

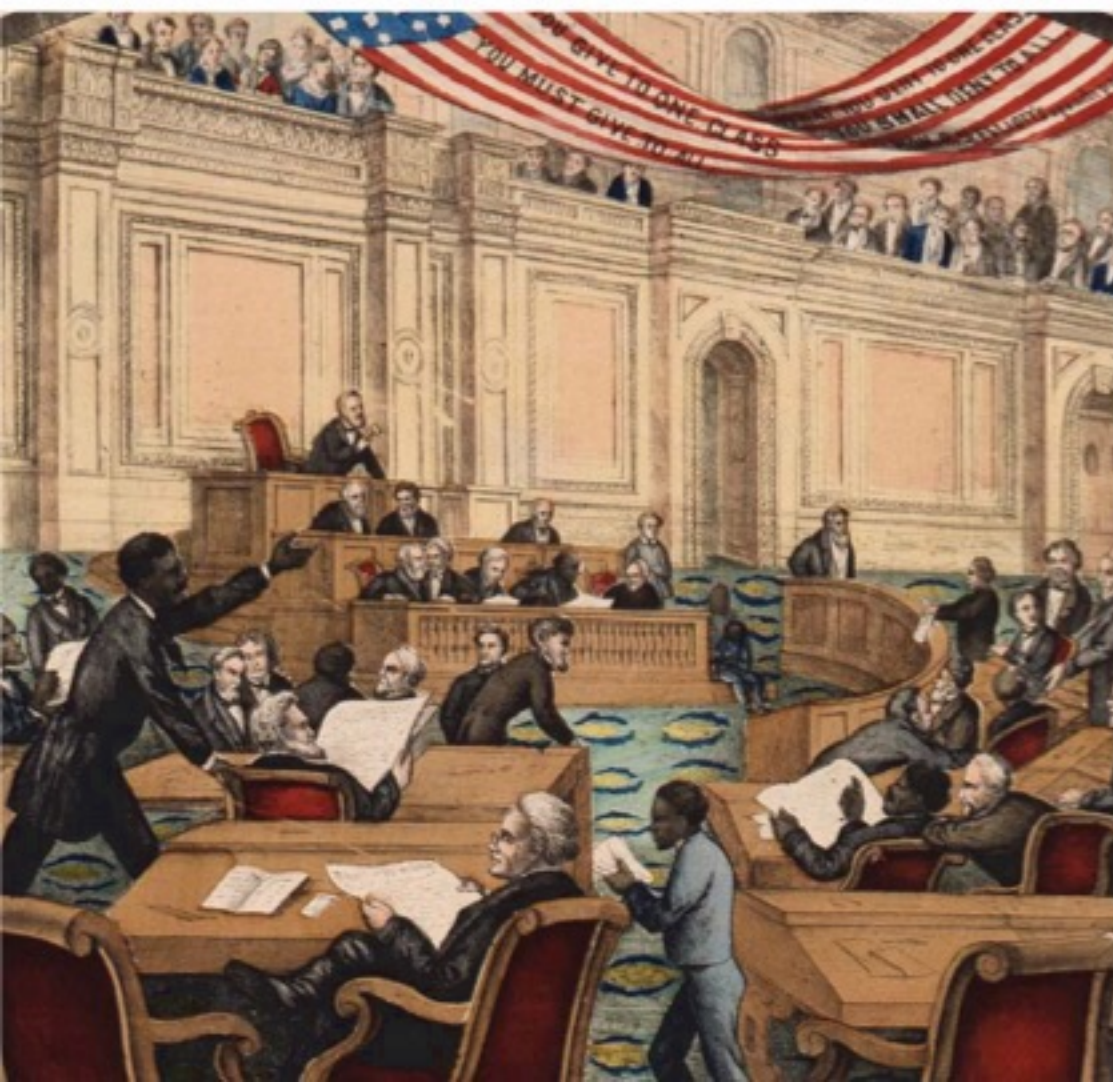
CHAPTER 15

“WHAT IS FREEDOM?”



RECONSTRUCTION, 1865–1877

- 1865 Special Field Order 15
Freedmen's Bureau established
Lincoln assassinated; Andrew Johnson becomes president
- 1865–1867 Presidential Reconstruction
Black Codes
- 1866 Civil Rights Bill
Ku Klux Klan established
- 1867 Reconstruction Act of 1867
Tenure of Office Act
- 1867–1877 Radical Reconstruction
- 1868 Impeachment and trial of President Johnson
Fourteenth Amendment ratified
- 1869 Inauguration of Ulysses S. Grant
- 1870 Hiram Revels, first black U.S. senator
Fifteenth Amendment ratified
- 1870–1871 Enforcement Acts
- 1872 Liberal Republicans established
- 1873 Colfax Massacre
Slaughterhouse Cases
National economic depression begins
- 1876 *United States v. Cruikshank*
- 1877 Bargain of 1877



The Shackle Broken—by the Genius of Freedom. This 1874 lithograph depicts Robert B. Elliott, a black congressman from South Carolina, delivering celebrated speech supporting the bill that became the Civil Rights Act of 1875.



FOCUS QUESTIONS

- *What visions of freedom did the former slaves and slaveholders pursue in the postwar South?*
- *What were the competing visions of Reconstruction?*
- *What were the social and political effects of Radical Reconstruction in the South?*
- *What were the main factors, in both the North and South, for the abandonment of Reconstruction?*

O n the evening of January 12, 1865, less than a month after Union forces captured Savannah, Georgia, twenty leaders of the city's black community gathered for a discussion with General William T. Sherman and Secretary of War Edwin M. Stanton. The conversation revealed that the black leaders brought out of slavery a clear definition of freedom. Asked what he understood by slavery, Garrison Frazier, a Baptist minister chosen as the group's spokesman, responded that it meant one person's "receiving by irresistible power the work of another man, and not by his consent." Freedom he defined as "placing us where we could reap the fruit of our own labor, and take care of ourselves." The way to accomplish this was "to have land, and turn it and till it by our own labor."

Sherman's meeting with the black leaders foreshadowed some of the radical changes that would take place during the era known as Reconstruction (meaning, literally, the rebuilding of the shattered nation). In the years following the Civil War, former slaves and their white allies, North and South, would seek to redefine the meaning and boundaries of American freedom. Previously an entitlement of whites, freedom would be expanded to include black Americans. The laws and Constitution would be rewritten to guarantee African-Americans, for the first time in the nation's history, recognition as citizens and equality before the law. Black men would be granted the right to vote, ushering in a period of interracial democracy throughout the South. Black schools, churches, and other institutions would flourish, laying the foundation for the modern African-American community. Many of the advances of Reconstruction would prove temporary, swept away during a campaign of violence in the South and the North's retreat from the ideal of equality. But Reconstruction laid the foundation for future struggles to extend freedom to all Americans.

Four days after the meeting, Sherman responded to the black delegation by issuing Special Field Order 15. This set aside the Sea Islands and a large area along the South Carolina and Georgia coasts for the settlement of black families on forty-acre plots of land. He also offered them broken-down mules that the army could no longer use. In Sherman's order lay the origins of the phrase, "forty acres and a mule," which would reverberate across the South in the next few years. Among the emancipated slaves, Sherman's order raised hopes that the end of slavery would be accompanied by the economic independence that they, like other Americans, believed essential to genuine freedom.

THE MEANING OF FREEDOM

"What is freedom?" asked Congressman James A. Garfield in 1865. "Is it the bare privilege of not being chained? If this is all, then freedom is a bitter mockery, a cruel delusion." Did freedom mean simply the absence of slavery, or did it imply other rights for the former slaves, and if so, which ones? Equal civil rights, the vote, ownership of property? During Reconstruction, freedom became a terrain of conflict, its substance open to different, often contradictory interpretations.

African-Americans' understanding of freedom was shaped by their experiences as slaves and their observation of the free society around them. To begin with, freedom meant escaping the numerous injustices of slavery—punishment by the lash, the separation of families, denial of access to education, the sexual exploitation of black women by their owners—and sharing in the rights and opportunities of American citizens. "If I cannot do like a white man," Henry Adams, an emancipated slave in Louisiana, told his former master in 1865, "I am not free."

Conflicts over freedom

Families in Freedom

With slavery dead, institutions that had existed before the war, like the black family, free blacks' churches and schools, and the secret slave church, were strengthened, expanded, and freed from white supervision. The family was central to the postemancipation black community. Former slaves made remarkable efforts to locate loved ones from whom they had been separated under slavery. One northern reporter in 1865 encountered a freedman who had walked more than 600 miles from Georgia to North Carolina, searching for the wife and children from whom he had been sold away before the war.

While freedom helped to stabilize family life, it also subtly altered relationships within the family. Immediately after the Civil War, planters complained that freedwomen had "withdrawn" from field labor and work as house servants. Many black women preferred to devote more time to their families than had been possible under slavery, and men considered it a badge of

Family Record, a lithograph marketed to former slaves after the Civil War, centers on an idealized portrait of a middle-class black family, with scenes of slavery and freedom.





Five Generations of a Black Family, an 1862 photograph that suggests the power of family ties among emancipated slaves.

Mother and Daughter Reading, Mt. Meigs, Alabama, an 1890 photograph by Rudolph Eickemeyer. During Reconstruction and for years thereafter, former slaves exhibited a deep desire for education, and learning took place outside of school as well as within.



honor to see their wives remain at home. Eventually, the dire poverty of the black community would compel a far higher proportion of black women than white women to go to work for wages.

Church and School

At the same time, blacks abandoned white-controlled religious institutions to create churches of their own. On the eve of the Civil War, 42,000 black Methodists worshiped in biracial South Carolina churches; by the end of Reconstruction, only 600 remained. As the major institution independent of white control, the church

played a central role in the black community. A place of worship, it also housed schools, social events, and political gatherings. Black ministers came to play a major role in politics. Some 250 held public office during Reconstruction.

Another striking example of the freedpeople's quest for individual and community improvement was their desire for education. The thirst for learning sprang from many sources—a desire to read the Bible, the need to prepare for the economic marketplace, and the opportunity, which arose in 1867, to take part in politics. Blacks of all ages flocked to the schools established by northern missionary societies, the Freedmen's Bureau, and groups of ex-slaves themselves. Reconstruction also witnessed the creation of the nation's first black colleges, including Fisk University in Tennessee, Hampton Institute in Virginia, and Howard University in the nation's capital.

Political Freedom

In a society that had made political participation a core element of freedom, the right to vote inevitably became central to the former slaves' desire for empowerment and equality. As Frederick Douglass put it soon after the South's surrender in 1865, "Slavery is not abolished until the black man has the ballot." In a "monarchical government," Douglass explained, no "special" disgrace applied to those denied the right to vote. But in a democracy, "where universal suffrage is the rule," excluding any group meant branding them with "the stigma of inferiority."

Anything less than full citizenship, black spokesmen insisted, would betray the nation's democratic promise and the war's meaning. To demonstrate their patriotism, blacks throughout the South organized Fourth of July celebrations. For years after the Civil War, white southerners would



The First African Church, Richmond, as depicted in *Harper's Weekly*, June 27, 1874. The establishment of independent black churches was an enduring accomplishment of Reconstruction.

"shut themselves within doors" on Independence Day, as a white resident of Charleston recorded in her diary, while former slaves commemorated the holiday themselves.

Land, Labor, and Freedom

Like those of rural people throughout the world, former slaves' ideas of freedom were directly related to landownership. On the land they would develop independent communities free of white control. Many former slaves insisted that through their unpaid labor, they had acquired a right to the land. "The property which they hold," declared an Alabama black convention, "was nearly all earned by the sweat of *our* brows." In some parts of the South, blacks in 1865 seized property, insisting that it belonged to them.

In its individual elements and much of its language, former slaves' definition of freedom resembled that of white Americans—self-ownership, family stability, religious liberty, political participation, and economic autonomy. But these elements combined to form a vision very much their own. For whites, freedom, no matter how defined, was a given, a birthright to be defended. For African-Americans, it was an open-ended process, a transformation of every aspect of their lives and of the society and culture that had sustained slavery in the first place. Although the freedpeople failed to achieve full freedom as they understood it, their definition did much to shape national debate during the turbulent era of Reconstruction.

Freedom and landownership

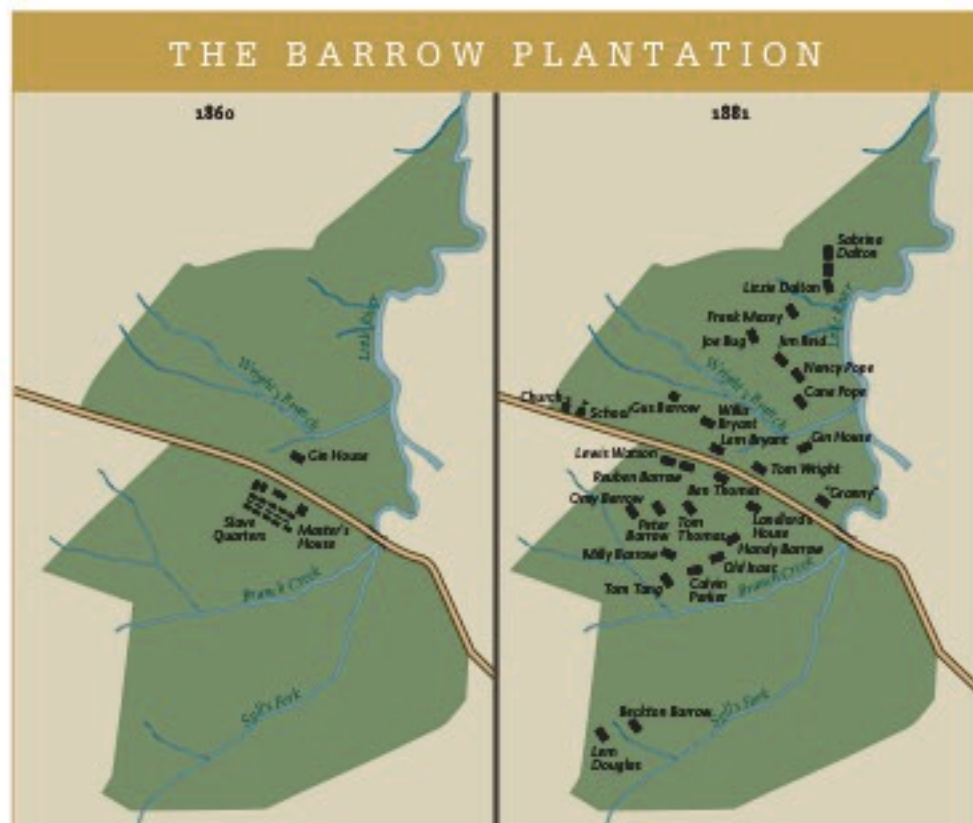
*Freedom's meaning for
former slaves*

Masters without Slaves

Most white southerners reacted to military defeat and emancipation with dismay, not only because of the widespread devastation but also because they must now submit to northern demands. "The demoralization is

*The southern white reaction to
emancipation*

Two maps of the Barrow plantation illustrate the effects of emancipation on rural life in the South. In 1860, slaves lived in communal quarters near the owner's house. Twenty years later, former slaves working as sharecroppers lived scattered across the plantation and had their own church and school.



Confederate deaths

complete," wrote a Georgia girl. "We are whipped, there is no doubt about it." The appalling loss of life, a disaster without parallel in the American experience, affected all classes of southerners. Nearly 260,000 men died for the Confederacy—more than one-fifth of the South's adult male white population. The widespread destruction of work animals, farm buildings, and machinery ensured that economic revival would be slow and painful. In 1870, the value of property in the South, not counting that represented by slaves, was 30 percent lower than before the war.

Planters

Planter families faced profound changes in the war's aftermath. Many lost not only their slaves but their life savings, which they had patriotically invested in now-worthless Confederate bonds. Some, whose slaves departed the plantation, for the first time found themselves compelled to do physical labor.

Southern planters sought to implement an understanding of freedom quite different from that of the former slaves. As they struggled to accept the reality of emancipation, most planters defined black freedom in the narrowest manner. As journalist Sidney Andrews discovered late in 1865, "The whites seem wholly unable to comprehend that freedom for the negro means the same thing as freedom for them."

The Free Labor Vision

Along with former slaves and former masters, the victorious Republican North tried to implement its own vision of freedom. Central to its definition was the antebellum principle of free labor, now further strengthened as a definition of the good society by the Union's triumph. In the free labor vision of a reconstructed South, emancipated blacks, enjoying the same opportunities for advancement as northern workers, would labor more productively than they had as slaves. At the same time, northern capital and migrants would energize the economy. The South would eventually come to resemble the "free society" of the North, complete with public schools, small towns, and independent farmers.

With planters seeking to establish a labor system as close to slavery as possible, and former slaves demanding economic autonomy and access to land, a long period of conflict over the organization and control of labor followed on plantations throughout the South. It fell to the **Freedmen's Bureau**, an agency established by Congress in March 1865, to attempt to establish a working free labor system.

The Freedmen's Bureau

Under the direction of O. O. Howard, a graduate of Bowdoin College in Maine and a veteran of the Civil War, the bureau took on responsibilities that can only be described as daunting. The bureau was an experiment in government social policy that seems to belong more comfortably to the New Deal of the 1930s or the Great Society of the 1960s (see Chapters 21 and 25, respectively) than to nineteenth-century America. Bureau agents were supposed to establish schools, provide aid to the poor and aged, settle disputes between whites and blacks and among the freedpeople, and secure for former slaves and white Unionists equal treatment before the courts. "It is not . . . in your power to fulfill one-tenth of the expectations of those who framed the Bureau," General William T. Sherman wrote to Howard. "I fear you have Hercules' task."

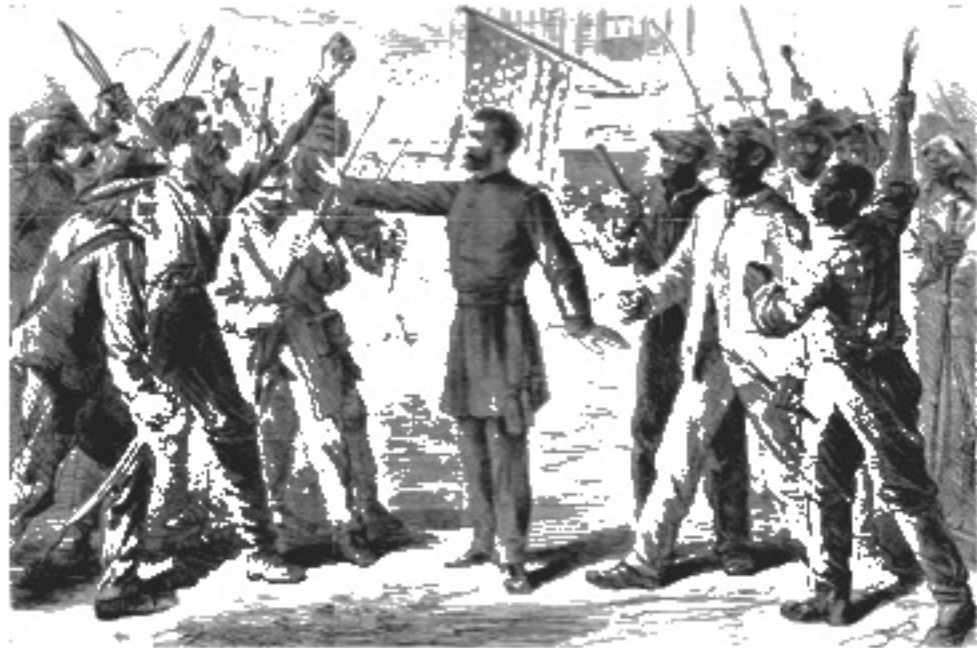
The bureau lasted from 1865 to 1870. Even at its peak, there were fewer than

Free labor and the good society

Winslow Homer's 1876 painting, *A Visit from the Old Mistress*, depicts an imaginary meeting between a southern white woman and her former slaves. Their stance and gaze suggest the tensions arising from the birth of a new social order. Homer places his subjects on an equal footing, yet maintains a space of separation between them. He exhibited the painting to acclaim at the Paris Universal Exposition in 1878.



The Freedmen's Bureau, an engraving from *Harper's Weekly*, July 25, 1868, depicts the bureau agent as a promoter of racial peace in the violent postwar South.



*Achievements of the
Freedmen's Bureau*

1,000 agents in the entire South. Nonetheless, the bureau's achievements in some areas, notably education and health care, were striking. By 1869, nearly 3,000 schools, serving more than 150,000 pupils in the South, reported to the bureau. Bureau agents also ran hospitals established during the war and provided medical care and drugs to both black and white southerners.

The Failure of Land Reform

One provision of the law establishing the bureau gave it the authority to divide abandoned and confiscated land into forty-acre plots for rental and eventual sale to the former slaves. In the summer of 1865, however, President Andrew Johnson, who had succeeded Lincoln, ordered nearly all land in federal hands returned to its former owners. A series of confrontations followed, notably in South Carolina and Georgia, where the army forcibly evicted blacks who had settled on "Sherman land." When O. O. Howard, head of the Freedmen's Bureau, traveled to the Sea Islands to inform blacks of the new policy, he was greeted with disbelief and protest. A committee of former slaves drew up petitions to Howard and President Johnson. Land, the freedmen insisted, was essential to the meaning of freedom. Without it, they declared, "we have not bettered our condition" from the days of slavery—"you will see, this is not the condition of really free men."

Because no land distribution took place, the vast majority of rural freedpeople remained poor and without property during Reconstruction.

*Andrew Johnson and land
reform*

They had no alternative but to work on white-owned plantations, often for their former owners. Far from being able to rise in the social scale through hard work, black men were largely confined to farm work, unskilled labor, and service jobs, and black women to positions in private homes as cooks and maids. The failure of land reform produced a deep sense of betrayal that survived among the former slaves and their descendants long after the end of Reconstruction. "No sir," Mary Gaffney, an elderly ex-slave, recalled in the 1930s, "we were not given a thing but freedom."

Out of the conflict on the plantations, new systems of labor emerged in the different regions of the South. **Sharecropping** came to dominate the Cotton Belt and much of the Tobacco Belt of Virginia and North Carolina. Sharecropping initially arose as a compromise between blacks' desire for land and planters' demand for labor discipline. The system allowed each black family to rent a part of a plantation, with the crop divided between worker and owner at the end of the year. Sharecropping guaranteed the planters a stable resident labor force. Former slaves preferred it to gang labor because it offered them the prospect of working without day-to-day white supervision. But as the years went on, sharecropping became more and more oppressive. Sharecroppers' economic opportunities were severely limited by a world market in which the price of farm products suffered a prolonged decline.

The White Farmer

The plight of the small farmer was not confined to blacks in the postwar South. Wartime devastation set in motion a train of events that permanently altered the independent way of life of white yeomen, leading to what they considered a loss of freedom. To obtain supplies from merchants, farmers were forced to take up the growing of cotton and pledge a part of the crop as collateral (property the creditor can seize if a debt is not paid). This system became known as the "**crop lien**." Since interest rates were extremely high and the price of cotton fell steadily, many farmers found themselves still in debt after marketing their portion of the crop at year's end. They had no choice but to continue to plant cotton to obtain new loans. By the mid-1870s, white farmers, who cultivated only 10 percent of the South's cotton crop in 1860, were growing 40 percent, and many who had owned their land had fallen into dependency as sharecroppers who now rented land owned by others.

Both black and white farmers found themselves caught in the sharecropping and crop-lien systems. The workings of sharecropping and the



A nursemaid and her charge, from a daguerreotype around 1865.

The crop-lien system

The burden of debt



VOICES OF FREEDOM

From Petition of Committee in Behalf of the Freedmen to Andrew Johnson (1865)

In the summer of 1865, President Andrew Johnson ordered land that had been distributed to freed slaves in South Carolina and Georgia returned to its former owners. A committee of freedmen drafted a petition asking for the right to obtain land. Johnson did not, however, change his policy.

We the freedmen of Edisto Island, South Carolina, have learned from you through Major General O. O. Howard . . . with deep sorrow and painful hearts of the possibility of [the] government restoring these lands to the former owners. We are well aware of the many perplexing and trying questions that burden your mind, and therefore pray to god (the preserver of all, and who has through our late and beloved President [Lincoln's] proclamation and the war made us a free people) that he may guide you in making your decisions and give you that wisdom that cometh from above to settle these great and important questions for the best interests of the country and the colored race.

Here is where secession was born and nurtured. Here is where we have toiled nearly all our lives as slaves and treated like dumb driven cattle. This is our home, we have made these lands what they were, we are the only true and loyal people that were found in possession of these lands. We have been always ready to strike for liberty and humanity, yea to fight if need be to preserve this glorious Union. Shall not we who are freedmen and have always been true to this Union have the same rights as are enjoyed by others? . . . Are not our rights as a free people and good citizens of these United States to be considered before those who were found in rebellion against this good and just government? . . .

[Are] we who have been abused and oppressed for many long years not to be allowed the privilege of purchasing land but be subject to the will of these large land owners? God forbid. Land monopoly is injurious to the advancement of the course of freedom, and if government does not make some provision by which we as freedmen can obtain a homestead, we have not bettered our condition. . . .

We look to you . . . for protection and equal rights with the privilege of purchasing a homestead—a homestead right here in the heart of South Carolina.

From a Sharecropping Contract (1866)

Few former slaves were able to acquire land in the post-Civil War South. Most ended up as sharecroppers, working on white-owned land for a share of the crop at the end of the growing season. This contract, typical of thousands of others, originated in Tennessee. The laborers signed with an X, as they were illiterate.

Thomas J. Ross agrees to employ the Freedmen to plant and raise a crop on his Rosstown Plantation. . . . On the following Rules, Regulations and Remunerations.

The said Ross agrees to furnish the land to cultivate, and a sufficient number of mules & horses and feed them to make and house said crop and all necessary farming utensils to carry on the same and to give unto said Freedmen whose names appear below one half of all the cotton, corn and wheat that is raised on said place for the year 1866 after all the necessary expenses are deducted out that accrues on said crop. Outside of the Freedmen's labor in harvesting, carrying to market and selling the same the said Freedmen . . . covenant and agrees to and with said Thomas J. Ross that for and in consideration of one half of the crop before mentioned that they will plant, cultivate, and raise under the management control and Superintendence of said Ross, in good faith, a cotton, corn and oat crop under his management for the year 1866. And we the said Freedmen agrees to furnish ourselves & families in provisions, clothing, medicine and medical bills and all, and every kind of other expenses that we may incur on said plantation for the year 1866 free of charge to said Ross. Should the said Ross furnish us any of the above supplies or any other kind of expenses, during said year, [we] are to settle and pay him out of the net proceeds of our part of the crop the retail price of the county at time of sale or any price we may agree upon—The said Ross shall keep a regular book account, against each and every one or the head of every family to be adjusted and settled at the end of the year.

We furthermore bind ourselves to and with said Ross that we will do good work and labor ten hours a day on an average, winter and summer . . . We further agree that we will lose all lost time, or pay at the rate of one dollar per day, rainy days excepted. In sickness and women lying in childbed are to lose the time and account for it to the other hands out of his or her part of the crop. . . .

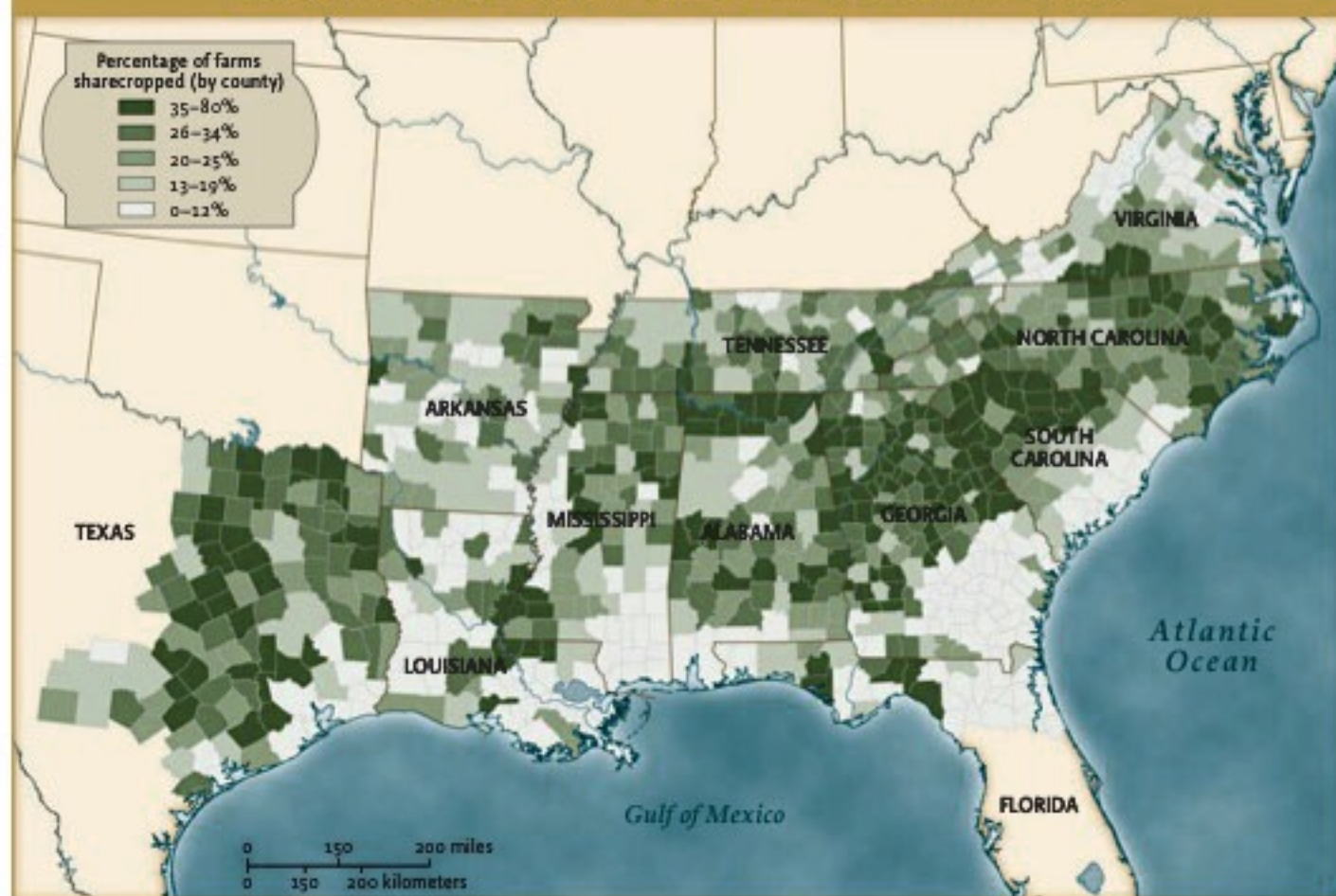
We furthermore bind ourselves that we will obey the orders of said Ross in all things in carrying out and managing said crop for said year and be docked for disobedience . . . and are also responsible to said Ross if we carelessly, maliciously maltreat any of his stock for said year to said Ross for damages to be assessed out of our wages.

Samuel (X) Johnson, Thomas (X) Richard, Tinny (X) Fitch, Jessie (X) Simmons, Sophe (X) Pruden, Henry (X) Pruden, Frances (X) Pruden, Elijah (X) Smith.

QUESTIONS

1. *Why do the black petitioners believe that owning land is essential to the enjoyment of freedom?*
2. *In what ways does the contract limit the freedom of the laborers?*
3. *What do these documents suggest about competing definitions of black freedom in the aftermath of slavery?*

SHARECROPPING IN THE SOUTH, 1880



By 1880, sharecropping had become the dominant form of agricultural labor in large parts of the South. The system involved both white and black farmers.

crop-lien system are illustrated by the case of Matt Brown, a Mississippi farmer who borrowed money each year from a local merchant. He began 1892 with a debt of \$226 held over from the previous year. By 1893, although he produced cotton worth \$171, Brown's debt had increased to \$402, because he had borrowed \$33 for food, \$29 for clothing, \$173 for supplies, and \$112 for other items. Brown never succeeded in getting out of debt. He died in 1905; the last entry under his name in the merchant's account book is a coffin.

Even as the rural South stagnated economically, southern cities experienced remarkable growth after the Civil War. As railroads penetrated the interior, they enabled merchants in market centers like Atlanta to trade directly with the North, bypassing coastal cities that had traditionally monopolized southern commerce. A new urban middle class of merchants, railroad promoters, and bankers reaped the benefits of the spread of cotton production in the postwar South.

Growth of southern cities



The cotton depot at Guthrie, Texas. Bales of cotton have been loaded onto trains for shipment. After the Civil War, more and more white farmers began growing cotton to support their families, permanently altering their formerly self-sufficient way of life.

Aftermath of Slavery

The United States, of course, was not the only society to confront the problem of the transition from slavery to freedom. Indeed, many parallels exist between the debates during Reconstruction and struggles that followed slavery in other parts of the Western Hemisphere over the same issues of land, control of labor, and political power. Planters elsewhere held the same stereotypical views of black laborers as were voiced by their counterparts in the United States—former slaves were supposedly lazy and lacking in ambition, and thought that freedom meant an absence of labor.

For their part, former slaves throughout the hemisphere tried to carve out as much independence as possible, both in their daily lives and in their labor. On small Caribbean islands like Barbados, where no unoccupied land existed, former slaves had no alternative but to return to plantation labor. Elsewhere, the plantations either fell to pieces, as in Haiti, or continued operating with a new labor force composed of indentured servants from India and China, as in Jamaica, Trinidad, and British Guiana. Southern planters in the United States brought in a few Chinese laborers in an attempt to replace freedmen, but since the federal government opposed such efforts, the Chinese remained only a tiny proportion of the southern workforce.

But if struggles over land and labor united its postemancipation experience with that of other societies, in

Emancipation in the Western Hemisphere

Chinese laborers at work on a Louisiana plantation during Reconstruction.



one respect the United States was unique. Only in the United States were former slaves, within two years of the end of slavery, granted the right to vote and, thus, given a major share of political power. Few anticipated this development when the Civil War ended. It came about as the result of one of the greatest political crises of American history—the battle between President Andrew Johnson and Congress over Reconstruction. The struggle resulted in profound changes in the nature of citizenship, the structure of constitutional authority, and the meaning of American freedom.

THE MAKING OF RADICAL RECONSTRUCTION

Andrew Johnson

To Lincoln's successor, Andrew Johnson, fell the task of overseeing the restoration of the Union. Born in poverty in North Carolina, as a youth Johnson worked as a tailor's apprentice. Becoming a successful politician after moving to Tennessee, Johnson identified himself as the champion of his state's "honest yeomen" and a foe of large planters, whom he described as a "bloated, corrupted aristocracy." A strong defender of the Union, he became the only senator from a seceding state to remain at his post in Washington, D.C., when the Civil War began in 1861. When northern forces occupied Tennessee, Abraham Lincoln named him military governor. In 1864, Republicans nominated him to run for vice president as a symbol of the party's hope of extending its organization into the South.

In personality and outlook, Johnson proved unsuited for the responsibilities he shouldered after Lincoln's death. A lonely, stubborn man, he was intolerant of criticism and unable to compromise. He lacked Lincoln's political skills and keen sense of public opinion. Moreover, while Johnson had supported emancipation once Lincoln made it a goal of the war effort, he held deeply racist views. African-Americans, Johnson believed, had no role to play in Reconstruction.

The Failure of Presidential Reconstruction

A little over a month after Lee's surrender at Appomattox, and with Congress out of session until December, Johnson in May 1865 outlined his plan for reuniting the nation. He issued a series of proclamations that

began the period of Presidential Reconstruction (1865–1867). Johnson offered a pardon (which restored political and property rights, except for slaves) to nearly all white southerners who took an oath of allegiance. He excluded Confederate leaders and wealthy planters whose prewar property had been valued at more than \$20,000. Most of those exempted, however, soon received individual pardons from the president. Johnson also appointed provisional governors and ordered them to call state conventions, elected by whites alone, that would establish loyal governments in the South. Apart from the requirement that they abolish slavery, repudiate secession, and refuse to pay the Confederate debt—all unavoidable consequences of southern defeat—he granted the new governments a free hand in managing local affairs.

The conduct of the southern governments elected under Johnson's program turned most of the Republican North against the president. By and large, white voters returned prominent Confederates and members of the old elite to power. Reports of violence directed against former slaves and northern visitors in the South further alarmed Republicans.

The Black Codes

But what aroused the most opposition to Johnson's Reconstruction policy were the **Black Codes**, laws passed by the new southern governments that attempted to regulate the lives of the former slaves. These laws granted blacks certain rights, such as legalized marriage, ownership of property, and limited access to the courts. But they denied them the rights to testify

Johnson's program

Regulating former slaves



Selling a Freedman to Pay His Fine at Monticello, Florida, an engraving from Frank Leslie's Illustrated Newspaper, January 19, 1867.

Under the Black Codes enacted by southern legislatures immediately after the Civil War, blacks convicted of "vagrancy"—often because they refused to sign contracts to work on plantations—were fined and, if unable to pay, auctioned off to work for the person who paid the fine.

against whites, to serve on juries or in state militias, or to vote. And in response to planters' demands that the freedpeople be required to work on the plantations, the Black Codes declared that those who failed to sign yearly labor contracts could be arrested and hired out to white landowners.

Clearly, the death of slavery did not automatically mean the birth of freedom. But the Black Codes so completely violated free labor principles that they called forth a vigorous response from the Republican North. In general, few groups of rebels in history have been treated more leniently than the defeated Confederates. A handful of southern leaders were arrested, but most were quickly released. Only one was executed—Henry Wirz, the commander of Andersonville prison, where thousands of Union prisoners of war had died. Most of the Union army was swiftly demobilized. What motivated the North's turn against Johnson's policies was not a desire to "punish" the white South, but the inability of the South's political leaders to accept the reality of emancipation as evidenced by the Black Codes.

The Radical Republicans

When Congress assembled in December 1865, Johnson announced that with loyal governments functioning in all the southern states, the nation had been reunited. In response, Radical Republicans, who had grown increasingly disenchanted with Johnson during the summer and fall, called for the dissolution of these governments and the establishment of new ones with "rebels" excluded from power and black men guaranteed the right to vote. Radicals shared the conviction that Union victory created a golden opportunity to institutionalize the principle of equal rights for all, regardless of race.

The most prominent Radicals in Congress were Charles Sumner, a senator from Massachusetts, and Thaddeus Stevens, a lawyer and iron manufacturer who represented Pennsylvania in the House of Representatives. Before the Civil War, both had been outspoken foes of slavery and defenders of black rights. Stevens's most cherished aim was to confiscate the land of disloyal planters and divide it among former slaves and northern migrants to the South. But his plan to make "small independent landholders" of the former slaves proved too radical even for many of his Radical colleagues and failed to pass.

The Origins of Civil Rights

With the South unrepresented, Republicans enjoyed an overwhelming majority in Congress. Most Republicans were moderates, not Radicals. Moderates believed that Johnson's plan was flawed, but they desired to

Thaddeus Stevens, leader of the Radical Republicans in the House of Representatives during Reconstruction.



work with the president to modify it. They feared that neither northern nor southern whites would accept black suffrage. Moderates and Radicals joined in refusing to seat the southerners recently elected to Congress, but moderates broke with the Radicals by leaving the Johnson governments in place.

Early in 1866, Senator Lyman Trumbull of Illinois proposed two bills that reflected the moderates' belief that Johnson's policy required modification. The first extended the life of the Freedmen's Bureau, which had originally been established for only one year. The second, the **Civil Rights Bill**, was described by one congressman as "one of the most important bills ever presented to the House for its action." It defined all persons born in the United States as citizens and spelled out rights they were to enjoy without regard to race. Equality before the law was central to the measure—no longer could states enact laws like the Black Codes discriminating between white and black citizens. So were free labor values. According to the law, no state could deprive any citizen of the right to make contracts, bring lawsuits, or enjoy equal protection of one's person and property. These, said Trumbull, were the "fundamental rights belonging to every man as a free man." The bill made no mention of the right to vote for blacks. In constitutional terms, the Civil Rights Bill represented the first attempt to define in law the essence of freedom.

To the surprise of Congress, Johnson vetoed both bills. Both, he said, would centralize power in the national government and deprive the states of the authority to regulate their own affairs. Moreover, he argued, blacks did not deserve the rights of citizenship. Congress failed by a single vote to muster the two-thirds majority necessary to override the veto of the Freedmen's Bureau Bill (although later in 1866, it did extend the bureau's life to 1870). But in April 1866, the Civil Rights Bill became the first major law in American history to be passed over a presidential veto.

The Fourteenth Amendment

Congress now proceeded to adopt its own plan of Reconstruction. In June, it approved and sent to the states for ratification the **Fourteenth Amendment**, which placed in the Constitution the principle of citizenship for all persons born in the United States, and which empowered the federal government to protect the rights of all Americans. The amendment prohibited the states from abridging the "privileges and immunities" of citizens or denying them the "equal protection of the law." This broad language opened the door for future Congresses and the federal courts to breathe meaning into the guarantee of legal equality.

Radical Republicans versus moderates

The Civil Rights Bill of 1866

President Andrew Johnson, in an 1868 lithograph by Currier and Ives. Because of Johnson's stubborn opposition to the congressional Reconstruction policy, one disgruntled citizen drew a crown on his head with the words, "I am King."



Black suffrage and political power

In a compromise between the radical and moderate positions on black suffrage, the amendment did not grant blacks the right to vote. But it did provide that if a state denied the vote to any group of men, that state's representation in Congress would be reduced. (This provision did not apply when states barred women from voting.) The abolition of slavery threatened to increase southern political power, since now all blacks, not merely three-fifths as in the case of slaves, would be counted in determining a state's representation in Congress. The Fourteenth Amendment offered the leaders of the white South a choice—allow black men to vote and keep their state's full representation in the House of Representatives, or limit the vote to whites and sacrifice part of their political power.

Significance of the Fourteenth Amendment

By writing into the Constitution the principle that equality before the law regardless of race is a fundamental right of all American citizens, the amendment made the most important change in that document since the adoption of the Bill of Rights.

The Reconstruction Act

The Fourteenth Amendment became the central issue of the political campaign of 1866. Johnson embarked on a speaking tour of the North. Denouncing his critics, the president made wild accusations that the Radicals were plotting to assassinate him. His behavior further undermined public support for his policies, as did riots that broke out in Memphis and New Orleans, in which white policemen and citizens killed dozens of blacks.

Radical Reconstruction

In the northern congressional elections that fall, Republicans opposed to Johnson's policies won a sweeping victory. Nonetheless, at the president's urging, every southern state but Tennessee refused to ratify the Fourteenth Amendment. The intransigence of Johnson and the bulk of the white South pushed moderate Republicans toward the Radicals. In March 1867, over Johnson's veto, Congress adopted the **Reconstruction Act**, which temporarily divided the South into five military districts and called for the creation of new state governments, with black men given the right to vote. Thus began the period of Radical Reconstruction, which lasted until 1877.

Impeachment and the Election of Grant

In March 1867, Congress adopted the Tenure of Office Act, barring the president from removing certain officeholders, including cabinet members, without the consent of the Senate. Johnson considered this an unconstitutional restriction on his authority. In February 1868, he removed



A Democratic Party broadside from the election of 1866 in Pennsylvania uses racist imagery to argue that government assistance aids lazy former slaves at the expense of hardworking whites.

Secretary of War Edwin M. Stanton, an ally of the Radicals. The House of Representatives responded by approving articles of impeachment—that is, it presented charges against Johnson to the Senate, which had to decide whether to remove him from office.

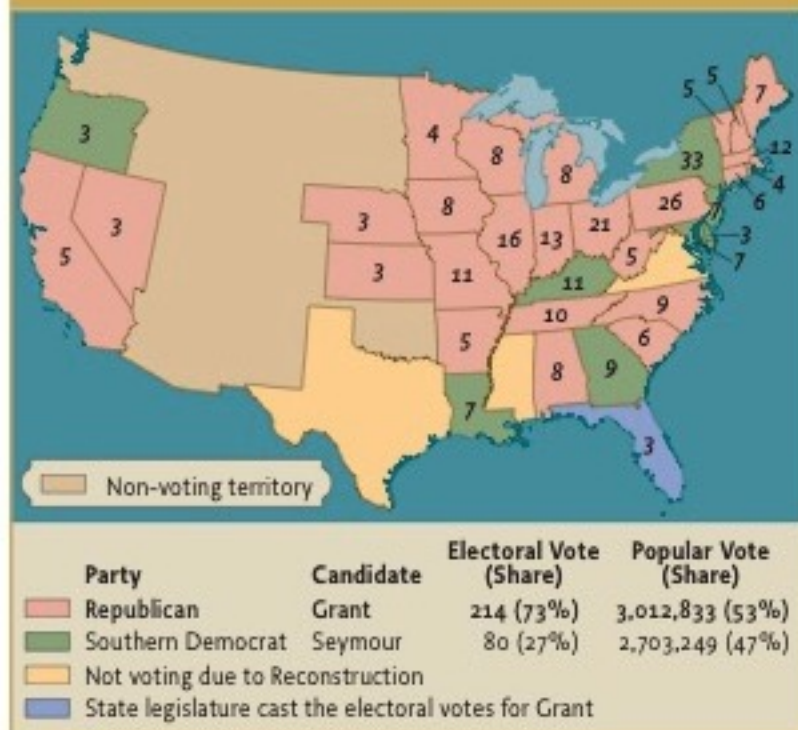
That spring, for the first time in American history, a president was placed on trial before the Senate for “high crimes and misdemeanors.” By this point, virtually all Republicans considered Johnson a failure as president. But some moderates feared that conviction would damage the constitutional separation of powers between Congress and the executive. Johnson’s lawyers assured moderate Republicans that, if acquitted, he would stop interfering with Reconstruction policy. The final tally was 35-19 to convict Johnson, one vote short of the two-thirds necessary to remove him. Seven Republicans had joined the Democrats in voting to acquit the president.

A few days after the vote, Republicans nominated Ulysses S. Grant, the Union’s most prominent military hero, as their candidate for president. Grant’s Democratic opponent was Horatio Seymour, the former governor of New York. Reconstruction became the central issue of the bitterly fought 1868 campaign. Democrats denounced Reconstruction as unconstitutional and condemned black suffrage as a violation of America’s political traditions. They appealed openly to racism. Seymour’s running mate, Francis P. Blair Jr., charged Republicans with placing the South under the rule of “a

The trial of Andrew Johnson

Ulysses Grant

THE PRESIDENTIAL ELECTION OF 1868



semi-barbarous race” who longed to “subject the white women to their unbridled lust.”

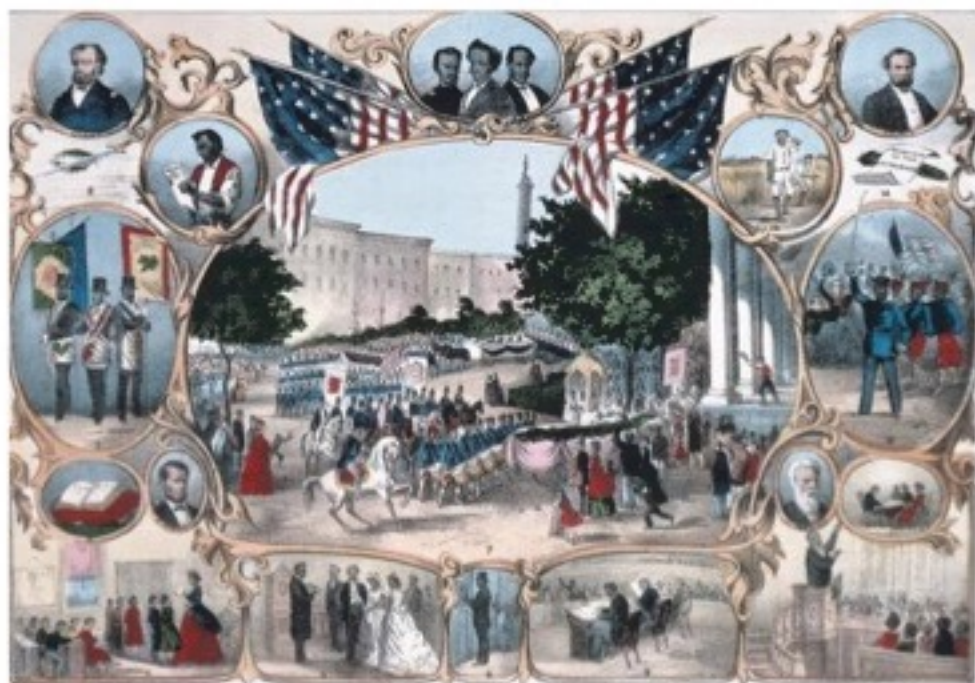
The Fifteenth Amendment

Grant won the election of 1868, although by a margin—300,000 of 6 million votes cast—that many Republicans found uncomfortably slim. The result led Congress to adopt the **Fifteenth Amendment**, which prohibited the federal and state governments from denying any citizen the right to vote because of race. Bitterly opposed by the Democratic Party, it was ratified in 1870.

Although the Fifteenth Amendment opened the door to suffrage restrictions not explicitly based on race—literacy tests, property qualifications, and poll taxes—and did not extend the right to vote to women, it marked the culmination of four decades of abolitionist agitation. “Nothing in all history,” exclaimed veteran abolitionist William Lloyd Garrison, equaled

“this wonderful, quiet, sudden transformation of four millions of human beings from . . . the auction-block to the ballot-box.”

The Fifteenth Amendment, an 1870 lithograph marking the ratification of the constitutional amendment prohibiting states from denying citizens the right to vote because of race. Surrounding an image of a celebration parade are portraits of Abraham Lincoln; President Ulysses S. Grant and his vice president, Schuyler Colfax; the abolitionists John Brown, Martin R. Delany, and Frederick Douglass; and Hiram Revels, the first black to serve in the U.S. Senate. At the bottom are scenes of freedom—education, family, political representation, and church life.



The “Great Constitutional Revolution”

The laws and amendments of Reconstruction reflected the intersection of two products of the Civil War era—a newly empowered national state, and the idea of a national citizenry enjoying equality before the law. What Republican leader Carl Schurz called the “great Constitutional revolution” of Reconstruction transformed the federal system and with it, the language of freedom so central to American political culture.

Before the Civil War, American citizenship had been closely linked to race. But the laws and amendments of Reconstruction repudiated the idea that citizenship was an entitlement of whites alone. And, as one congressman noted, the amendments expanded the liberty of whites as well as blacks, including “the millions of people of foreign birth who will flock to our shores.”

The new amendments also transformed the relationship between the federal government and the states. The Bill of Rights had linked civil liberties to the autonomy of the states. Its language—“Congress shall make no law”—reflected the belief that concentrated national power posed the greatest threat to freedom. The authors of the Reconstruction amendments assumed that rights required national power to enforce them. Rather than a threat to liberty, the federal government, in Charles Sumner’s words, had become “the custodian of freedom.”

The Reconstruction amendments transformed the Constitution from a document primarily concerned with federal-state relations and the rights of property into a vehicle through which members of vulnerable minorities could stake a claim to freedom and seek protection against misconduct by all levels of government. In the twentieth century, many of the Supreme Court’s most important decisions expanding the rights of American citizens were based on the Fourteenth Amendment, perhaps most notably the 1954 *Brown* ruling that outlawed school segregation (see Chapter 24).

The Rights of Women

“The contest with the South that destroyed slavery,” wrote the Philadelphia lawyer Sidney George Fisher in his diary, “has caused an immense increase in the popular passion for liberty and equality.” But advocates of **women’s rights** encountered the limits of the Reconstruction commitment to equality. Women activists saw Reconstruction as the moment to claim their own emancipation. The rewriting of the Constitution, declared suffrage leader Olympia Brown, offered the opportunity to sever the blessings of freedom from sex as well as race and to “bury the black man and the woman in the citizen.”

Effects of Reconstruction amendments

Race and citizenship

Constitutional significance

Women and the limits of equality



A Delegation of Advocates of Woman Suffrage Addressing the House Judiciary Committee, an engraving from Frank Leslie's Illustrated Newspaper, February 4, 1871. The group includes Elizabeth Cady Stanton, seated just to the right of the speaker, and Susan B. Anthony, at the table on the extreme right.

America's great departure

Even Radical Republicans insisted that Reconstruction was the “Negro’s hour” (the hour, that is, of the black male). The Fourteenth Amendment for the first time introduced the word “male” into the Constitution, in its clause penalizing a state for denying any group of men the right to vote. The Fifteenth Amendment outlawed discrimination in voting based on race but not gender. These measures produced a bitter split both between feminists and Radical Republicans, and within feminist circles. Some leaders, like Elizabeth Cady Stanton and Susan B. Anthony, denounced their former abolitionist allies and moved to sever the women’s rights movement from its earlier moorings in the antislavery tradition.

Thus, even as it rejected the racial definition of freedom that had emerged in the first half of the nineteenth century, Reconstruction left the gender boundary largely intact. When women tried to use the rewritten legal code and Constitution to claim equal rights, they found the courts unreceptive. Myra Bradwell invoked the idea of free labor in challenging an Illinois statute limiting the practice of law to men, but the Supreme Court in 1873 rebuffed her claim. Free labor principles, the justices declared, did not apply to women, since “the law of the Creator” had assigned them to “the domestic sphere.”

Despite their limitations, the Fourteenth and Fifteenth Amendments and the Reconstruction Act of 1867 marked a radical departure in American and world history. Alone among the nations that abolished slavery in the nineteenth century, the United States, within a few years of emancipation, clothed its former slaves with citizenship rights equal to those of whites. The Reconstruction Act of 1867 inaugurated America’s first real experiment in interracial democracy.

RADICAL RECONSTRUCTION IN THE SOUTH

“The Tocsin of Freedom”

Among the former slaves, the passage of the Reconstruction Act inspired an outburst of political organization. At mass political meetings—community gatherings attended by men, women, and children—African-Americans

Political action by African-Americans



Electioneering at the South, an engraving from *Harper's Weekly*, July 25, 1868, depicts a speaker at a political meeting in the rural South. Women as well as men took part in these grassroots gatherings.

staked their claim to equal citizenship. Blacks, declared an Alabama meeting, deserved "exactly the same rights, privileges and immunities as are enjoyed by white men. We ask for nothing more and will be content with nothing less."

Determined to exercise their new rights as citizens, thousands joined the Union League, an organization closely linked to the Republican Party, and the vast majority of eligible African-Americans registered to vote. James K. Green, a former slave in Hale County, Alabama, and a League organizer, went on to serve eight years in the Alabama legislature. In the 1880s, Green looked back on his political career. Before the war, he declared, "I was entirely ignorant; I knew nothing more than to obey my master; and there were thousands of us in the same attitude. . . . But the tocsin [warning bell] of freedom sounded and knocked at the door and we walked out like free men and shouldered the responsibilities."

By 1870, all the former Confederate states had been readmitted to the Union, and in a region where the Republican Party had not existed before the war, nearly all were under Republican control. Their new state constitutions, drafted in 1868 and 1869 by the first public bodies in American history with substantial black representation, marked a considerable improvement over those they replaced. The constitutions greatly expanded public responsibilities. They established the region's first state-funded systems of free public education, and they created new penitentiaries, orphan asylums, and homes for the insane. The constitutions guaranteed equality of civil and political rights and abolished practices of the antebellum era such as whipping as a punishment for crime, property qualifications for officeholding, and imprisonment for debt. A few states initially barred former Confederates from voting, but this policy was quickly abandoned by the new state governments.

The First Vote, an engraving from *Harper's Weekly*, November 16, 1867, depicts the first biracial elections in southern history. The voters represent key sources of the black political leadership that emerged during Reconstruction—the artisan carrying his tools, the well-dressed city person (probably free before the war), and the soldier.



*African-Americans in
public office*

A portrait of Hiram Revels, the first black U. S. senator, by Theodore Kaufmann, a German-born artist who emigrated to the United States in 1855. Lithograph copies sold widely in the North during Reconstruction. Frederick Douglass, commenting on the dignified image, noted that African-Americans "so often see ourselves described and painted as monkeys, that we think it a great piece of fortune to find an exception to this general rule."



The Black Officeholder

Throughout Reconstruction, black voters provided the bulk of the Republican Party's support. But African-Americans did not control Reconstruction politics, as their opponents frequently charged. The highest offices remained almost entirely in white hands, and only in South Carolina, where blacks made up 60 percent of the population, did they form a majority of the legislature. Nonetheless, the fact that some 2,000 African-Americans held public office during Reconstruction marked a fundamental shift of power in the South and a radical departure in American government.

African-Americans were represented at every level of government. Fourteen were elected to the national House of Representatives. Two blacks served in the U.S. Senate during Reconstruction, both representing Mississippi. Hiram Revels, who had been born free in North Carolina, in 1870 became the first black senator in American history. The second, Blanche K. Bruce, a former slave, was elected in 1875. At state and local levels, the presence of black officeholders and their white allies made a real difference in southern life, ensuring that blacks accused of crimes would be tried before juries of their peers and enforcing fairness in such aspects of local government as road repair, tax assessment, and poor relief.

In South Carolina and Louisiana, homes of the South's wealthiest and best-educated free black communities, most prominent Reconstruction officeholders had never experienced slavery. In addition, a number of black Reconstruction officials, like Pennsylvania-born Jonathan J. Wright, who served on the South Carolina Supreme Court, had come from the North after the Civil War. The majority, however, were former slaves who had established their leadership in the black community by serving in the Union army; working as ministers, teachers, or skilled craftsmen; or engaging in Union League organizing.

Carpenters and Scalawags

The new southern governments also brought to power new groups of whites. Many Reconstruction officials were northerners who for one reason or another had made their homes in the South after the war. Their opponents dubbed them "**carpenters**," implying that they had packed all their belongings in a suitcase and left their homes in order to reap the spoils of office in the South. Some carpenters were undoubtedly corrupt adventurers. The large majority, however, were former Union

soldiers who decided to remain in the South when the war ended, before there was any prospect of going into politics.

Most white Republicans, however, had been born in the South. Former Confederates reserved their greatest scorn for these “scalawags,” whom they considered traitors to their race and region. Some southern-born Republicans were men of stature and wealth, like James L. Alcorn, the owner of one of Mississippi’s largest plantations and the state’s first Republican governor. Most “scalawags,” however, were non-slaveholding white farmers from the southern upcountry. Many had been wartime Unionists, and they now cooperated with the Republicans in order to prevent “rebels” from returning to power.

Southern Republicans

Southern Republicans in Power

In view of the daunting challenges they faced, the remarkable thing is not that Reconstruction governments in many respects failed, but how much they did accomplish. Perhaps their greatest achievement lay in establishing the South’s first state-supported public schools. The new educational systems served both black and white children, although generally in schools segregated by race. Only in New Orleans were the public schools integrated during Reconstruction, and only in South Carolina did the state university admit black students (elsewhere, separate colleges were established). The new governments also pioneered civil rights legislation. Their laws made it illegal for railroads, hotels, and other institutions to discriminate on the basis of race. Enforcement varied considerably from locality to locality, but Reconstruction established for the first time at the state level a standard of equal citizenship and a recognition of blacks’ right to a share of public services.

State-supported public schools

Civil rights legislation

Republican governments also took steps to strengthen the position of rural laborers and promote the South’s economic recovery. They passed laws to ensure that agricultural laborers and sharecroppers had the first claim on harvested crops, rather than merchants to whom the landowner owed money. South Carolina created a state Land Commission, which by 1876 had settled 14,000 black families and a few poor whites on their own farms.

The Quest for Prosperity

Rather than on land distribution, however, the Reconstruction governments pinned their hopes for southern economic growth and opportunity for African-Americans and poor whites alike on regional economic development.

Economic development during Reconstruction

A group of black students and their teacher in a picture taken by an amateur photographer, probably a Union army veteran, while touring Civil War battlefields.



Railroad construction

Railroad construction, they believed, was the key to transforming the South into a society of booming factories, bustling towns, and diversified agriculture. Every state during Reconstruction helped to finance railroad construction, and through tax reductions and other incentives tried to attract northern manufacturers to invest in the region. The program had mixed results. Economic development in general remained weak.

Biracial democracy

To their supporters, the governments of Radical Reconstruction presented a complex pattern of disappointment and accomplishment. A revitalized southern economy failed to materialize, and most African-Americans remained locked in poverty. On the other hand, biracial democratic government, a thing unknown in American history, for the first time functioned effectively in many parts of the South. The conservative elite that had dominated southern government from colonial times to 1867 found itself excluded from political power, while poor whites, newcomers from the North, and former slaves cast ballots, sat on juries, and enacted and administered laws. It is a measure of how far change had progressed that the reaction against Reconstruction proved so extreme.

THE OVERTHROW OF RECONSTRUCTION

Reconstruction's Opponents

Sources of opposition

The South's traditional leaders—planters, merchants, and Democratic politicians—bitterly opposed the new governments. "Intelligence, virtue, and patriotism" in public life, declared a protest by prominent southern

Democrats, had given way to "ignorance, stupidity, and vice." Corruption did exist during Reconstruction, but it was confined to no race, region, or party. The rapid growth of state budgets and the benefits to be gained from public aid led in some states to a scramble for influence that produced bribery, insider dealing, and a get-rich-quick atmosphere. Southern frauds, however, were dwarfed by those practiced in these years by the Whiskey Ring, which involved high officials of the Grant administration, and by New York's Tweed Ring, controlled by the Democrats, whose thefts ran into the tens of millions of dollars. (These are discussed in the next chapter.) The rising taxes needed to pay for schools and other new public facilities and to assist railroad development were another cause of opposition to Reconstruction. Many poor whites who had initially supported the Republican Party turned against it when it became clear that their economic situation was not improving.

The most basic reason for opposition to Reconstruction, however, was that most white southerners could not accept the idea of former slaves voting, holding office, and enjoying equality before the law. Opponents launched a campaign of violence in an effort to end Republican rule. Their actions posed a fundamental challenge both for Reconstruction governments in the South and for policymakers in Washington, D.C.

"A Reign of Terror"

The Civil War ended in 1865, but violence remained widespread in large parts of the postwar South. In the early years of Reconstruction, violence was mostly local and unorganized. Blacks were assaulted and murdered for refusing to give way to whites on city sidewalks, using "insolent"



A cartoon from around 1870 illustrates a key theme of the racist opposition to Reconstruction—that blacks had forced themselves upon whites and gained domination over them. A black school teacher inflicts punishment on a white student in an integrated classroom, and a racially mixed jury judges a white defendant.

Campaigns of violence

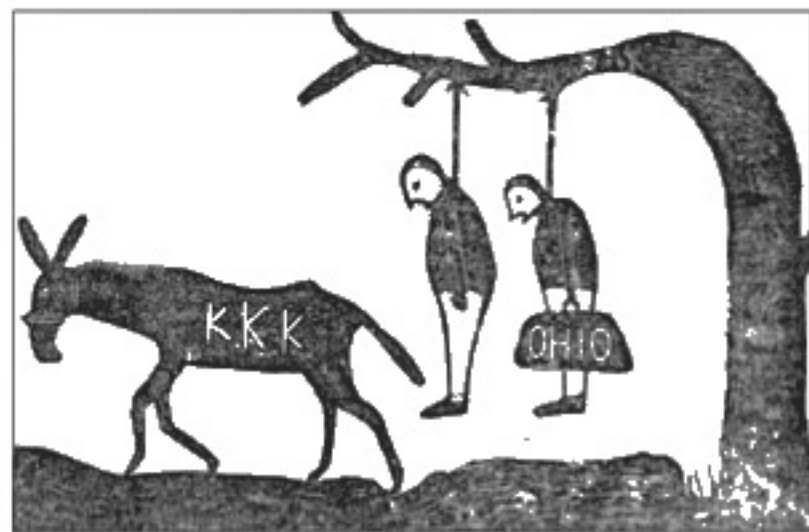
language, challenging end-of-year contract settlements, and attempting to buy land. The violence that greeted the advent of Republican governments after 1867, however, was far more pervasive and more directly motivated by politics. In wide areas of the South, secret societies sprang up with the aim of preventing blacks from voting and destroying the organization of the Republican Party by assassinating local leaders and public officials.

The most notorious such organization was the **Ku Klux Klan**, which in effect served as a military arm of the Democratic Party in the South. From its founding in 1866 in Tennessee, the Klan was a terrorist organization. It committed some of the most brutal criminal acts in American history. In many counties throughout the South, it launched what one victim called a “reign of terror” against Republican leaders, black and white.

The Klan’s victims included white Republicans, among them war-time Unionists and local officeholders, teachers, and party organizers. But African-Americans—local political leaders, those who managed to acquire land, and others who in one way or another defied the norms of white supremacy—bore the brunt of the violence. On occasion, violence escalated from assaults on individuals to mass terrorism and even local insurrections. The bloodiest act of violence during Reconstruction took place in **Colfax**, Louisiana, in 1873, where armed whites assaulted the town with a small cannon. Hundreds of former slaves were murdered, including fifty members of a black militia unit after they had surrendered.

In 1870 and 1871, Congress adopted three **Enforcement Acts**, outlawing terrorist societies and allowing the president to use the army against them. These laws continued the expansion of national authority during Reconstruction. In 1871, President Grant dispatched federal marshals, backed up by troops in some areas, to arrest hundreds of accused Klansmen. Many Klan leaders fled the South. After a series of well-publicized trials, the Klan went out of existence. In 1872, for the first time since the Civil War, peace reigned in most of the former Confederacy.

A Prospective Scene in the City of Oaks, a cartoon in the September 1, 1868, issue of the *Independent Monitor*, a Democratic newspaper published in Tuscaloosa, Alabama. The cartoon sent a warning to the Reverend A. S. Lakin, who had moved from Ohio to become president of the University of Alabama, and Dr. N. B. Cloud, a southern-born Republican serving as Alabama’s superintendent of public education. The Ku Klux Klan forced both men from their positions.



The Liberal Republicans

Despite the Grant administration's effective response to Klan terrorism, the North's commitment to Reconstruction waned during the 1870s. Northerners increasingly felt that the South should be able to solve its own problems without constant interference from Washington. The federal government had freed the slaves, made them citizens, and given them the right to vote. Now, blacks should rely on their own resources, not demand further assistance.

In 1872, an influential group of Republicans, alienated by corruption within the Grant administration and believing that the growth of federal power during and after the war needed to be curtailed, formed their own party. They included Republican founders like Lyman Trumbull and prominent editors and journalists such as E. L. Godkin of *The Nation*. Calling themselves Liberal Republicans, they nominated Horace Greeley, editor of the *New York Tribune*, for president.

Democratic criticisms of Reconstruction found a receptive audience among the Liberals. As in the North, they became convinced, the "best men" of the South had been excluded from power while "ignorant" voters controlled politics, producing corruption and misgovernment. Greeley had spent most of his career, first as a Whig and then as a Republican, denouncing the Democratic Party. But with the

Waning commitment to the North

Liberal Republicans



Changes in graphic artist Thomas Nast's depiction of blacks in *Harper's Weekly* mirrored the evolution of Republican sentiment in the North. *And Not This Man?* August 5, 1865, shows the black soldier as an upstanding citizen deserving of the vote. *Colored Rule in a Reconstructed (?) State*, March 14, 1874, suggests that Reconstruction legislatures had become travesties of democratic government.

Republican split presenting an opportunity to repair their political fortunes, Democratic leaders endorsed Greeley as their candidate. But many rank-and-file Democrats, unable to bring themselves to vote for Greeley, stayed at home on election day. As a result, Greeley suffered a devastating defeat by Grant, whose margin of more than 700,000 popular votes was the largest in a nineteenth-century presidential contest. But Greeley's campaign placed on the northern agenda the one issue on which the Liberal reformers and the Democrats could agree—a new policy toward the South.

The North's Retreat

The Liberal attack on Reconstruction, which continued after 1872, contributed to a resurgence of racism in the North. Journalist James S. Pike, a leading Greeley supporter, in 1874 published *The Prostrate State*, an influential account of a visit to South Carolina. The book depicted a state engulfed by political corruption, drained by governmental extravagance, and under the control of “a mass of black barbarism.” Resurgent racism offered a convenient explanation for the alleged “failure” of Reconstruction. The solution, for many, was to restore leading whites to political power.

Factors weakening
Reconstruction

Other factors also weakened northern support for Reconstruction. In 1873, the country plunged into a severe economic depression. Distracted by economic problems, Republicans were in no mood to devote further attention to the South. The depression dealt the South a severe blow and further weakened the prospect that Republicans could revitalize the region's economy. Democrats made substantial gains throughout the nation in the elections of 1874. For the first time since the Civil War, their party took control of the House of Representatives. Before the new Congress met, the old one enacted a final piece of Reconstruction legislation, the **Civil Rights Act of 1875**. This outlawed racial discrimination in places of public accommodation like hotels and theaters. But it was clear that the northern public was retreating from Reconstruction.

The Supreme Court and
Reconstruction

The Supreme Court whittled away at the guarantees of black rights Congress had adopted. In the *Slaughterhouse Cases* (1873), the justices ruled that the Fourteenth Amendment had not altered traditional federalism. Most of the rights of citizens, it declared, remained under state control. Three years later, in *United States v. Cruikshank*, the Court gutted

the Enforcement Acts by throwing out the convictions of some of those responsible for the Colfax Massacre of 1873.

The Triumph of the Redeemers

By the mid-1870s, Reconstruction was clearly on the defensive. Democrats had already regained control of states with substantial white voting majorities such as Tennessee, North Carolina, and Texas. The victorious Democrats called themselves **Redeemers**, since they claimed to have “redeemed” the white South from corruption, misgovernment, and northern and black control.

In those states where Reconstruction governments survived, violence again erupted. This time, the Grant administration showed no desire to intervene. In Mississippi, in 1875, armed Democrats destroyed ballot boxes and drove former slaves from the polls. The result was a Democratic landslide and the end of Reconstruction in Mississippi. Similar events

Democratic victories at the polls

Return of violence



took place in South Carolina in 1876. Democrats nominated for governor former Confederate general Wade Hampton. Hampton promised to respect the rights of all citizens of the state, but his supporters, inspired by Democratic tactics in Mississippi, launched a wave of intimidation. Democrats intended to carry the election, one planter told a black official, “if we have to wade in blood knee-deep.”

The Disputed Election and Bargain of 1877

Events in South Carolina directly affected the outcome of the presidential campaign of 1876. To succeed Grant, the Republicans nominated Governor Rutherford B. Hayes of Ohio. The Democrats chose as his opponent New York’s governor, Samuel J. Tilden. By this time, only South Carolina, Florida, and Louisiana remained under Republican control. The election turned out to be so close that whoever captured these states—which both parties claimed to have carried—would become the next president.

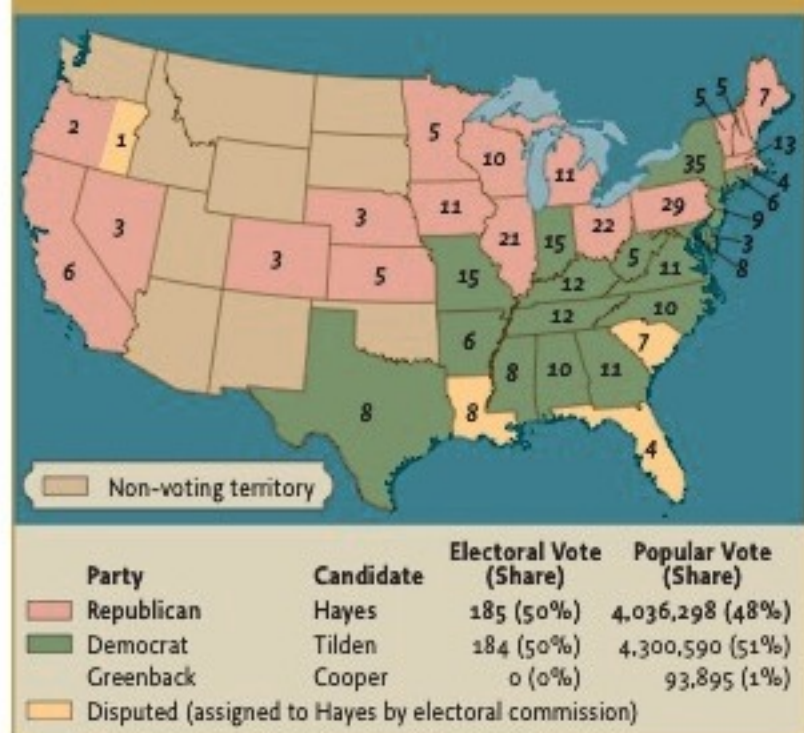
Unable to resolve the impasse on its own, Congress in January 1877 appointed a fifteen-member Electoral Commission, composed of senators, representatives, and Supreme Court justices. Republicans enjoyed an 8-7 majority on the commission, and to no one’s surprise, the members decided by that margin that Hayes had carried the disputed southern states and had been elected president.

Even as the commission deliberated, however, behind-the-scenes negotiations took place between leaders of the two parties. Hayes’s representatives agreed to recognize Democratic control of the entire South and to avoid further intervention in local affairs. For their part, Democrats promised not to dispute Hayes’s right to office and to respect the civil and political rights of blacks.

Thus was concluded the **Bargain of 1877**. Hayes became president and quickly ordered federal troops to stop guarding the state houses in Louisiana and South Carolina, allowing Democratic claimants to become governors. (Contrary to legend,

Rutherford B. Hayes

THE PRESIDENTIAL ELECTION OF 1876



Hayes did not remove the last soldiers from the South—he simply ordered them to return to their barracks.) The triumphant southern Democrats failed to live up to their pledge to recognize blacks as equal citizens.

The End of Reconstruction

As a historical process—the nation's adjustment to the destruction of slavery—Reconstruction continued well after 1877. Blacks continued to vote and, in some states, hold office into the 1890s. But as a distinct era of national history—when Republicans controlled much of the South, blacks exercised significant political power, and the federal government accepted the responsibility for protecting the fundamental rights of all American citizens—Reconstruction had come to an end. Despite its limitations, Reconstruction was a remarkable chapter in the story of American freedom. Nearly a century would pass before the nation again tried to bring equal rights to the descendants of slaves. The civil rights era of the 1950s and 1960s would sometimes be called the Second Reconstruction.



Is This a Republican Form of Government?, a cartoon by Thomas Nast in *Harper's Weekly*, September 2, 1876, illustrates his conviction that the overthrow of Reconstruction meant that the United States was not prepared to live up to its democratic ideals or protect the rights of black citizens threatened by violence.

CHAPTER REVIEW AND ONLINE RESOURCES

REVIEW QUESTIONS

1. In 1865, the former Confederate general Robert Richardson remarked that “the emancipated slaves own nothing, because nothing but freedom has been given to them.” Explain whether this would be an accurate assessment of Reconstruction twelve years later.
2. The women’s movement split into two separate national organizations in part because the Fifteenth Amendment did not give women the vote. Explain why the two groups split.
3. How did black families, churches, schools, and other institutions contribute to the development of African-American culture and political activism in this period?
4. Why did ownership of land and control of labor become major points of contention between former slaves and whites in the South?
5. By what methods did southern whites seek to limit African-American civil rights and liberties? How did the federal government respond?
6. How did the failure of land reform and continued poverty lead to new forms of servitude for both blacks and whites?
7. What caused the confrontation between President Johnson and Congress over Reconstruction policies?
8. What national issues and attitudes combined to bring an end to Reconstruction by 1877?
9. By 1877, how did the condition of former slaves in the United States compare with that of freedmen around the globe?

KEY TERMS

Freedmen’s Bureau (p. 447)
sharecropping (p. 449)
crop-lien system (p. 449)
Black Codes (p. 455)
Civil Rights Bill of 1866 (p. 457)
Fourteenth Amendment (p. 457)
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