics and Progress; American Society and the State since 1865*, Andrew Edmund Kersten and Kriste Lindenmeyer, eds. New York: Praeger Publishers, 88.
16. Anderson. "Politics, Patriotism, and the State," 88.
17. Pub. L. No. 77–712, 56 Stat. 753.
18. Boyd Martin. 1945 "The Service Vote in the Election of 1944," *American Political Science Review* 39 (August): 730–732; *Report of the United States War Ballot Commission to the Congress of the United States* (Senate Document #6, 79th Congress, 1st session, 42, 51–53, 65–66). In the 1944 presidential election, 47,977,103 votes were cast for president.
19. American Political Science Association (APSA). 1952. "Findings and Recommendations of the Special Committee on Service Voting," *American Political Science Review* 46 (June): 512–523.
20. For a quick survey of some of the lawsuits filed against states, see Department of Justice, Office of Public Affairs, *Fact Sheet: MOVE Act*. Available at <http://www.justice.gov/opa/pr/2010/October/10-crt-1212.html>.
21. Claire Smith. 2010. "These Are Our Numbers: Civilian Americans Overseas and Voter Turnout," *Overseas Vote Foundation Research Newsletter*, 2(4). Washington, DC: Overseas Vote Foundation.
22. John C. Fortier. 2006. *Absentee and Early Voting: Trends, Promises, and Perils*. Washington, DC: The AEI Press.
23. Diane Mazur. 2005. "The Bullying of America: A Cautionary Tale about Military Voting and Civil-Military Relations," *Election Law Journal* 4(2) (April): 105–131.
24. Bruce Cain, Karin MacDonald, and Michael H. Murakami. 2008. "Administering the Overseas Vote," *Public Administration Review* 68(5) (September/October): 802–813.
25. Statement of David M. Walker, Comptroller General of the United States. 2001. *Issues Affecting Military and Overseas Absentee Voters: Hearing before the Subcommittee on Military Personnel, Committee on Armed Services, House of Representatives*, 107th Cong. May 9.
26. Candice Hoke and Matt Bishop. 2010. "Essential Research Needed to Support UOCAVA-MOVE Act: Implementation at the State and Local Levels,"

Overseas Vote Foundation Research Newsletter, 2(5) (November/December). Washington, DC: Overseas Vote Foundation.

2 Civil War Partisanship: 1861–1862

1. Part of a letter from Governor Edward Salomon to the Wisconsin legislature in *Journal of the Senate of Wisconsin, Extra Session*, September 10, 1862, 8. Available at <http://books.google.com/books?id=dTQbAQAAIAAJ&dq=inauthor%3A%22Wisconsin.%20Legislature.%20Senate%22%201862&pg=RA1-PA1#v=onepage&q&f=false>. Accessed January 21, 2015. Quoted in Josiah Henry Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed, 53.
2. Robert E. Wright. 1863. *Pennsylvania State Reports*, vol. 41. Philadelphia: Kay & Brother, Law Booksellers, Publishers, and Importers, 399; *Halseman et al. vs. Rems*, et al., 41 *Pennsylvania State Reports*, 396; Benton. 1915. *Voting in the Field*, 189–196.
3. Benton. 1915. *Voting in the Field*, 196.
4. Burdett A. Rich and M. Blair Wailes, with William M. McKinney. 1921. *American Law Reports, Annotated*. Rochester, NY: The Lawyers Cooperative Publishing Company, 1299.
5. Benton. 1915. *Voting in the Field*, 6–8.
6. Benton. 1915. *Voting in the Field*, 27–40.
7. North Carolina. 1861. *Public Laws of the State of North Carolina, Passed by the General Assembly, at Its First Extra Session of 1861*. Raleigh, NC: John Spelman, Printer to the State, 124–125; *Journal of the House of Commons of the General Assembly of the State of North-Carolina, at Its First Extra Session, 1861*. 1861. Raleigh, NC: John Spelman, Printer to the State, 34–38, 115, 153, 156–7, 184, 186; see also Benton. 1915. *Voting in the Field*, 30–31.
8. Oliver P. Temple. 1899. *East Tennessee and the Civil War*. Cincinnati, OH: Robert Clarke Company, Publishers, 207–209.
9. Virginia. 1861. *Journal of the Convention of Virginia in Secret Session 1861*. No. 79. Richmond, VA: Wyatt M. Elliott, printer, 74. *Ordinances Adopted by the Convention of Virginia, at the Adjourned Session, in June and July, 1861*. Richmond, VA: Wyatt M. Elliott, printer, 33–53; Benton. 1915. *Voting in the Field*, 33–34.
10. Alabama. 1862. *Acts of the Second Called Session, 1861, and of the First Regular Annual Session of the General Assembly of Alabama*. Montgomery, AL: Montgomery Advertiser Book and Job Office, 31; Benton. 1915. *Voting in the Field*, 34–36.
11. Georgia. 1862. *Acts of the General Assembly of the State of Georgia Passed in Milledgeville at an Annual Session in November and December 1861*. Milledgeville, GA: Boughton, Nisbet & Barnes, State Printers, Title VIII Elections, 31.
12. South Carolina. 1875. *The Statutes at Large of South Carolina: Volume XIII, Containing the Acts from December, 1861, to December, 1866*. Columbia:

- Republican Printing Company, State Printers, 17–18; see also Benton. 1915. *Voting in the Field*, 36–38.
13. Florida. 1862. *Journal of the Convention of the People of Florida at a Called Session, Begun and Held at the Capitol, in the City of Tallahassee, on Tuesday, January 14, 1862*. Tallahassee: Office of the Floridian and Journal, printed by Dyke & Carlisle, 98. Benton (1915) is often cited as putting the date of the Florida ordinance on soldier voting as January 25, 1861. That is an apparent typographical error as a close reading of his text will demonstrate. A review of the *Journal of the Convention of the People of Florida* reveals that the ordinance was passed on January 25, 1862.
 14. John K. Bettersworth and James W. Silver. 1961. *Mississippi in the Confederacy*. Jackson: Mississippi Department of Archives and History; Benton. 1915. *Voting in the Field*, 28.
 15. Unlike today, in the mid-nineteenth century, the midterm congressional elections were not all conducted on a uniform day throughout the country. Often, states would hold separate gubernatorial and congressional elections. The midterm elections during the early years of the Civil War were scheduled as early as June 1862 in the case of Oregon and as late as November 3, 1863, for Maryland. See Michael J. Dubin. 1998. *United States Congressional Elections, 1788–1997*. Jefferson, NC: McFarland & Company.
 16. Jay Monaghan. 1955. *Civil War on the Western Border, 1854–1865*. Lincoln: University of Nebraska Press, 16–33. For a more detailed look at the warfare on the border and during the early months of the Civil War in Missouri, see William Garrett Piston and Richard W. Hatcher III. 2000. *Wilson's Creek: The Second Battle of the Civil War and the Men Who Fought It*. Chapel Hill: University of North Carolina Press; and Edwin C. Bearss. 1992. *The Battle of Wilson's Creek*. Cassville, MO: Litho Printers and Bindery.
 17. Missouri. 1861. *Journal of the Missouri State Convention Held at Jefferson City, July, 1861*. St. Louis: George Knapp & Co., Printers and Binders, 55.
 18. William Hyde and Howard Louis Conard. 1899. *Encyclopedia of the History of St. Louis: A Compendium of History and Biography for Ready Reference*, vol. 4. New York: The Southern History Company, 2128.
 19. Missouri. 1862. *Journal of the Missouri State Convention Held in Jefferson City, June 1862*. St. Louis: George Knapp & Co., Printers and Binders, 32–34.
 20. Iowa. 1863. *Report of the Adjutant General (Iowa)*. Vol 2, 861.
 21. Iowa. 1862. *Laws of Iowa (Extra Session)*, 42.
 22. Iowa. 1862. *Journal of the Senate at the Extra Session of the Ninth General Assembly of the State of Iowa*. Des Moines, IA: F. W. Palmer, State Printer, 8.
 23. *Morrison vs. Springer*, 15 Iowa, 304. Available in *The American Law Register (1852–1891)*12 (5), New Series 3 (March 1864): 276–289.
 24. Olynthus B. Clark. 1911. *The Politics of Iowa During the Civil War and Reconstruction*. Iowa City, IA: The Clio Press, 169–170; Russ W. Carter. 2005. *War Ballots: Military Voting by Mail from the Civil War to WWII*. Cypress, TX: Military Postal History Society, 7; Benton. 1915. *Voting in the Field*, 51.
 25. Clark. 1911. *The Politics of Iowa*, 137.

26. Wisconsin. 1862. *Journal of the Senate of Wisconsin, Extra Session*, 13 September, 20.
27. Frank Klement. 1944. "The Soldier Vote in Wisconsin during the Civil War." *Wisconsin Magazine of History* 28(1): 38–39. (Madison) *Wisconsin Daily Patriot*. 1862. November 17.
28. W. K. Strong. 1862. "Letter from Brigadier General Strong to President Abraham Lincoln," *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. Series III, vol. 2, 122; See also [Appleton's] *American Annual Cyclopaedia and Register of Important Events of the Year 1862*. 1863. Vol 2. New York: D. Appleton & Company, 665.
29. Wisconsin. 1862. *Journal of the Senate of Wisconsin, Extra Session*, 10 September, 8.
30. Benton. 1915. *Voting in the Field*, 54–55.
31. Wisconsin. 1862. *Journal of the Senate of Wisconsin, Extra Session*, 15 September, 23.
32. Wisconsin. 1870. *The Legislative Manual of the State of Wisconsin (Wisconsin Blue Book)*. Madison, WI: Atwood & Rublee, State Printers, Journal Block, 228.
33. Wisconsin. 1862. *Minority Report, Journal of the Senate of Wisconsin, Extra Session*, 22–26.
34. Wisconsin. 1862. *Journal of the Senate of Wisconsin, Extra Session*, 15 September, 30.
35. Wisconsin. 1862. *Journal of the Senate of Wisconsin, Extra Session*, 15 September, 93–94.
36. Klement. 1944. "Soldier Vote in Wisconsin," 39–41.
37. *New York Times*. 1862. "Affairs in Chicago: Political Matters—the Proportion of Republicans and Democrats in the Service," October 23, 2.
38. Jamie L. Carson, Jeffery A. Jenkins, David W. Rohde, and Mark A. Souva. "The Impact of National Tides and District-Level Effects on Electoral Outcomes: The U.S. Congressional Elections of 1862–63." *American Journal of Political Science* 45(4): 887–898.
39. Lynwood G. Downs. 1945. "The Soldier Vote and Minnesota Politics, 1862–65," *Minnesota History*. St. Paul: Minnesota Historical Society Press, 188. The *La Crosse Democrat* story was reprinted in the *Scott County Argus*. (Shakopee), November 30, 1861.
40. Downs. "Soldier Vote and Minnesota Politics," 188–189.
41. Daniel S. B. Johnston. "Minnesota Journalism from 1858 to 1865," in *Collections of the Minnesota Historical Society*, vol. 12. St. Paul: Minnesota Historical Society, 217–218.
42. Downs. 1945. "Soldier Vote and Minnesota Politics," 189–190.
43. *Winona Daily Republican*. 1862. August 22, 23; *St. Paul Press*. 1862. August 22, 23, 1862. Cited in Downs. 1945. "Soldier Vote and Minnesota Politics," 191.
44. Benton. 1915. *Voting in the Field*, 67–68.
45. Walter N. Trennery. 1959. "Votes for Minnesota's Civil War Soldiers," *Minnesota History*. March. St. Paul: Minnesota Historical Society, 168; Downs. 1945. "Soldier Vote and Minnesota Politics," 191.

46. Downs. 1945. "Soldier Vote and Minnesota Politics," 193; Trennery. 1959. "Minnesota's Civil War Soldiers," 168.
47. *General Laws of Minnesota*. 1862. Chapter I: 3–18. Available at <https://www.revisor.mn.gov/laws/?year=1862&type=1&doctype=Chapter&group=General+Laws&id=1>.
48. Trennery. 1959. "Minnesota's Civil War Soldiers," 169; Downs. 1945. "Soldier Vote and Minnesota Politics," 194.

3 Reelecting Mr. Lincoln: 1863–1865

1. Vermont Governor Frederick Holbrook, in his annual message to the Vermont General Assembly, on October 9, 1863. Vermont. 1863. *The Journal of the Senate of the State of Vermont Annual Session, 1863*. Montpelier, VT: Freeman Printing Establishment, 32.
2. David McKelvy, Margaret McKelvy Bird and Daniel W. Crofts. 1991. "Soldier Voting in 1864: The David McKelvy Diary." *The Pennsylvania Magazine of History and Biography* 115(3) (July): 371–413. The McKelvy Diary covers the period September 30, 1864 through October 17, 1864, when David McKelvy, an election commissioner was carrying out his assigned duty of collecting votes of Pennsylvania soldiers for the October 11, 1864 election at which members of the US House of Representatives were elected. Presidential electors were to be selected at the November 8, 1864 election.
3. Eli Slifer had been involved in Pennsylvania politics since 1849 when he was elected to the first of two terms in the House of Representatives. Formerly a Whig, he joined the newly organized Republican Party and remained a staple in the Pennsylvania government. He served in the state Senate, became state treasurer, and finally accepted the position of secretary of the commonwealth in January 1861, which is the equivalent to secretary of state in other states and includes the responsibility of overseeing elections.
4. McKelvy. 1991. "Diary," 376.
5. McKelvy. 1991. "Diary," 390. Entry for Tuesday, October 4, 1864: "I went down street and got a darkey with a hand wagon who took it down to the Adams Express Co.'s office where I shipped it in my name to Fortress Monroe, Va. I paid the darkey one dollar for doing same."
6. McKelvy. 1991. "Diary," 392–393. Entry for Thursday October 6, 1864.
7. In an interesting exchange during this meeting, General Butler mentioned that he had a large number of US Colored Troops in his army. He wondered if the commissioners wanted a list of them, but did not know if any were from Pennsylvania. The commissioners replied that they were not eligible to vote in Pennsylvania.
8. McKelvy. 1991. "Diary," 403. Entry for Tuesday, October 11, 1864.
9. Josiah Henry Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed, 202–3.
10. McKelvy. 1991. "Diary," 403. Entry for Tuesday, October 11, 1864.
11. McKelvy. 1991. "Diary," 403. See footnote 37; Pennsylvania. 1864. *Laws of the General Assembly of the State of Pennsylvania Passed at the Session of 1864*. Harrisburg, PA: Singerly & Myers, State Printer, 990–999.

12. Ohio. 1876. *The Statutes of the State of Ohio*, vol. 1 (1861–1865). Cincinnati: Robert Clarke & Co., 441–446; Benton. 1915. *Voting in the Field*, 74; Whitelaw Reid. 1895. *Ohio in the War: Her Statesmen, Generals and Soldiers*. Cincinnati: Robert Clarke Company, 241.
13. David A. Collins. 2014. “Absentee Soldier Voting in Civil War Law and Politics.” PhD diss., Wayne State University, 1–2; Benton. 1915. *Voting in the Field*, 74–76.
14. *Lehman v. McBride*, 15 Ohio St. 573, 582 (1863), italics in the original. Cited in Collins (2014), 1.
15. Benton. 1915. *Voting in the Field*, 75. *Lehman v. McBride*, 15 Ohio St. 573, 582 (1863).
16. *The Trial of Hon. Clement L. Vallandigham by a Military Commission: And the Proceedings under His Application for a Writ of Habeas Corpus in the Circuit Court of the United States for the Southern District of Ohio*. 1863. Cincinnati: Rickey and Carrol, 11, 32, 63.
17. George H. Porter. 1911. “Ohio Politics during the Civil War Period.” New York: Columbia University Press, 165.
18. Report of Rear Admiral S. P. Lee to Gideon Wells, Secretary of the Navy, November 11, 1863, *Official Records of the Union and Confederate Navies in the War of the Rebellion*, Series 1, vol. 9: North Atlantic Blockading Squadron (May 5, 1863–May 5, 1864). Washington, DC: U.S. Government Printing Office, 276–278.
19. Porter. 1911. “Ohio Politics,” 183.
20. Benton. 1915. *Voting in the Field*, 78.
21. *Ashland Times*. 1863. “Vallandigham among the Soldiers.” September 3. Cited at <https://61stovi.wordpress.com/category/1863-ohio-gubernatorial-election/>.
22. Vermont. 1863. *The Journal of the Senate of the State of Vermont Annual Session, 1863*. Montpelier, VT: Freeman Printing Establishment, 31.
23. Vermont. 1863. *The Journal of the House of Representatives of the State of Vermont Annual Session, 1863*. Montpelier, VT: Freeman Printing Establishment, Appendix, 312; Benton. 1915. *Voting in the Field*, 82–83.
24. Vermont. 1863. *House Journal*, 327; Benton. 1915. *Voting in the Field*, 83–84.
25. Vermont. 1863. *Journal of the Senate*, 165.
26. Benton. 1915. *Voting in the Field*, 86.
27. Benton. 1915. *Voting in the Field*, 87–89.
28. Michigan. 1863. *Journal of the Senate of the State of Michigan, 1863*. Lansing: John A. Kerr & Co., Printers to the State, 424–429; Benton. 1915. *Voting in the Field*, 92–93.
29. Michigan. 1863. *Documents Accompanying the Journal of the House of Representatives of the State of Michigan for the Biennial Session of 1863*. Lansing: John A. Kerr & Co., Printers to the State, 6; Michigan. 1863. *Journal of the House of Representatives of the State of Michigan for the Biennial Session of 1863*. Lansing: John A. Kerr & Co., Printers to the State, 1028.

30. Michigan. 1864. *Journal of the House of Representatives of the State of Michigan, Extra Session, 1864*. Lansing: John A. Kerr & Co., Printers to the State, 36.
31. Michigan. 1864. *Journal of the House*, 36; Benton. 1915. *Voting in the Field*, 95–97.
32. Michigan. 1864. *Journal of the House*, 223.
33. The certificate from the secretary of state reported that Beam received 760 votes and that Thorp received 751.
34. Kansas. 1863. *Senate Journal of the Legislative Assembly of the State of Kansas at Its Second Session, Commenced at the City of Topeka, January 13, and Concluded March 3, 1863*. Lawrence, KS: Steam Printing Press of the State Journal, 50–51, 99–102; Benton. 1915. *Voting in the Field*, 108–109; Senator A. W. Spaulding provided a list, by name, of the twenty-six soldiers of the 12th Kansas Regiment, all of whom were believed to have voted for the incumbent, John Beam. See *Senate Journal*, 101.
35. Kansas. 1863. *Senate Journal*, 42.
36. Kansas. 1864. *House Journal of the Legislative Assembly of the State of Kansas, Begun and Held at Topeka, on Tuesday, January 12th, A.D. 1864*. Lawrence, KS: The Daily Tribune, Book, and Job Office. John Speer, Public Printer, 40.
37. Benton. 1915. *Voting in the Field*, 112.
38. C. F. W. Dassler. 1907. *Supplement to the General Statutes of Kansas: Embracing the Session Laws of 1907*. Topeka, KS: Crane & Company, Publishers, 17.
39. Support for the amendment was strong, with 10,756 voting in favor and only 329 voting against it. See Benton, 1915. *Voting in the Field*, 113.
40. Benton. 1915. *Voting in the Field*, 117.
41. *New York Times*. 1864. “From Washington: Further Arrests; A Number of Parties Implicated. The Frauds on the New-York Electors in the Army.” Arrest of New-York Election Agents. October 28.
42. Oscar Osborn Winther. 1944. “The Soldier Vote in the Election of 1864.” *New York History* 25 (October): 450.
43. *New York Times*. 1864. “From Washington: Further Arrests.”
44. Abraham Lincoln. 1894. *The Complete Works of Abraham Lincoln*, ed. John G. Nicola and John Hay. New York: Francis D. S. Tandy, Company. Sherman apparently took no action on the request, his army being, at that time, heavily engaged in the south. However, Governor Morton did succeed in getting some 9,000 wounded Indiana soldiers back to the state in time for the gubernatorial election of October, 1864. He won that election by over 20,000 votes.
45. *Indianapolis Daily Sentinel*, October 31, 1864. See also Winther. 1944. “Soldier Vote,” 452–453.
46. William Frank Zornow. 1949. “Indiana and the Election of 1864.” *Indiana Magazine of History* 45:1, 13–38.
47. Benton (1915, 26) makes the case that the soldier vote may have mattered in the Maryland election of 1864, resulting in Lincoln carrying the state over McClellan.

4 The Forgotten Soldier

1. William Blackstone. 1803. *Commentaries on the Laws of England*. London: A. Strahan, 171. <https://archive.org/details/commentarieson104blacgoog>.
2. Richard W. Stewart, ed. 2005. *American Military History, Vol 1: The United States Army and the Forging of a Nation, 1775–1917*. Washington, DC: Center of Military History, United States Army, 304.
3. William Winthrop. 1886. *Military Law*, vol. 2. Washington, DC: W. H. Morrison, Law Bookseller and Publisher, 102; Stewart. 2005. *American Military History, Vol. 1*, 306.
4. 18 U.S.C. § 1385, original at 20 Stat. 152; Stewart. 2005. *American Military History, Vol. 1*, 308.
5. For example, Connecticut's law was specifically written for the Civil War. Once the war was over, it became practically ineffective. However, the constitutional amendment permitting such laws remained on the books.
6. Mary R. Dearing. 1952. *Veterans in Politics: The Story of the G.A.R.* Baton Rouge: Louisiana State University Press; Stuart C. McConnell. 1992. *Glorious Contentment: The Grand Army of the Republic, 1865–1900*. Chapel Hill: North Carolina University Press; Robert B. Beath. 1888. *History of the Grand Army of the Republic*. New York: Bryan, Taylor & Co.; Richard H. Zeitlin and Mark D. Van Ells. 1994. "Politics, Community, Education: A Brief History of Veterans Organizations in Wisconsin and America," *Wisconsin Academy Review* 40:3, 4–9.
7. For a wide range of various views on the nature of the enlisted man in the post–Civil War army and navy see: Robert M. Utley. 1967. *Frontiersmen in Blue: The United States Army and the Indian, 1848–1865*. New York: Macmillan Company; Robert M. Utley. 1973; *Frontier Regulars: The United States Army and the Indian, 1866–1891*. New York: Macmillan Publishers; Benjamin Apthorp Gould. 1869. *Investigations in the Military and Anthropological Statistics of American Soldiers*. Published for the US Sanitary Commission. Cambridge, MA: Riverside Press; Bruce White. 1972. "Ethnicity, Race, and the American Military, from Bunker Hill to San Juan Hill," in *The Military and Society: The Proceedings of the Fifth Military History Symposium, United States Air Force Academy*, ed. David MacIsaac, October 5–6, 122–125, 129–130; James E. Valle. 1980. *Rocks and Shoals: Order and Discipline in the Old Navy, 1800–1861*. Annapolis, MD: Naval Institute Press; Richard H. Kohn. 1981. "The Social History of the American Soldier: A Review and Prospectus for Research." *American Historical Review* 86: 553–567.
8. Don Rickey. 1999. *Forty Miles a Day on Beans and Hay: The Enlisted Soldier Fighting the Indian Wars*. Norman: University of Oklahoma Press; Tracy Campbell. 2006. *Deliver the Vote: A History of Election Fraud, an American Political Tradition, 1742–2004*. New York: Perseus Books.
9. Thomas R. Lounsbury. 1866. "Ought Soldiers To Vote?" *The Nation*. October 25.
10. Robert M. Utley, personal interview April 8, 2008.

11. Benton. 1915. *Voting in the Field*. Benton. 1915. *Voting in the Field: A Forgotten Chapter of the Civil War*. Boston: Privately printed, 180.
12. Samuel P. Huntington. 1957. *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. Cambridge, MA: Belknap Press of Harvard University Press, 346–347.
13. Stewart. 2005. *American Military History*, 309–310.
14. William A. Ganoë. 1942. “The Army’s Dark Ages,” in *The History of the United States Army*. New York: Appleton-Century Co., 298–354.
15. Stewart. 2005. *American Military History*, 343–344.
16. R. Michael Alvarez and Thad Edward Hall. 2003. *Point, Click, and Vote: The Future of Internet Voting*. Washington, DC: Brookings Institution Press, 106.
17. P. Orman Ray. 1914. “Absent Voters.” *American Political Science Review* 8(3): 442–445.
18. *Congressional Record*, 65th Congress, 2nd Session, Vol. 56, Part 9 (1918), 9288.
19. *Congressional Record*, 65th Congress, 2nd Session, Vol. 56 (1918), index to Record, 96.
20. Michigan. Office of the Attorney General. 1917. *Annual Report of the Attorney General of the State of Michigan for the Fiscal Year Ending June 30, A. D. 1917*. Lansing, MI: Wynkoop Hallenbeck Crawford Co., State Printers.
21. P. Orman Ray. 1918a. “Absent-Voting Laws, 1917.” *American Political Science Review* 12(2): 251–261; P. Orman Ray. 1918b. “Military Absent-Voting Laws,” *The American Political Science Review*. 12(3), 461–469. P. Orman Ray wrote prolifically on absent voting laws between 1914 and 1926. No other single scholar paid as much attention to the various laws being passed by states at that time. During that time Ray taught history and government at Pennsylvania State College, Trinity College, and Northwestern University.
22. *Congressional Record*, 65th Congress, 2nd Session, Vol. 56, Part 7 (1918), 6792; see also Boyd A. Martin. 1945. “The Service Vote in the Elections of 1944.” *American Political Science Review*. 39(4):722.
23. *Congressional Record*, 65th Congress, 2nd Session, Vol. 56, Part 6 (1918), 5886.
24. Martin. 1945. “Service Vote,” 722.
25. Martin. 1945. “Service Vote,” 723–724; Mary Sumner Boyd. 1917. “Suffrage for Soldiers,” *The Woman Citizen*, vol. 1, 314–315.
26. George C. Marshall. 1941. *George C. Marshall to Charles J. Graham*. Letter. From 1991. *The Papers of George Catlett Marshall*, ed. Larry I. Bland, Sharon Ritenour Stevens, and Clarence E. Wunderlin Jr. Lexington, VA: The George C. Marshall Foundation. Electronic version based on *The Papers of George Catlett Marshall*, vol. 2. 1986. “We Cannot Delay,” July 1, 1939–December 6, 1941: Baltimore and London: Johns Hopkins University Press, 616. Available at <http://marshallfoundation.org/library/to-charles-j-graham/>; Forrest C. Pogue. 1963. *George C. Marshall: Education of a General, 1880–1939*. New York: Viking Press; Clark Clifford. 1991. “Serving the President I—the Truman Years,” *The New Yorker*. March 25, 40.

27. Carlo D'Este. 2002. *Eisenhower: A Soldier's Life*. New York: Henry Holt & Company.

5 World War II: Race and Politics

1. Senator James Eastland (D-MS), in the *Congressional Record*, 78th Congress, 2d sess., January 31, 1944, 911. Cited in Ira Katznelson. 2013. *Fear Itself: The New Deal and the Origins of Our Time*. New York: Liveright Publications, 206.
2. Alexander Keyssar. 2000. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books, 235.
3. Michael Anderson. 2001. "Politics, Patriotism, and the State: The Fight over the Soldier Vote, 1942–1944," in *Politics and Progress; American Society and the State since 1865*, ed. Andrew Edmund Kersten and Kriste Lindenmeyer, New York: Praeger Publishers, 86.
4. For example, Ohio law specifically stated that a voter, "unavoidably absent from his home precinct on the day of any general, special, or primary election" must ask for an absentee ballot. However the ballot could not be requested earlier than thirty days before the election. The ballot then was to be delivered by registered mail (Opinions of the Attorney General, Ohio, vol. 1, 16–17).
5. *New York Times* (September 15, 1940). *Congressional Record* 86, pt. 11 (September 14, 1940): 6798.
6. Section 8(h) discussed voting rights for all personnel drafted under the law: "Any person inducted into the land or naval forces for training and service under this Act shall, during the period of such training and service, be permitted to vote in person or by absentee ballot in any general, special, or primary election occurring in the State of which he is a resident, whether he is within or outside of such State at the time of such election, if under the laws of such State he is entitled so to vote in such election; but nothing in this subsection shall be construed to require granting to any such person a leave of absence for longer than one day in order to permit him to vote in person in any such election. Public Law 76–783, 54 Stat. 885 (September 16, 1940). Available at <http://www.legisworks.org/congress/76/publaw-783.pdf>.
7. J. Garry Clifford and Samuel R. Spencer Jr. 1986. *The First Peacetime Draft*. Lawrence: University of Kansas Press; Defense Manpower Data Center, Historical Data.
8. The quote, variously ascribed to the White House, the War Department, or General George Marshall himself, is in a memorandum for President Franklin Roosevelt from Assistant Secretary of War, Robert P. Patterson, dated October 8, 1940. The memorandum was in response to a meeting conducted at the White House on September 27, 1940, and was approved by the Secretary of War, Henry Stimson, and the Army Chief of Staff, General George C. Marshall. The President initialed it and wrote "OK" on the document, which was subsequently published as official policy on October 9, 1940. See Ulysses

- Lee. 1966. *The Employment of Negro Troops [United States Army in World War II]*. Washington, DC: U.S. Government Printing Office.
9. Paula Giddings. 1984. *When and Where I Enter: The Impact of Black Women on Race and Sex in America*. New York: William Morrow, 235.
 10. Memorandum, Franklin D. Roosevelt to General Fred Osborn, May 14, 1942. Franklin D. Roosevelt Papers, Official File (OF) 1113, box 4, Soldier Vote 1940–43 folder. Franklin D. Roosevelt Library. Cited in Michael Anderson. 2001. “Politics, Patriotism, and the State,” 86.
 11. In the opinion, the court stated that it was “unanimously of the opinion that the Constitution of the United States does not confer the right of suffrage upon any one, and that the constitutions and laws of the several States which commit that important trust to men alone are not necessarily void.”
 12. Boyd A. Martin. 1945. “The Service Vote in the Elections of 1944.” *American Political Science Review* 39 (4): 720–732; Richard Briffault. 2002. “The Contested Right to Vote.” *Michigan Law Review* 100: 1521–1522.
 13. See *Ex Parte Yarborough*, 110 U.S. 651 (1854); *Guinn v. United States*, 238 U.S. 347 (1915); *Grovey v. Townsend*, 295 U.S. 45 (1935); *United States v. Classic*, 313 U.S. 299 (1944); *Smith v. Allwright*, 88 L. Ed., advance opinion 701 (1944). Also important in the discussion is *Leser v. Garnett*, 258 U.S. 130 (1922) that reaffirmed the priority of the Constitution, and in particular the 15th and 19th Amendments over any state law that might restrict the right of a citizen to vote. In this case the 19th Amendment was upheld as a constitutionally permitted intrusion into state authority.
 14. Katznelson. 2013. *Fear Itself*, 199; Martin. 1945. “Service Vote,” 724.
 15. *Congressional Record* 86, pt. 11 (September 18, 1940): 12237.
 16. *Congressional Record* 87, pt. 6 (July 23, 1941): 6264.
 17. H.R. 7223 was introduced as “A bill to provide for a method of voting, in time of war, by members of the land and naval forces absent from the States of their residence and serving within the continental United States.” (*Congressional Record* 88, pt. 4 (June 11, 1942): 5180. It was assigned to the Committee on Election of President, Vice President, and Representatives in Congress, then chaired by John Rankin (D-MS).
 18. *Congressional Record* 88, pt. 4 (June 15, 1942): 6547.
 19. John Nichols (D-OK) in his support for Rankin’s argument.
 20. *Congressional Record*, 88, pt. 5 (July 23, 1943): 6543, 6553, 6555.
 21. Michael Anderson. 2001. “Politics, Patriotism, and the State,” 88.
 22. Russ W. Carter. 2005. *War Ballots: Military Voting by Mail from the Civil War to WWII*. Cypress, TX: Military Postal History Society, 69, 75. This book is the best single source of information on mailed military ballots from the American Civil War through World War II. Carter generously provided copies of his photographs and scans, including several examples from the post-World War II era.
 23. Federal Voting Assistance Program (FVAP). 1977. Eleventh Report, December, 2. Available at <http://www.fvap.gov/uploads/FVAP/Reports/11threport.pdf>. Also see Kevin J. Coleman. 2001. “The Uniformed and Overseas Citizens

- Absentee Voting Act: Background Issues for the 107th Congress.” Washington, DC: Congressional Research Service. February 21, 2.
24. Carter. 2005. *War Ballots*, 27; R. Michael Alvarez, Thad E. Hall, and Brian F. Roberts. 2007. “Military Voting and the Law: Procedural and Technical Solutions to the Ballot Transit Problem.” *Fordham Urban Law Journal* 34(3): 935–997; Martin. 1945. “Service.”
 25. James Eastland was appointed to the Senate in 1941 by Mississippi Governor Paul B. Johnson Sr., to complete the term vacated upon the death of Senator Pat Harrison. Eastland sat out the special election, but ran for the seat in November 1942, defeating all opponents in the Democratic Primary. He went on to serve in the Senate until his resignation in 1978.
 26. Charles L. Maschinot. 1943. *Shipswake Newsletter*. USS *Salt Lake City* CA 25. Transcription of the Foc’sle Forum, part of the newsletter dated sometime in 1943. The author was, at the time, a second class radio technician (E-5) assigned to the ship’s communications division. Available at <http://ussllcca25.com/shipwake.htm>. Accessed December 14, 2014.
 27. George Gallup. 1943. “Soldiers Could Decide ’44 Election, Gallup Poll Finds,” *New York Times*, December 5. Also see Martin. 1945. “Service Vote,” 720.
 28. *Time*. 1943. “The Congress: 10,000,000 Voters.” Dec 13.
 29. Franklin D. Roosevelt. 1944. “Message to Congress on Voting by Members of the Armed Forces,” January 25. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=16551>.
 30. *Time*. 1944. “The Congress: 1944: First Issue.” February 7.
 31. *Time*. 1944. “Will Soldiers Vote?” February 14. Rankin seldom refrained from pejorative terminology when referring to African Americans or, in this case, Jews. Walter Winchell was Jewish.
 32. James E. Phillips. 1944. “Letters,” *Time*, January 3.
 33. Harold Kramer. 1944. “Soldier Voters.” *Yank: The Army Weekly*. March 17.
 34. George Kauffman. 1944. *Yank: The Army Weekly*. March 17.
 35. Frank Bain. 1944. “Soldier Voters.” *Yank: The Army Weekly*. March 17.
 36. Alvin C. Strutz. 1944. “Opinion 44–51.” Letter from Attorney General, North Dakota, to North Dakota state legislature. Available at <https://www.ag.nd.gov/Opinions/1944/44–51.pdf>.
 37. George Tagge. 1944. “Bar Censorship of War Ballot, State Demands.” *Chicago Tribune*. September 12, 8. Available at <http://archives.chicagotribune.com/1944/09/12/page/8/article/bar-censorship-of-war-ballot-state-demands>
 38. Carter. 2005. *War Ballots*, 42–43. Only four of the 322 cases of apparently censored war ballots reported to federal authorities were actually opened. There was no evidence that military censors had opened the envelopes. Carter notes that thousands of war ballots had censor stamps on them, and most were by the US Navy.
 39. Letter from Jill de Grazia to Alfred de Grazia dated June 6, 1944, in Amy Heubner de Grazia, ed. 1999. *Home Front and War Front in World War II: The*

Correspondence of Jill Openheim de Grazia and Alfred de Grazia (1942–1945). Princeton, NJ: Metron Publications, 1508.

40. Carter. 2005. *War Ballots*, 50–51. The returns of Federal war ballots were combined from the War Ballot Commission report of December 30, 1944
41. Data on war ballot counts are from Carter. 2005. *War Ballots*, 59, who compiled them from US War Ballot Commission reports. The estimate of voting-age military personnel is from Martin. 1944. “Service Vote,” 731. Martin’s data was derived from various reports from the War Department, the Navy Department, and the War Shipping Department from the *Report of the United States War Ballot Commission*, 79th Congress, 1st Sess., Sen. Doc. No. 6. (Martin, 730, note 37).

6 Federalizing the Vote: UOCAVA

1. Source: Harry S. Truman. 1952. “Special Message to the Congress on Absentee Voting by Members of the Armed Forces.” March 28. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=14438>. Also available at <http://trumanlibrary.org/publicpapers/viewpapers.php?pid=950>.
2. *Congressional Record*, 79th Congress, 2d sess., April 1, 1946, 2914.
3. Andrew Bacevich. 2007. *The Long War: A New History of U.S. National Security Policy since World War II*. New York: Columbia University Press; Ira Katznelson. 2013. *Fear Itself: The New Deal and the Origins of Our Time*. New York: Liveright Publishing, 222.
4. American Political Science Association (APSA). 1952. “Findings and Recommendations of the Special Committee on Service Voting.” *American Political Science Review*: 46(2): 514.
5. The Department of Defense was established in 1947 by the National Security Act of 1947. President Truman signed the act on July 26, 1947, providing for a “National Military Establishment” in which the army, navy, and air force were combined under a new secretary of defense. The War Department was reestablished as the Department of the Army and the former Army Air Forces were established under a new Department of the Air Force. The navy and the marine corps were maintained under the Department of the Navy. All service departments, army, navy, and air force, report to the secretary of defense.
6. APSA. 1952. “Findings and Recommendations,” 515.
7. Data about the size of the armed forces were obtained from the Defense Manpower Data Center, Historical Reports (https://www.dmdc.osd.mil/appj/dwp/dwp_reports.jsp). The voting age in 1952 was twenty-one. The APSA committee was generally in favor of lowering the voting age to eighteen, but made no specific recommendation to that effect.
8. *New York Times*. 1950. “Overseas Ballots Asked for Korea.” August 21, 5.
9. APSA. 1952. “Findings and Recommendations,” 512–513.
10. Luther Gulick was well known to the administration. An expert in public administration, he was appointed in 1937 by FDR to assist with the reorganization

of the executive branch. He influenced John Maynard Keynes to develop postwar economic policies. The members of the committee were Paul T. David (Chairman), then director of Political Studies at the Brookings Institution and later professor of Political Science at the University of Virginia. He was an expert on the American presidency; Robert Cutler, a World War I army veteran, he served under Secretary of War Stimson during World War II. He was later named the first National Security Advisor under President Eisenhower; Samuel J. Eldersveld, PhD, University of Michigan, he served as a lieutenant in the navy during World War II. He was professor of Political Science at the University of Michigan. A Democrat, he later was elected mayor of Ann Arbor, Michigan; Bertram M. Gross, director of research for the Democratic National Committee and former staff director in Congress responsible for the Full Employment Act of 1946. An expert on the legislature; G. Alexander Heard, PhD, Columbia University, was professor of Political Science at the University of North Carolina and later became chancellor of Vanderbilt University. Edward H. Litchfield, PhD, University of Michigan, *ex officio member*, formerly the director of Civilian Affairs in the US Military Government of Germany following World War II. He later became the Dean of the Cornell University School of Business and Public Administration; Kathryn H. Stone, active in the Virginia Democratic Party and author of two books on public administration, she later was elected to the Virginia House of Delegates and was an early proponent of school desegregation; William B. Prendergast, PhD, political science from the University of Chicago, was a veteran of World War II having served as a captain in the Office of Strategic Services. He was also professor of Political Science and History at the US Naval Academy and later served as director of research for the Republican National Committee.

11. APSA. 1952. "Findings and Recommendations," 517.
12. APSA. 1952. "Findings and Recommendations," 517–518.
13. Truman. 1952. "Absentee Voting."
14. "Overseas Voting." 1956. In *CQ Almanac 1955*, 11th ed., 347–48. Washington, DC: Congressional Quarterly. <http://library.cqpress.com/cqalmanac/cqal55-1350826>.
15. Austin Stevens. 1952. "G.I. Balloting On; Curbs to Cut Vote," *New York Times*, October 12, 82.
16. Jack Raymond. 1960. "Overseas Ballots May Set a Record," *New York Times*, October 20, 29. Available at <http://timesmachine.nytimes.com/timesmachine/1960/10/20/issue.html>.
17. Dwight D. Eisenhower. 1954. "Annual Message to the Congress on the State of the Union, January 7, 1954." *Congressional Record*, 100, 62. See also H. Doc. 251, 83d Congress, 2nd session. Available at http://www.eisenhower.archives.gov/all_about_ike/speeches/1954_state_of_the_union.pdf.
18. *New York Times*. 1954. "Bill Asks Spread of Absentee Vote," April 10, 51.
19. Dwight D. Eisenhower. 1955. "Letter to the Governors concerning Uniform State Legislation on Absentee Voting Rights of Members of the Armed Services," February 7. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=10404>.

- See also *New York Times*. 1954. “State Laws Urged for Services Vote,” February 6, 12.
20. “Overseas Voting.” 1956. In *CQ Almanac 1955*, 11th ed., 347–48; 42 U.S.C. 1971, Public Law 295, 84th Congress.
 21. Executive Order 10646 of November 22, 1955, designating the secretary of defense to coordinate and facilitate actions required to discharge federal responsibilities under the Federal Voting Assistance Act of 1955. *Code of Federal Regulations* title 3 (1954–1958), 281. <http://www.archives.gov/federal-register/codification/executive-order/10646.html>
 22. By November 1965, the following agencies and organizations had taken action to participate: Departments of the army, navy (including the Marine Corps), and air force; US Coast Guard; Agency for International Development (AID); Department of Agriculture; American Battle Monuments Commission; American National Red Cross; Atomic Energy Commission; Central Intelligence Agency; Coast & Geodetic Survey; Department of Commerce; Federal Aviation Agency; General Accounting Office; Department of Health, Education, and Welfare; Department of the Interior; Department of Justice; Department of Labor; Department of Treasury; Maritime Administration; Panama Canal Company; Peace Corps; Department of State; United Service Organization; United States Information Agency; Veterans Administration. See Federal Voting Assistance Program (FVAP). 1965. *Fifth Report*, November. Washington, DC: Department of Defense, 2–3.
 23. See Appendix B for an example of the current version of the FPCA.
 24. Federal Voting Assistance Program. 1963. *Fourth Report*. Washington, DC: Department of Defense, 3–12.
 25. Federal Voting Assistance Program. 1970. *Eighth Report*. Washington, DC: Department of Defense, 34.
 26. For national general election voter eligible turnout rates from 1789 to present, see the United States Elections Project, available at <http://www.electproject.org/national-1789-present>. FVAP reported military turnout data is compiled from periodic reports that are available at <http://www.fvap.gov/info/reports-surveys/search-reports-surveys/reports-to-congress>. The FVAP reports for the 1956, 1958, and 1960 elections were not located. The 1962 (*Fourth Report*) stated that “there was no appreciable gain over the percentages in previous off-year elections.” The 1970 (*Eighth Report*) summarized the reported turnout rates for 1956–1970.
 27. In the 1970 report, of the over three million eligible overseas voters, which included not only military personnel, but also military spouses and federal employees stationed overseas, a scientifically selected sample of about 36,000 individuals was surveyed during November and December 1970.
 28. Stephen Ansolabehere and Eitan Hersh. 2011. “Pants on Fire: Misreporting, Sample Selection, and Participation.” Working Paper. Available at http://www.eitanhersh.com/uploads/7/9/7/5/7975685/misreporting08_v2.2.pdf; For more details and statistical analysis, see Stanley Presser, Michael W. Traugott, and Santa Traugott. 1990. “Vote ‘Over’ Reporting in Surveys: The Records of the Respondents.” Technical Report ANES Technical Report

- Series: Doc. nes010157. Ann Arbor, MI: American National Election Studies, 2; Robert F. Belli, Michael W. Traugott, and Matthew N. Beckman. 2001. "What Leads to Voting Overreports? Contrasts of Overreporters to Validated Voters and Admitted Non-voters in the American National Election Studies." *Journal of Official Statistics* 17(4):479–498; Michael W. Traugott, Santa M. Traugott, and Stanley Presser. 1992. "Revalidation of Self-Reported Vote." Technical report. ANES Technical Report Series: Doc. nes010160. Ann Arbor, MI: American National Election Studies.
29. The states that were listed in compliance in 1965 were: Alaska, California, Colorado, Connecticut, District of Columbia, Georgia, Idaho, Illinois, Iowa, Kansas, Maine, Maryland, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Vermont, Washington, Wisconsin, and Wyoming.
 30. See *New York Times*. 1964. "24th Amendment, Banning Poll Tax, Has Been Ratified." January 24, 1; Voting Rights Act of 1965, 42. U.S.C. §§ 1973–1973aa-6; FVAP. 1965. *Fifth Report*, 7–15. The 24th Amendment to the US Constitution, ratified on January 23, 1964, outlawed poll taxes as a precondition to vote in federal elections but did not discuss state elections. While now part of the Constitution, nine states have taken no action to ratify the amendment—Arizona, Arkansas, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Wyoming. Mississippi rejected the amendment. Arkansas did repeal its poll tax in the fall of 1964, and Alabama and Texas repealed their poll tax laws in 1965.
 31. *New York Times*. 1968. "Absentee G.I. Votes Sought by Republicans." September 23, 31.
 32. *New York Times*. 1968. "Both Parties Woo Absentee Voters, Especially the G.I.," October 30, 28.
 33. Public Law 90–343. To Amend the Federal Voting Assistance Act of 1955. 69 Stat. 584, 82 Stat. 180–181. See <http://www.gpo.gov/fdsys/pkg/STATUTE-82/pdf/STATUTE-82-Pg180-3.pdf>
 34. Lyndon Baines Johnson. 1968. "Statement by the President on Signing Bills Amending the Federal Voting Assistance Act of 1955." June 18. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=28932>.
 35. For a detailed description of the issues at hand, see FVAP. 1976. *Eleventh Report*. Washington, DC: Department of Defense. See also Caroline Therese Schøenheyder. 2011. "U.S. Policy Debates concerning the Absentee Voting Rights of Uniformed and Overseas Citizens, 1942–2011." MA Thesis, University of Oslo. Available at <https://www.duo.uio.no/bitstream/handle/10852/26225/MAXThesisxSchxnheyder.pdf?sequence=1&isAllowed=y>.
 36. FVAP. 1973. *Ninth Report*, 10.
 37. R. Michael Alvarez, Thad E. Hall, and Brian F. Roberts. 2007. "Military Voting and the Law: Procedural and Technological Solutions to the Ballot Transit Problem." *Fordham Urban Law Journal* 34(4):673–683.

38. The other Senators listed as co-sponsors were Birch Bayh (D-IN), Bill Brock (R-TN), William V. Roth Jr. (R-DE), Lowell P. Weicker (R-CT), and John V. Tunney (D-CA).
39. Charles Mathias. 1975. Testimony, Subcommittee on Elections, Committee on House Administration, U.S. House of Representatives. Hearing: *Voting Rights for U.S. Citizens Residing Abroad*. February 25, 26, March 11. Washington, DC: Government Printing Office, 12.
40. S. Rept. 94–121.
41. Charles Bohlen had been ambassador to the Soviet Union. Arthur Goldberg had briefly served on the Supreme Court (1963–1965), but was asked to resign to replace Adlai Stevenson as ambassador to the United Nations. Averell Harriman had served as ambassador to the Soviet Union during World War II and briefly as ambassador to the United Kingdom following the war. George H. W. Bush, had served as ambassador to the United Nations in the Nixon administration and as ambassador to the People’s Republic of China in the Ford administration.
42. Amanda Klekowski von Koppenfels. 2014. *Migrants or Expatriates? Americans in Europe*. New York: Palgrave Macmillan, 245.
43. H. Rept. 94–649.
44. Phyllis Michaux. 2007. “The Teabag Campaign of 1975 for Passage of the Overseas Citizens Absentee Voting Rights Act.” *The Association of Americans Resident Overseas*. <http://www.aaro.org/about-aaro/the-teabag-campaign>. Accessed February 11, 2015.
45. Eugene J. Marans. 1975. Testimony, Subcommittee on Elections, Committee on House Administration, US House of Representatives. Hearing: *Voting Rights for US Citizens Residing Abroad*. Washington, DC: U.S. Government Printing Office; von Koppenfels. 2014. *Migrants or Expatriates*, 245; Phyllis Michaux. 1996. *The Unknown Ambassadors: A Saga of Citizenship*. Bayside, NY: Aletheia Publications, 63; Phyllis Michaux. 2007. “Teabag Campaign of 1975.”
46. Public Law 94–203. 89 Stat. 1142–1144. Available at <http://library.cqpress.com/cqalmanac/document.php?id=cqal75-865-26316-1215140#203>.
47. Public Law 99–410. 100 Stat. 924–930. 4 U.S.C. §§ 1973ff–1973ff-6, 39 U.S.C. § 3406, 18 U.S.C. §§ 608–609.
48. 42 U.S.C. 1973cc et seq.
49. 42 U.S.C. 1973dd et seq.
50. Ronald Reagan. 1988. Executive Order 12642. Designation of the Secretary of Defense as the Presidential Designee Under Title I of the Uniformed and Overseas Citizens Absentee Voting Act. June 8. Online by Gerhard Peters and John T. Wooley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/index.php?pid=35947>.
51. See Appendix B for an example of the current version of the FWAB.
52. US Government Accountability Office. 2007. *Elections: Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens*. GAO 07–774. Washington, DC: US

Government Printing Office, 7; Judith Murray. 2012. "Absent Voting, the Help America Vote Act of 2002, and the American Overseas Voter: An Analysis of Policy Effectiveness and Political Participation." PhD diss., Newcastle University, 75.

53. See Overseas Vote Foundation. 2009a. *2008 OVF Post Election UOCAVA Survey Report and Analysis*. Arlington, VA: Overseas Vote Foundation; Overseas Vote Foundation. 2009b. *Case Study: Minnesota Takes the Lead in 2008*. Arlington, VA: Overseas Vote Foundation; Claire Smith. 2009. "Defining the Universe: The Problem of Counting Overseas Voters." *Overseas Vote Foundation Research Newsletter*, 1(1) (May): 2–6.

7 Barriers and Disenfranchisement: The MOVE Act

1. See Vic Ryckaert. 2002. "Absentee Ballot Requests Seized in Marion County, Indiana – Probe Launched." *Indianapolis Star*. November 1. <http://www.ejfi.org/Voting/Voting-111.htm>. Accessed January 12, 2009; Elizabeth Davies. 2004. "Absentee Ballot Forms Go Missing in Florida County." *The Independent World*. October 29. <http://www.independent.co.uk/news/world/americas/absentee-ballot-forms-go-missing-in-florida-county-545377.html>. Accessed January 12, 2009; Brian Knowlton. 2007. "Data on Overseas Absentee Ballots Raise Questions." *International Herald Tribune*. September 26. <http://www.iht.com/articles/2007/09/26/news/vote.php>; US Department of Justice (DOJ). 2008. "Cases Raising Claims under the Uniformed and Overseas Citizen Absentee Voting Act. July 25. http://www.usdoj.gov/crt/voting/litigation/recent_uocava.php. Accessed May 12, 2009."
2. For a detailed description of the VOI pilot project, see R. Michael Alvarez, Thad E. Hall, and Brian F. Roberts. 2007. "Military Voting and the Law: Procedural and Technical Solutions to the Ballot Transit Problem." *Fordham Urban Law Journal* 34(3): 935–997. The states that participated were Florida (Okaloosa and Orange Counties), South Carolina, Texas (Dallas County), and Utah (Weber County).
3. Department of Defense, Washington Headquarters Services, Federal Voting Assistance Program. *Voting Over the Internet Pilot Project Assessment Report*. June 2001. ES-2. See also R. Michael Alvarez and Jonathan Nagler. 2001. "The Likely Consequences of Internet Voting for Political Representation," *Loyola Law Review* 34: 1115–1153.
4. David Jefferson, Aviel D. Rubin, Barbara Simons, and David Wagner. 2004. *A Security Analysis of the Secure Electronic Registration and Voting Experiment (SERVE)*, Security Peer Review Group. The findings were published in slightly different form in David Jefferson, et al. 2004. "Analyzing Internet Voting Security," *Communications of the ACM* 47(10): 59–64.
5. Pew Center on the States. 2009. *No Time to Vote: Challenges Facing America's Overseas Military Voters*. Washington, DC: The Pew Charitable Trusts, 1.
6. Pew Center. *No Time to Vote*, 6.
7. The states that waived the registration requirement for overseas voters were: Arkansas, Iowa, Illinois, Kansas, Massachusetts, Minnesota, New Hampshire,

- New Mexico, North Dakota, Oklahoma, Pennsylvania, Rhode Island, and Wisconsin.
8. The states that did not permit any form of electronic delivery of a blank ballot were: Alabama, Arkansas, Connecticut, Georgia, Massachusetts, Michigan, Missouri, New Hampshire, New York, South Dakota, Tennessee, Texas, and Wyoming. Five states (Illinois, Maine, Oklahoma, Pennsylvania, and Utah) and the District of Columbia permitted electronic delivery under some special circumstances, for example, if the voter was in a designated combat zone.
 9. That states that required ballots to be countersigned or notarized were: Alabama, Alaska, Louisiana, Mississippi, North Carolina, South Carolina, Virginia, and Wisconsin.
 10. Donald S. Inbody. 2015. "Voting by Overseas Citizens and Military Personnel." *Election Law Journal* 14(1). Some of the material, including the tables, in this chapter is derived from this article.
 11. Summary drawn from Overseas Vote Foundation, "What the Move Act Means for You." Available at <https://www.overseasvotefoundation.org/node/282>.
 12. As of August 2014, all fifty states provide for transmission of a blank ballot to overseas citizens or military personnel by electronic means, i.e., either by email, fax, or download from a secure website. Forty-four states allow use of fax and forty-eight allow use of email with nineteen states also permitting access to the blank ballot from a specialized website.
 13. Claire M. Smith and Judith Ann Murray. 2013. *My Laptop is My Ballot Box: Voting Technology, Participation and the Overseas Vote*. Paper presented at the 2013 Annual Meeting and Exhibition of the Midwest Political Science Association, Chicago, Illinois, April 11–April 14; Claire M. Smith. 2014. *Convenience Voting and Technology: The Case of Military and Overseas Voters*. New York: Palgrave Press; Overseas Vote Foundation. 2013. *2012 OVF Post Election UOCAVA Survey Report and Analysis*. Arlington, VA. Available at https://www.overseasvotefoundation.org/files/OVF_ElectionReport_2013_web.pdf.
 14. For example, the election administrator for Bexar County, Texas, reports receiving returned ballots in various forms in nonstandard envelopes, USPS priority mail, folded and stapled ballots with a stamp on the outside, ballots crumpled and stuffed in small envelopes, as well as some without postmarks or mailed to an incorrect address. Some were without the necessary security envelope designed to ensure ballot anonymity.
 15. Data for the number of overseas eligible voters are taken from the United States Election Project (McDonald); Data for UOCAVA ballot numbers are taken from the Election Assistance Commission's UOCAVA Reports for 2006, 2008, 2010, and 2012.
 16. The Texas director of elections mentioned that he heard many stories from his army sources expressing dissatisfaction with the ability of the Military Postal System (MPS) to deliver mail to army personnel in Afghanistan. In an internal analysis of compliance with the MOVE Act conducted by the Military Postal Service Agency in 2010, it was found that nearly 50 percent of ballots

- received at overseas military post offices were undeliverable as addressed (MPSA 2010).
17. Smith. 2014. *Convenience Voting and Technology*, 158–204.
 18. During the 2012 legislative session, the Texas legislature passed HB 1129 that provided for a one county experiment into electronic delivery of ballot materials and return of a marked ballot by service personnel in designated International Combat Zones. Bexar County (San Antonio) was chosen to carry out the experiment. The county election administrator reported emailing 859 ballot links and mailing 618 balloting materials to FPCA voters. 389 of the emailed ballots were returned as were 341 of the mailed ballots. Of the emailed ballots only 550 logged in to pick up their ballot. 544 downloaded the ballot and 389 were returned in time. 344 of these were returned by mail and 45 were either faxed or emailed back in accordance with the HB 1129 pilot program. While some ballots were returned by personnel in the designated combat zones, another 48 ballots were returned electronically by individuals not in such zones. The county election administrator determined, however, that the voters were otherwise legally registered and that there was no likelihood of fraud, so the ballots were counted.
 19. Many local election officials recommend that preprocessing of such ballots be permitted. By permitting preprocessing, absentee ballots can be prepared in a more systematic, less time-constrained manner and will be less likely to incur human error. This process could begin as early as when the ballot arrives, or some other time prior to Election Day. In the case of ballots that are received without a security envelope, some local election officials preprocess the ballot, prepare it for counting, and place it in a security envelope. Interviews with state election directors indicate they are generally in favor of such actions.
 20. Local election officials consistently report that about one-third of absentee ballots mailed to overseas and military addresses are returned as undeliverable. That is due to the mobile nature of military voters. Prior to 2009, federal law required states to use the Federal Post Card Application (FPCA) as a valid address for two election cycles. Many military personnel have moved within that four-year period. The US Postal Service will forward mail to service members, but is generally restricted to a period of one year. The MOVE Act permitted states to use the FPCA for only one election cycle. Ballots returned as undeliverable have been reduced, but remains at a high level. This data correlates with reports by UOCAVA voters that requested ballots never arrive.
 21. The states that permit the use of the FWAB for both registration and voting in some elections are (as of January 2015): Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Georgia, Hawaii, Iowa, Kentucky, Maine, Maryland, Mississippi, Missouri, Montana, Nebraska, Nevada, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Utah, and Washington.
 22. There have been historical incidents of partisan interference with enfranchising military personnel. However, those instances date back to World War

- II and the American Civil War. See Smith (2014) and Inbody (2010) for a discussion of those events. Recently, the only pressure on local election administrators is a general urging, largely by military voting special interest groups, to ensure that ballots are made available to overseas military voters as required by federal election law. The only issue brought up by election administrators were queries by political parties to obtain lists of overseas and military voters. Those requests are refused as such data is generally protected by state law.
23. Data obtained from the Defense Manpower Data Center report that, in 2011, 43.2 percent of all military personnel were twenty-five years old or younger. Another 22.8 percent of enlisted personnel were between the ages of twenty-six and thirty. For enlisted personnel only, 49.3 percent are twenty-five or younger with another 22.8 percent between the ages of twenty-six and thirty.
 24. Donald S. Inbody. 2009. "Grand Army of the Republic or Grand Army of the Republicans: Political Party and Ideological Preferences of American Enlisted Personnel." PhD diss., University of Texas, 122–125. Available at <https://digital.library.txstate.edu/handle/10877/3972>.
 25. US Department of Defense, Inspector General (DODIG). 2012. *Assessment of Voting Assistance Programs for Calendar Year 2012*. Report No. DODIG-2013–074. Washington, DC.
 26. US Department of Defense, Inspector General (DODIG). 2013. *Assessment of the Federal Voting Assistance Program Office Implementation of the Military and Overseas Voter Empowerment Act*. Report No. DODIG-2012–123. Washington, DC.
 27. Inbody. 2015. "Voting by Overseas Citizens."
 28. Barack Obama. 2013. Executive Order 13639 of March 28, 2013, Establishment of the Presidential Commission on Election Administration, *Code of Federal Regulations*, title 3 (2013): 199789–199780, <http://www.gpo.gov/fdsys/pkg/DCPD-201300197/pdf/DCPD-201300197.pdf>. This order was modified by Executive Order 13644 of May 21, 2013, Amendment to Executive Order 13639, *Code of Federal Regulations*, title 3 (2013): 31813, <http://www.gpo.gov/fdsys/pkg/FR-2013-05-24/pdf/2013-12650.pdf>.
 29. Presidential Commission on Election Administration (PCEA). 2014. *The American Voting Experience: Report and Recommendation of the Presidential Commission on Election Administration*. Accessed February 12, 2014 at <https://www.supportthevoter.gov/files/2014/01/Amer-Voting-Exper-final-draft-01-09-14-508.pdf>, ii–viii.
 30. Jack W. Klimp. 2015. Personal interview, February 5, 2015. Jack Klimp is the president of the National Association for Uniformed Services (NAUS), an organization that lobbies on behalf of the uniformed services in the United States.
 31. Robin Y. Richardson. 2014. "Emails from Secretary of State Show Elections Office Warned." *Marshall News-Messenger*, November 16. Accessed November 25, 2014. http://www.marshallnewsmessenger.com/news/emails-from-secretary-of-state-show-elections-office-warned/article_7939b381-17ef-58f5-bbbe-cf474bb0b644.html; Keith Ingram. 2015. Personal interview, November 25.

8 American Civil-Military Relations

1. Samuel P. Huntington. 1957. *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. Cambridge, MA: Belknap Press of Harvard University Press; Morris Janowitz. 1960. *The Professional Soldier: A Social and Political Portrait*. Glencoe, IL: Free Press.
2. Peter D. Feaver. 1996a. "The Civil-Military Problematique: Huntington, Janowitz and the Question of Civilian Control." *Armed Forces and Society* 23(2): 149–178. This article spoke directly to the issue of a potential civil-military gap and whether it posed a crisis in American civil-military relations. Related is another article from about the same time, clearly in response to the issues surrounding the Clinton presidential administration and relations with the senior military leadership; Peter D. Feaver. 1996b. "An American Crisis in Civilian Control and Civil-Military Relations?" *The Tocqueville Review* 17(1): 159–182.
3. William J. Brennan Jr. 1985. Speech given at the Text and Teaching Symposium, Georgetown University October 12, 1985, Washington, DC. Available at http://www.pbs.org/wnet/supremecourt/democracy/sources_document7.html.
4. Max Farrand. 1911. *Records of the Federal Convention of 1787*. 4 vols. New Haven: Yale University Press 1:465.
5. Robert A. Pollard. 1985. *Economic Security and the Origins of the Cold War, 1945–1950*. New York: Columbia University Press; John W. Chambers. 1987. *To Raise an Army: The Draft Comes to Modern America*. New York: Free Press; George Q. Flynn. 2000. *The Draft, 1940–1973*. Lawrence, KS: University of Kansas Press.
6. A classic among the warnings about militarization of society is Pearl S. Buck. 1949. "New Evidence of the Militarization of America." National Council against Conscription. Other writing along the same line includes Fred J. Cook. 1962. *The Warfare State*. New York: Macmillan; Irving Louis Horowitz. 1963. *The War Game*. New York: Ballentine Books; Tristram Coffin. 1964. *The Passion of the Hawks*. New York: Macmillan; John Swomley. 1964. *The Military Establishment*. Boston, MA: Beacon Press; Erwin Knoll and Judith Nies McFadden. 1969. *American Militarism 1970*. New York: Viking Press; and M. Vincent Hayes. 1973. "Is the Military Taking Over?" *New Priorities: A Magazine for Activists* 1(4). London: Gordon and Breach, Science Publishers, Ltd.
7. C. Wright Mills. 1956. *The Power Elite*. Oxford: Oxford University Press; C. Wright Mills. 1958. *The Causes of World War III*. New York: Simon and Schuster, Inc.
8. William T. R. Fox. 1961. "Representativeness and Efficiency: Dual Problem of Civil-Military Relations" *Political Science Quarterly* 76(3): 354–366; M. Vincent Hayes. 1973. "Is the Military Taking Over?"; Peter Karsten. 1971. "ROTC, MyLai and the Volunteer Army." *Foreign Policy* 6 (Spring) : 135–160.
9. Huntington. 1957. *Soldier and the State*, viii.
10. Huntington. 1957. *Soldier and the State*, 79, 92; Feaver. 1996a. "Civil-Military Problematique," 159.

11. Feaver. 1996a. "Civil-Military Problematique."
12. Huntington. 1957. *Soldier and the State*, 457.
13. Gene Lyons. 1961. "The New Civil-Military Relations." *American Political Science Review* 55(1); Irving Louis Horowitz. 1963. *War Game*; Harold Wool. 1968. *The Military Specialist*. Baltimore: Johns Hopkins Press; Erwin Knoll and Judith Nies McFadden, eds. 1969. *American Militarism 1970*. New York: Viking Press; M. Vincent Hayes. 1973. "Is the Military Taking Over?"
14. Morris Janowitz. 1960. *Professional Soldier*; Feaver. 1996a. "Civil-Military Problematique."
15. Carl von Clausewitz. 1989. *On War*. Princeton, NJ: Princeton University Press.
16. Harry G. Summers. 1984. *On Strategy: A Critical Analysis of the Vietnam War*. New York: Dell Publishing.
17. H. R. McMaster. 1997. *Dereliction of Duty: Johnson, McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam*. New York: Harper Collins. McMaster, then a US Army colonel, wrote the basis of this book as his PhD dissertation at the University of North Carolina. The book is now a "must read" on most military reading lists including the army chief of staff and commandant of the Marine Corps.
18. Peter D. Feaver. 1996a. "Civil-Military Problematique."
19. Peter D. Feaver. 2003. *Armed Servants: Agency, Oversight, and Civil-Military Relations*. Cambridge, MA: Harvard University Press; Peter D. Feaver. 1998. "Crisis as Shirking: An Agency Theory Explanation of the Souring of American Civil-Military Relations." *Armed Forces and Society* 24(3): 407–434.
20. Feaver. 2003. *Armed Servants*; Mackubin Thomas Owens. 2003. "Civilian Rumsfeld: Overseeing the Military." *National Review Online*. <http://www.nationalreview.com/owens/owens071703.asp>. Accessed March 29, 2009.
21. Feaver, Peter D. 1998. "Crisis as Shirking."
22. This section, and in particular the organization, is based on a descriptive methodology used by Lindsay Cohn (1999), now on the Naval War College faculty. While a graduate student at Duke University, she wrote an insightful research essay on the civil-military gap and its impact in which she posed four questions: (1) what is the nature of the gap, (2) what has caused the gap, (3) why does the gap matter, and (4) how the problems, if any, are to be corrected. In the present study, Cohn's first two questions are combined.
23. Alfred Vagts. 1937. *A History of Militarism: A Romance and Realities of a Profession*. New York: W. W. Norton & Company, 11–15.
24. Louis Smith. 1951. *American Democracy and Military Power*. Chicago: University of Chicago Press.
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26. Charles William Maynes. 1998. "The Perils of (and for) an Imperial America." *Foreign Policy* 111(Summer): 36–47.

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28. C. J. Chivers. 1999. "Military Fights an Imaginary Rift With the Public." *USA Today*. September 14, 17.
29. See Mark J. Eitelberg and Roger G. Little. 1995. "Influential Elites and the American Military after the Cold War" in *U.S. Civil-Military Relations: In Crisis or Transition*, ed. Donald M. Snider and Miranda A. Carlton-Carew. Washington, DC: Center for Strategic and International Studies; Andrew J. Bacevich and Richard H. Kohn. 1997. "Grand Army of the Republicans: Has the U.S. Military Become a Partisan Force?" *The New Republic* 217 (23–28) Dec): 22 ff; Maynes. 1998. "Imperial America."
30. Donald K. Muchow. 1995. "A Preliminary Analysis of American Values of Life and Community." JSCOPE 95. Available at <http://isme.tamu.edu/JSCOPE/95/ruchow/95.html>.
31. Fred Tasker. 1990. "Who Are Today's Soldiers—and Why?" *The Seattle Times*, F1, September 27; Martin Binkin. 1993. *Who Will Fight the Next War?* Washington, DC: Brookings Institution.
32. Judith Hicks Stiehm. 1996. "The Civilian Mind." in *It's Our Military, Too!* Ed. Judith Hicks Stiehm. Philadelphia: Temple University Press; Don M. Snider and Miranda A. Carlton-Carew, eds. 1995. *U.S. Civil-Military Relations: In Crisis or Transition?* Washington DC: The Center for Strategic and International Studies; George Will. 1997. "Lott, and Others, Need to Butt Out." *The Plain Dealer*, 5F, May 25; Richard Danzig. 1999. *The Big Three: Our Greatest Security Risks and How to Address Them*. New York: Maxwell School of Citizenship and Public Affairs, Syracuse University. <http://www.navy.mil/navydata/people/secnav/danzig/bigthree.pdf>. Accessed December 12, 2008.
33. Elizabeth Kier. 1999. "Discrimination and Military Cohesion: An Organizational Perspective," in *Beyond Zero Tolerance: Discrimination in Military Culture*, ed. Mary Fainsod Katzenstein and Judith Reppy. New York: Alexshan Books.
34. Cohn. 1999. "Civil-Military 'Gap' Debate."
35. Peter Maslowski. 1990. "Army Values and American Values" *Military Review*, April 1990: 11–22; Bacevich and Kohn. 1997. "Grand Army"; Chivers. 1999. "Military Fights" 17; Peter D. Feaver. 1999. "Civil-Military Relations." *Annual Review of Political Science* 2: 211–241.
36. J. F. McIsaac & N. Verdugo. 1995. "Civil-Military Relations: A Domestic Perspective," in *U.S. Civil-Military Relations in Crisis of Transition?* Ed. D. M. Snider and M. A. Carlton-Carew. Washington, DC: Center for Strategic and International Studies, 21–33.
37. Eitelberg and Little. 1995. "Influential Elites"; Otto Kreisher. 1997. "Culture Gap: A review of Making the Corps." *San Diego Union-Tribune*, November 23; Harry Levins. 1996. "They Paid for Peace with Courage; But Now, Veterans' Ranks Slowly Dwindle." *St. Louis Post-Dispatch*, 1B, November 10; Stephen M. Duncan 1997. *Citizen Warriors: America's National Guard and Reserve Forces & the Politics of National Security*. Novato, CA: Presidio Press.

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9 American Military Demographics

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6. Since 85 percent of recruits are male, it makes more sense to compare recruits to the male population aged 18–24 rather than to the entire 18–24 population.
 7. The US population aged 18–44 is used as the appropriate comparison group to the active-duty enlisted population. Most enlisted personnel will have left active service or retired before reaching age 44. However, a small percentage of very senior enlisted personnel may remain in the service after that age.
 8. The senior enlisted pay grades in the army are E-6 through E-9, generally known as Staff Non-Commissioned Officers (SNCO). In the army, there are 7,761 black women in those pay grades while there are only 3,596 white female SNCOs.
 9. Watkins and Sherk. 2008. “Who Serves in the U.S. Military?”
 10. Based on data collected from the Defense Manpower Data Center and the Department of Defense, Office of the Undersecretary of Defense for Personnel and Readiness, October 2002–September 2005, Non-prior Duty Active-duty Accessions (<http://www.defenselink.mil/prhome/>), and the US Census Bureau (<http://www.factfinder.census.gov>).
 11. The personal consumption expenditure (PCE) deflator is used and amounts are expressed in 2008 dollars. The PCE is an estimate of inflation among major categories of expenditure by consumers and is the preferred measure of inflation. See Watkins and Sherk. 2008. “Who Serves in the U.S. Military?”
 12. Tim Kane. 2005. “Who Bears the Burden?”; Tim Kane. 2006. “Who Are the Recruits?”. Also see Watkins and Sherk. 2008. “Who Serves in the U.S. Military?”
 13. US Congressional Budget Office. 2007. “The All-Volunteer Military: Issues and Performance,” Pub. No. 2960, July. <http://www.cbo.gov/ftpdocs/83xx/doc8313/07-19-MilitaryVol.pdf>. Accessed February 12, 2009.
 14. Charles Rangel, in a November 26, 2006, interview conducted by Chris Wallace on Fox News, stated, “I want to make it abundantly clear: if there’s anyone who believes that these youngsters want to fight, as the Pentagon and some generals have said, you can just forget about it. No young, bright individual wants to fight just because of a bonus and just because of educational benefits. And most all of them come from communities of very, very high unemployment. If a young fella has an option of having a decent career or joining the army to fight in Iraq, you can bet your life that he would not be in Iraq.”
 15. National Center for Education Statistics. 2004. *Digest of Education Statistics, 2004* (NCES 2006–0005). Washington, DC: US Department of Education.
 16. National Center for Education Statistics. 2005. *The Condition of Education 2005, Indicator 20, Immediate Transition to College* (NCES 2005–094). Washington, DC: US Department of Education.

17. The US government defines its fiscal year as beginning on October 1. Thus, fiscal year 2007 began on October 1, 2006, and ended on September 30, 2007.
18. US Census Bureau. 2005. *United States Census 2000*, Summary File 3. <http://www.census.gov/Press-Release/www.2002/sumfile3.html>, July 6. Accessed October 10, 2008. While the US Census Bureau 2000 Census reported that 25 percent of Americans aged eighteen to twenty-four had not graduated from high school (or equivalent), the Current Population Survey reported that twenty-one percent of Americans aged eighteen to twenty-four had not graduated from high school or achieved a GED equivalent.
19. Watkins and Sherck. 2008. "Who Serves in the U.S. Military?"
20. See Kane. 2005. "Who Bears the Burden?" and Kane. 2006. "Who Are the Recruits?"
21. Constance M. Carroll. 2008. *Chancellor's Welcome*. San Diego Community College District. <http://www.sdccd.edu/welcome.shtml>. Accessed January 27, 2009.
22. The Department of Defense defines college experience as attendance, full- or part-time, in any two- or four-year college or university in a class for which credit may be applied toward a degree. Thus, the usual service schools that most personnel are required to attend are not counted as college experience.
23. Steven Ruggles, Matthew Sobek, Trent Alexander, Catherine A. Fitch, Ronald Goeken, Patricia Kelly Hall, Miriam King, and Chat Ronnander. 2008. "Integrated Public Use Microdata Series: Version 4.0," University of Minnesota, Minnesota Population Center, at <http://usa.upums.org/usa>; Watkins and Sherck. 2008. "Who Serves in the U.S. Military?"
24. Michael McDonald. 2008. "2008 General Election Turnout Rates," *United States Elections Project*. <http://www.electproject.org/2008g>. Accessed March 4, 2015.
25. All numbers are understated by an unknown amount. The United States Air Force did not provide data as to home of record for its 390,253 personnel. No attempt was made to include the air force numbers in the regional or district numbers.
26. Again, US Air Force numbers are not included. If those numbers are included, the national military percentage of the VEP is 0.68 percent.
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6. See Appendix C, D, and E for details of the survey on enlisted personnel.
7. For Table 10.2, Chi-square analysis indicated that party affiliation was dependent upon the survey conducted, $\chi^2_8 = 533.96$, $p < .001$. Additional analysis of pairwise surveys using separate, Bonferroni-corrected, Chi-square analyses found no differences in the distribution of active enlisted and veteran enlisted responses ($\chi^2_2 = 2.72$, $p = .256$) but significant differences for all other pairwise groups ($p < .002$ in all cases). In all pairwise cases, civilian respondent party identification was statistically dissimilar from military respondent party identification.
8. In Table 10.3, the ratio of the proportions is presented. Tests of the hypothesis that the proportions were equal for each survey resulted in statistically significant findings ($p < .002$ in all cases).
9. James A. Davis. 2001. "Attitudes and Opinions Among Senior Military Officers and a U.S. Cross Section, 1998–99," in *Soldiers and Civilians: The Civil-Military Gap and American National Security*, ed. Peter D. Feaver and Richard H. Kohn. Cambridge: MIT Press, 104.
10. In Table 10.6, Chi-square analysis indicated that political ideology was largely dependent upon the survey conducted, $\chi^2_8 = 310.928$, $p < .001$. Bonferroni-corrected, pairwise comparisons revealed differences among all pairwise surveys at the $\alpha = .01$ level with the exception of active enlisted vs. civilians, $\chi^2_2 = 1.788$, $p < .409$. Civilian respondent party identification is dissimilar from veteran enlisted respondents and officer respondents (1998 and 2008 surveys).
11. In Table 10.7, the ratio of the proportions is presented. Tests of the hypothesis that the proportions were equal for each survey resulted in statistically significant findings ($p < .002$ in all cases).

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11 Conclusion: So What and Who Cares?

1. *Obama for America v. Husted*, 697 F. 3rd 423—Court of Appeals, 6th Circuit 2012. See https://scholar.google.com/scholar_case?case=16004270290601715501&hl=en&as_sdt=6&as_vis=1&oi=scholar. Also see Sean Sullivan. 2012. "The Ohio Early Voting Fight Explained," *The Washington Post*, August 7. Available at http://www.washingtonpost.com/blogs/the-fix/post/the-ohio-early-voting-fight-explained/2012/08/07/742f8446-e0a5-11e1-a421-8-bf0f0e5aa11_blog.html as well as <http://www.factcheck.org/2012/08/obama-not-trying-to-curb-military-early-voting/> for a discussion of the case, the arguments, and ramifications.
2. The Ohio law that was challenged would have had no impact on absentee voters. It would have restricted nonmilitary voters from early voting on the weekend prior to the election, but would have permitted military personnel the right to cast an early ballot. The ballots were to be cast in person and thus would not have benefitted overseas military voters at all. Indeed, absentee voters, whether military or not, would have their ballots accepted for counting ten days after the election. Additionally, an absentee ballot could be turned in for counting at the board of elections office as late as 7:30 pm on Election Day. See the Ohio Secretary of State, *Elections and Voting* at <http://www.sos.ohio.gov>.

state.oh.us/elections/overseas/deadlines.aspx for absentee ballot deadlines for military and overseas voters. The case, which eventually was resolved by the US Supreme Court refusing a *writ of certiorari*, resulted in the secretary of state permitting early voting for all Ohio eligible voters throughout the weekend.

3. Todd Gregory. 2010. "Fox News' Latest Election 'Controversy' Falls Apart," MediaMatters for America. August 30. <http://mediamatters.org/research/2010/08/30/fox-news-latest-election-controversy-falls-apar/170039>. Accessed March 6, 2015.
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5. Bartholomew H. Sparrow and Donald S. Inbody. 2005. "Supporting Our Troops? U. S. Civil-Military Relations in the Twenty-first Century" Paper presented at the annual meeting of the American Political Science Association, Marriott Wardman Park, Omni Shoreham, Washington Hilton, Washington, DC, September 1. Including the National Guard and Reserves with the active-duty component produces slightly higher percentages, but the trend is the same—a gradual but steady decline in personal participation in the American military.
6. Phyllis Michaux. 2007. "The Teabag Campaign of 1975 for Passage of the Overseas Citizens Absentee Voting Rights Act." *The Association of Americans Resident Overseas*. <http://www.aaro.org/about-aaro/the-teabag-campaign>. Accessed February 11, 2015.
7. Natasha Khan and Corbin Carson. 2012. "Comprehensive Database of U.S. Voter Fraud Uncovers No Evidence that Photo ID Is Needed," News21. <http://votingrights.news21.com/article/election-fraud/> Accessed November 13, 2014.
8. Kenric Ward. 2012. "VA: Military Absentee Ballots Going AWOL in 2012." Watchdog.org. September 6. Accessed March 6, 2015. <http://watchdog.org/55187/va-military-absentee-ballots-going-awol-in-2012/>.
9. The CalTech/MIT Voting Technology Project conducted a Survey of Election Administrators (SOEA) in the fall of 2013 about their experiences during the 2012 general election. While most jurisdictions did not report their UOCAVA rejection data to the survey, of the 182 local election jurisdictions that did, 3,137 rejected UOCAVA ballots were reported. The rejection rates between overseas and domestic UOCAVA ballots were essentially identical. While some jurisdictions with high UOCAVA voting, such as Bexar County, Texas, reported rejecting domestic ballots at a higher rate than those from overseas; other counties, such as El Paso, Texas, reported the opposite. Overall, the SOEA found that 49.5 percent of rejected UOCAVA ballots were from overseas voters while 50.5 percent were from domestic voters. The difference was not statistically significant. The Election Assistance Commission (EAC) reported that in the 2012 general election, the rejection rate between uniformed and nonuniformed UOCAVA voters was also nearly identical. The EAC does not distinguish between domestic and overseas UOCAVA voters in their surveys, so correlation between the SOEA and EAC data is not possible,

but the two surveys do suggest that rejection rates are not dependent on whether or not the voter is overseas or is in the military. See US Election Assistance Commission (EAC). 2013. *2012 Uniformed and Overseas Citizens Voting Act: Survey Observations*. Washington, DC, 54–68. Specifically, see tables 20, 21, 22, and 23 for state-by-state details on rejected UOCAVA ballots.

10. Keyssar Alexander. 2000. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books, 316.
11. Keyssar. 2000. *Right to Vote*, 324.

Appendix C: Survey on Enlisted Personnel (SOEP): Data Collection and the Survey Instrument

1. Of the total hand-completed survey instruments, forty-five were military personnel in the Austin area, mostly assigned to Camp Mabry. Another thirty-four were from San Antonio, mostly from Randolph Air Force Base with some from Fort Sam Houston. An additional twelve were from the Texas National Guard on permanent active-duty assigned to army units.
2. Facebook is located at <http://www.facebook.com>.
3. Amanda Lenhart, Mary Madden, Alexandra Rankin Macgill, and Aaron Smith. 2007. *Teens and Social Media*. Washington, DC: Pew Internet & American Life Project. Available at http://www.pewinternet.org/files/old-media/Files/Reports/2007/PIP_Teens_Social_Media_Final.pdf.
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5. ANES 2008 preelection questionnaire, question A13: “Do you feel things in this country are generally going in the RIGHT DIRECTION, or do you feel things have pretty seriously gotten off on the WRONG TRACK?” Retrieved Nov 13, 2008 from http://www.electionstudies.org/studypages/2008prepost/2008prepost_qnaire_pre.pdf.
6. ANES 2008 preelection questionnaire, question E9a: “Sometimes, politics and government seem so complicated that a person like me can’t really understand what’s going on.” Retrieved Nov 13, 2008 from http://www.electionstudies.org/studypages/2008prepost/2008prepost_qnaire_pre.pdf.
7. The respondents were navy Seaman to Admiral-21 (STA-21) and Marine Enlisted Commissioning Education Program (MECEP) participants, all of whom were enlisted personnel on active duty receiving officer candidate education and training in the Naval Reserve Officer Corps. NROTC midshipmen, who were not on active duty, were not surveyed.

**Appendix F: Active-Duty Military Home of Record (HOR)
Population by State as a Percentage of the Voter Eligible
Population (VEP)**

1. Voting Eligible Population (VEP) data drawn from Michael P. McDonald. 2012. "2012 November General Election Turnout Rates." Available at <http://www.electproject.org/2012g>. US Military Home of Record data drawn from Defense Manpower Data Center. 2012. "Active Duty Personnel by Home of Record and Military Branch." DRS #33065. Active Duty Personnel Master File. Data as of September 30, 2011, provided to the author by DMDC. An additional 13,674 personnel listed homes of record outside the United States.

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