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Reconstruction: An Unfinished Revolution

1865–1877

The lower half of secession's seedbed, Charleston, South Carolina, lay in ruin when most of the white population evacuated on February 18, 1865. A bombardment by Union forces around Charleston harbor destroyed many of the low-country planters' homes. Fires broke out everywhere, ignited in bales of cotton stockpiled in public squares. To many observers, the flames were the funeral pyres of a dying civilization.

Among the first Union troops to enter Charleston, the Twenty-first U.S. Colored Regiment received the city's surrender from its mayor. For black Charlestonians, who were mostly former slaves, this was a time to celebrate their freedom. Charleston's freedpeople converted Confederate ruin into a vision of Reconstruction based on Union victory and black liberation.

During the war's last year, the Confederates transformed the planters' Race Course, a horseracing track, and its famed Jockey Club, into a prison. Kept outdoors in the middle of the track, 257 Union soldiers died there of exposure and disease and were buried in a mass grave behind the judges' stand. After the city fell, more than twenty black workmen reinterred the dead in marked graves. On the archway over the cemetery's entrance, they painted the inscription "Martyrs of the Race Course."

On the morning of May 1, 1865, a thousand people marched around the planters' Race Course, led by three thousand children carrying roses and singing "John Brown's Body." Black women with flowers and wreaths came next, followed by black men. The parade concluded with black and white Union regiments and white missionaries and teachers. At the gravesite, five black ministers read from Scripture, and a black children's choir sang "America," "The Star-Spangled Banner," and Negro spirituals. After the ceremony, the crowd retired to the Race Course for speeches, picnics, and military festivities.

African Americans founded this "Decoration Day"—now Memorial Day, to remember those lost in battle. In their vision, they were creating the Independence Day of a Second American Revolution.

Chapter Outline

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The Civil War and its aftermath wrought unprecedented changes in American society, law, and politics, but economic power, racism, and judicial conservatism limited Reconstruction's revolutionary potential. The nation had to determine the nature of federal-state relations, whether confiscated land could be redistributed, and how to bring justice to freedpeople and aggrieved white southerners. Americans also had to heal psychologically from a bloody and fratricidal war. How they negotiated the relationship between healing and justice would determine the extent of change during Reconstruction.

The turmoil wrought by Reconstruction was most evident in national politics. Lincoln's successor, Andrew Johnson, fought with Congress over Reconstruction policies. Although a southerner, Johnson disliked the South's wealthy planters, and his initial actions suggested that he would be tough on "traitors." By late 1865, however, Johnson became the protector of southern interests.

Johnson imagined a lenient and rapid "restoration" of the South to the Union rather than the fundamental "reconstruction" that Republican congressmen favored. Between 1866 and 1868, the president and Republican leadership in Congress disagreed. Before it ended, Congress impeached the president, enfranchised freedmen, and gave them a role in reconstructing the South. The nation also adopted the Fourteenth and Fifteenth Amendments, ensuring equal protection of the law, citizenship, and universal manhood suffrage. But the cause of equal rights for African Americans fell almost as fast as it had risen.

By 1869, the Ku Klux Klan employed violence to thwart Reconstruction and undermine black freedom. As white Democrats in the South took over state governments, they encountered little opposition. Moreover, the wartime industrial boom created new opportunities and priorities. The West drew American resources like never before. Political corruption became a nationwide scandal, and bribery a part of business.

The white South's desire to reclaim control of its states and of race relations overwhelmed the national interest in stopping it. Thus, Reconstruction became a revolution eclipsed, leaving legacies with which the nation has struggled ever since.

As you read this chapter, keep the following questions in mind:

- * **Should the Reconstruction era be considered the Second American Revolution? By what criteria should we make such a judgment?**
- * **What were the origins and meanings of the Fourteenth Amendment in the 1860s? What is its significance today?**
- * **Reconstruction is judged to have "ended" in 1877. Over the course of the 1870s, what caused its end?**

Retreat from Reconstruction

Political Implications of Klan

Terrorism | Industrial Expansion

and Reconstruction in the North | Liberal

Republican Revolt | General Amnesty |

The West, Race, and Reconstruction |

Foreign Expansion | Judicial Retreat from

Reconstruction | Disputed Election of 1876

and Compromise of 1877

LINKS TO THE WORLD *The "Back to Africa" Movement*

LEGACY FOR A PEOPLE AND A NATION *The Lost Cause*

SUMMARY

Chronology

1865	Johnson begins rapid and lenient Reconstruction White southern governments pass restrictive black codes Congress refuses to seat southern representatives Thirteenth Amendment ratified, abolishing slavery	1871	Congress passes second Enforcement Act and Ku Klux Klan Act Treaty with England settles Alabama claims
1866	Congress passes Civil Rights Act and renewal of Freedmen's Bureau over Johnson's veto Congress approves Fourteenth Amendment In <i>Ex parte Milligan</i> , the Supreme Court reasserts its influence	1872	Amnesty Act frees almost all remaining Confederates from restrictions on holding office Grant reelected
1867	Congress passes First Reconstruction Act and Tenure of Office Act Constitutional conventions called in southern states	1873	<i>Slaughter-House</i> cases limit power of Fourteenth Amendment Panic of 1873 leads to widespread unemployment and labor strife
1868	House impeaches and Senate acquits Johnson Most southern states readmitted to Union under Radical plan Fourteenth Amendment ratified Grant elected president	1874	Democrats win majority in House of Representatives
1869	Congress approves Fifteenth Amendment (ratified in 1870)	1875	Several Grant appointees indicted for corruption Congress passes weak Civil Rights Act Democratic Party increases control of southern states with white supremacy campaigns
		1876	<i>U.S. v. Cruikshank</i> further weakens Fourteenth Amendment Presidential election disputed
		1877	Congress elects Hayes president

Wartime Reconstruction

Which two political acts recognized the centrality of slavery to the war?

How to best reconstruct the Union was an issue as early as 1863, well before the war ended. Specifically, four vexing problems compelled early thinking and would haunt the Reconstruction era. One, who would rule in the South once it was defeated? Two, who would rule in the federal government—Congress or the president? Three, what were the dimensions of black freedom, and what rights under law would the freedmen enjoy? And four, would Reconstruction be a preservation of the old republic or a second Revolution, inventing a new republic?

Lincoln's 10 Percent Plan

Abraham Lincoln had never been anti-southern. His fear was that the war would collapse into guerrilla warfare by surviving Confederates. Lincoln insisted on leniency for southern soldiers once they surrendered. In his Second Inaugural Address, delivered a month before his assassination, Lincoln promised "malice toward none; with charity for all."

Lincoln planned early for a swift and moderate Reconstruction. In his 1863 "Proclamation of Amnesty and Reconstruction," he proposed replacing majority rule with "loyal rule" to reconstruct southern state governments and pardoning ex-Confederates except the highest-ranking military and civilian officers. Once

10 percent of a given state's voting population in the 1860 general election had taken an oath to the United States and established a government, the new state would be recognized. Lincoln did not consult Congress in these plans, and "loyal" assemblies (known as "Lincoln governments") were created in Louisiana, Tennessee, and Arkansas in 1864, states largely occupied by Union troops on which they depended for survival.

Congress and the Wade-Davis Bill

Congress was hostile toward Lincoln's moves to readmit southern states prematurely. Radical Republicans, proponents of emancipation and of aggressively defeating the South, regarded the 10 percent plan a "mere mockery" of democracy. Led by Pennsylvania Congressman Thaddeus Stevens and Massachusetts Senator Charles Sumner, congressional Republicans proposed a harsher approach. Stevens advocated a "conquered provinces" theory, arguing that southerners organized as a foreign nation to war on the United States and, by secession, destroyed their statehood status. They therefore must be treated as "conquered foreign lands" and returned to the status of "unorganized territories" before applying for readmission.

In July 1864, the Wade-Davis bill, sponsored by Ohio Senator Benjamin Wade and Maryland Congressman Henry W. Davis, emerged from Congress with three specific conditions for southern readmission.

1. It demanded a "majority" of white male citizens participating in the creation of a new government.
2. To vote or be a delegate to constitutional conventions, men had to take an "iron-clad" oath (declaring that they never aided the Confederate war effort).
3. All officers above the rank of lieutenant, and all civil officials in the Confederacy, would be disfranchised and deemed "not a citizen of the United States."

Lincoln pocket-vetoed the bill and issued a conciliatory proclamation that he would not commit to any "one plan" of Reconstruction.

This exchange occurred when the war's outcome and Lincoln's reelection were still in doubt. On August 5, Radical Republicans issued the "Wade-Davis Manifesto" to newspapers, accusing Lincoln of usurpation of presidential powers and disgraceful leniency toward an eventually conquered South. Lincoln saw Reconstruction as a means of weakening the Confederacy and winning the war; the Radicals saw it as a transformation of the nation's political and racial order.

Thirteenth Amendment In early 1865, Congress and Lincoln joined in two important measures that recognized slavery's centrality to the war. On January 31, Congress passed the **Thirteenth Amendment**, which abolished involuntary servitude and declared that Congress shall have the power to enforce this outcome by "appropriate legislation." When the measure passed by 119 to 56, just 2 votes more than the necessary two-thirds, Congress rejoiced.

But the Thirteenth Amendment had emerged from a congressional debate and considerable petitioning and public advocacy. One of the first and most remarkable petitions for a constitutional amendment abolishing slavery was submitted early in 1864 by Elizabeth Cady Stanton, Susan B. Anthony, and the Women's Loyal National League. Union women accumulated thousands of signatures. It was a long road from the Emancipation Proclamation to the Thirteenth Amendment—through



[Link to the Wade-Davis bill.](#)

Thirteenth Amendment: The Constitutional amendment that abolished slavery; passed by Congress in 1865.

treacherous constitutional theory about individual “property rights,” beliefs that the sacred document (the Constitution) ought never to be altered, and partisan politics.

Freedmen’s Bureau: Created by Congress in March 1865, this agency had responsibility for the relief, education, and employment of former slaves as well as white refugees

Freedmen’s Bureau

On March 3, 1865, Congress created the Bureau of Refugees, Freedmen, and Abandoned Lands—the **Freedmen’s Bureau**, an unprecedented agency of social uplift. With thousands of refugees in the South, the government continued what private freedmen’s aid societies started in 1862. In its four-year existence, the Freedmen’s Bureau supplied food and medical services, built several thousand schools and some colleges, negotiated several hundred thousand employment contracts between freedmen and their former masters, and managed confiscated land.

The Bureau was a controversial aspect of Reconstruction. Southern whites hated it, and politicians divided over its constitutionality. Some bureau agents were devoted to freedmen’s rights; others exploited the chaos of the postwar South. The war prompted an eternal question of republics: what are the social welfare obligations of the state toward its people, and what do people owe their governments in return? Apart from their conquest and displacement of the eastern Indians, Americans were inexperienced at the Freedmen’s Bureau’s task—social reform through military occupation.

Ruins and Enmity

In 1865, with the war’s devastation, America was a land with ruins. Some cities lay in rubble, large stretches of the countryside were depopulated and defoliated, and thousands of people, white and black, were refugees. Many white refugees faced genuine starvation. Of the approximately 18,300,000 rations distributed across the South in the Freedmen’s Bureau’s first three years, 5,230,000 went to whites.

In October 1865, after a five-month imprisonment in Boston, former Confederate Vice President Alexander H. Stephens rode a train southward. When he reached northern Georgia, his native state, he expressed shock: “War has left a terrible impression. . . . Fences gone, fields all a-waste, houses burnt.” Every northern traveler encountered hatred from white southerners. A North Carolina innkeeper told a journalist that Yankees killed his sons, burned his house, stole his slaves and left him “one inestimable privilege . . . to hate ’em.”

The Meanings of Freedom

How did blacks exert their newfound freedom?

Black southerners entered life after slavery with hope and circumspection. A Texas man recalled his father’s telling him, “Our forever was going to be spent living among the Southerners, after they got licked.” Often the changes freed people valued most were personal—alterations in employer or living arrangements.

The Feel of Freedom

For former slaves, Reconstruction meant a chance to explore freedom. Former slaves remembered singing into the night after federal troops, who confirmed rumors of their emancipation, reached their plantations. A few people gave in to the desire to do what was formerly impossible. One angry grandmother dropped her hoe and confronted her mistress with, “I’m free! Ain’t got to work for you no more!” Another man recalled that he

and others “started on the move,” either to search for family members or just to move on.

As slaves, they had learned to expect hostility from white people; they did not presume it would instantly disappear. Many freedpeople evaluated potential employers cautiously. After searching for better circumstances, a majority of blacks eventually settled as agricultural workers back on their former farms or plantations. But they relocated their houses and tried to control the conditions of their labor.

Reunion of African American Families

Throughout the South, former slaves focused on reuniting their families, separated during slavery by sale or hardship, and during the war by dislocation. By relying on the black community for help and by placing ads in black newspapers into the 1880s, some succeeded, while others searched in vain.

Husbands and wives who belonged to different masters established homes together to raise their children. When her old master claimed a right to whip her children, a mother replied, “he warn’t goin’ to brush none of her chilluns no more.”

Blacks’ Search for Independence

Many black people wanted to minimize contact with whites because, as Reverend Garrison Frazier told General Sherman in January 1865, “There is a prejudice against us ... that will take years to get over.” As such, blacks abandoned slave quarters and fanned out to distant corners of the land they worked. Some described moving “across the creek” or building a “saplin house ... back in the woods.” Other rural dwellers established small, all-black settlements that still exist along the South’s back roads.

Freedpeople’s Desire for Land

In addition to a fair employer, freedpeople wanted to own land, which represented self-sufficiency and compensation for generations of bondage. General Sherman’s special Field Order Number 15, issued in February 1865, set aside 400,000 acres of land in the Sea Islands for settlement of freedpeople. Hope swelled among ex-slaves as forty-acre plots and mules were promised to them. But President Johnson ordered them removed in October and the land returned to its original owners under army enforcement.

Most members of both political parties opposed land redistribution to the freedmen. Even northern reformers who administered the Sea Islands during the war showed little sympathy for black aspirations. The former Sea Island slaves wanted small, self-sufficient farms. Northern soldiers, officials, and missionaries brought education and aid to the freedmen but insisted that they grow cotton for competitive market. Ultimately, the U.S. government eventually sold thousands of acres in the Sea Islands, 90 percent of which went to wealthy northern investors.

Black Embrace of Education

Blacks hungered for education that previously belonged only to whites. With freedom, they started schools and filled dirt-floor classrooms, studying day and night.

Children brought infants to school, and adults attended at night or after “the crops were laid by.” Despite their poverty, many blacks paid tuition, typically \$1 or \$1.50

Link to Jourdan Anderson’s letter to his former master.





Smithsonian Institution, photo by Rudolf Eickemeyer

African Americans of all ages eagerly pursued the opportunity to gain an education in freedom. This young woman in Mt. Meigs, Alabama, is helping her mother learn to read.

a month, which constituted major portions of a person's agricultural wages and totaled more than \$1 million by 1870.

In its brief life, the Freedmen's Bureau founded over four thousand schools, and northern reformers established others through private philanthropy. The Yankee schoolmarm—dedicated, selfless, and religious—became an agent of progress in many southern communities. By 1877, more than 600,000 African Americans were enrolled in elementary school.

Blacks and their white allies also established colleges and universities. The American Missionary Association founded seven colleges, including Fisk and Atlanta Universities, between 1866 and 1869. The Freedmen's Bureau helped establish Howard University in Washington, D.C., and northern religious groups, such as the Methodists, Baptists, and Congregationalists, supported seminaries and teachers' colleges.

During Reconstruction, African American leaders often were highly educated members of the prewar elite of free people of color. Francis Cardozo, who held various offices in South Carolina, attended universities in Scotland and England. P. B. S. Pinchback, who became lieutenant governor of Louisiana, was the son of a planter who sent him to school in Cincinnati.

Growth of Black Churches

Freed from slavery's restrictions, blacks could build their

own institutions. The secret churches of slavery became public; in communities throughout the South, ex-slaves "started a brush arbor...shelter with leaves for a roof," where freed men and women worshiped.

Within a few years, branches of the Methodist and Baptist denominations attracted most southern black Christians. By 1877 in South Carolina, the African Methodist Episcopal (A.M.E.) Church had a thousand ministers, forty-four thousand members, and a school of theology, while the A.M.E. Zion Church had forty-five thousand members. In these churches, some of which became the wealthiest and most autonomous institutions in black life, freedpeople created enduring communities.

sharecropping: A system where landowners and former slaves managed a new arrangement, with laborers paying with a portion of their crops for the right to work their own land, thereby usually ending up in permanent debt.

Rise of the Sharecropping System

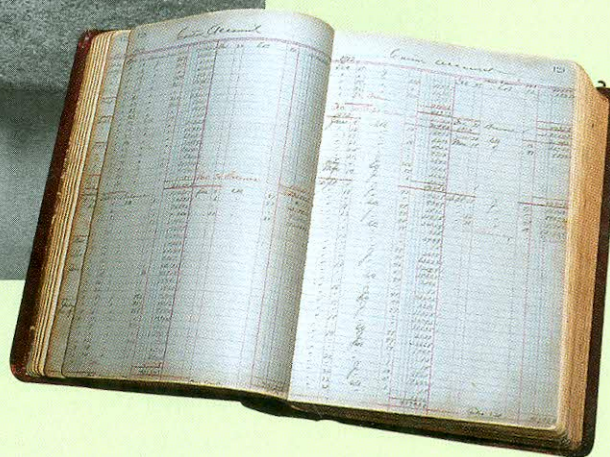
Since most former slaves lacked money to buy land, they preferred the next best thing: renting it. But the South had few sources of credit, and few whites would rent to blacks. Consequently, black farmers and white landowners turned to **sharecropping**, a system in which a landlord or a merchant "furnished" food and supplies, such as draft animals and seed, to farmers who worked the land and received payment from

Visualizing the Past

Sharecropping: Enslaved to Debt

Sharecropping became an oppressive system in the postwar South. A new labor structure that began as a compromise between freedmen who wanted independence and landowners who wanted a stable work force, evolved into a method of working on “halves” and where tenants owed endless debts

to the furnishing merchants, who owned plantation stores like this one, photographed in Mississippi in 1868. Merchants recorded in ledger books, like the one at right, the debts that few sharecroppers were able to repay. Why did both former slaves and former slaveowners initially find sharecropping an agreeable, if difficult, new labor arrangement? What were the short- and long-term consequences of the sharecropping system for the freedpeople and for the Southern economy?



This Mississippi plantation store, shown in 1868, is a typical example of the new institution of the furnishing merchant and its power over post-slavery agriculture in the South.

Furnishing merchants kept such ledger books for decades; they became the record of how sharecroppers fell deeper in debt from year to year, and “owed their soul” to the country store.

the crop. White landowners and black farmers bargained with one another; sharecroppers would hold out, or move from year to year. As the system matured during the 1870s and 1880s, most sharecroppers worked “on halves”—half for the owner and half for themselves.

The sharecropping system, which materialized as early as 1868, originated as a compromise between former slaves and landowners. It eased landowners’



Link to a sample
sharecropping contract.

problems with cash and credit, and provided a permanent, dependent labor force; blacks accepted it because freed them from daily supervision. But sharecropping proved disastrous. Owners and merchants developed a monopoly of control over the agricultural economy, as sharecroppers faced ever-increasing debt (see page 411).

The fundamental problem was that southern farmers still concentrated on cotton. In freedom, black women often stayed away from cotton picking, favoring domestic chores, given the diminishing incentives of the cotton system. Even as the South recovered its prewar share of British cotton purchases, the rewards diminished. Cotton prices began a long decline, as world demand fell off.

Thus, southern agriculture slipped into depression. Black sharecroppers struggled under growing debt that bound them to landowners and to furnishing merchants almost as oppressively as slavery. Many white farmers gradually lost their land and became sharecroppers. By the end of Reconstruction, over one-third of southern farms were worked by sharecropping tenants, white and black.

Johnson's Reconstruction Plan

What was Johnson's vision for Reconstruction?

Many people expected Reconstruction under President Andrew Johnson to be harsh. Throughout his career in Tennessee, he criticized wealthy planters and championed small farmers. When an assassin's bullet thrust Johnson into the presidency, former slaveowners feared Johnson would deal sternly with them. When northern Radicals suggested the exile or execution of ten or twelve leading rebels, Johnson replied, "How are you going to pick out so small a number?"

Andrew Johnson of Tennessee

Like Lincoln, Johnson moved from obscurity to power. With no education, he became a tailor's apprentice. But from 1829, while in his early twenties, he held nearly every office in Tennessee politics: alderman, state representative, congressman, two terms as governor, and U.S. senator by 1857. Although elected as a Democrat, Johnson was the only senator from a seceded state who refused to leave the Union. Lincoln appointed him war governor of Tennessee in 1862; hence his symbolic place on the ticket in the president's 1864 bid for reelection.

Although a Unionist, Johnson's political beliefs made him an old Jacksonian Democrat. Before the war, he supported tax-funded public schools and homestead legislation, fashioning himself as a champion of the common man. Still, Johnson advocated limited government. His philosophy toward Reconstruction: "The Constitution as it is, and the Union as it was."

Through 1865, Johnson alone controlled Reconstruction policy; Congress recessed before he became president and did not reconvene until December. Johnson formed new state governments in the South by using his power to grant pardons and offered easy terms to former Confederates.

Johnson's Racial Views Johnson had owned house slaves, although he was never a planter. He accepted emancipation but did not believe that black suffrage could be imposed on a southern state by the federal government. This set him on a collision course with the Radicals. On race, Johnson was a white supremacist. He declared in his annual message of 1867 that blacks possessed less

"capacity for government than any other race of people ... wherever they have been left to their own devices they have shown a constant tendency to relapse into barbarism."

Such racial views affected Johnson's policies. Where whites were concerned, however, Johnson proposed rules that would keep the wealthy planter class at least temporarily out of power.

Johnson's Pardon Policy

White southerners were required to swear an oath of loyalty to gain amnesty, but Johnson barred from the oath former federal officials, high-ranking Confederate officers, and political leaders or graduates of West Point or Annapolis who joined the Confederacy. He also added ex-Confederates whose taxable property was worth more than \$20,000. These individuals had to apply to the president for pardon. The president, it seemed, sought revenge on the old planter elite and to promote a new yeoman leadership.

Johnson appointed provisional governors, who began Reconstruction by calling state constitutional conventions. The delegates had to draft new constitutions that eliminated slavery and invalidated secession. After ratification, new governments could be elected, and the states restored to the Union. But only southerners who had taken the oath of amnesty and were eligible voters when the state seceded could participate. Thus, unpardoned whites and former slaves were ineligible.

Presidential Reconstruction

The old white leadership proved resilient; prominent Confederates won elections and turned up in appointive offices. Then Johnson started pardoning planters and leading rebels. By September 1865, hundreds of pardons were issued in one day. These pardons, plus the return of planters' abandoned lands, restored the old elite to power and made Johnson seem the South's champion.

Why did Johnson allow the planters to regain power? He may have enjoyed turning proud planters into pardon seekers. He also sought rapid Reconstruction to deny the Radicals any opportunity for thorough racial and political changes in the South. And Johnson needed southern support in the 1866 elections; hence, he declared Reconstruction complete only eight months after Appomattox. In December 1865, many Confederate congressmen claimed seats in the U.S. Congress, including former Confederate vice president Alexander Stephens, who was now Georgia's senator-elect.

Black Codes

Furthermore, to define the status of freed people and control their labor, some legislatures revised the slave codes by substituting the word *freedmen* for *slaves*. The new black codes compelled former slaves to carry passes, observe a curfew, and live in housing provided by a landowner. Vagrancy laws and restrictive labor contracts bound freedpeople to plantations, and "anti-enticement" laws punished anyone luring these workers to other employment. State-supported schools and orphanages excluded blacks.

It seemed to northerners that the South was intent on returning African Americans to servility and that Johnson's Reconstruction policy held no one responsible for the war. Thus, the Republican majority in Congress halted Johnson's plan. The House and Senate refused to admit newly elected southern representatives. Instead, they bluntly challenged the president's authority and established a joint committee to study a new direction for Reconstruction.

The Congressional Reconstruction Plan

What made Radical Reconstruction different from Johnson's plan?

The Constitution mentioned neither secession nor reunion, but it gave Congress the primary role in admitting states. Moreover, the Constitution declared that the United States shall guarantee to each state a "republican form of government." This provision, legislators believed, gave them the authority to devise Reconstruction policies.

The key question: What had rebellion done to the relationship between southern states and the Union? Congressmen who favored vigorous Reconstruction measures argued that the war had broken the Union and that the South was subject to the victor's will. Moderate congressmen held that the states forfeited their rights through rebellion and thus came under congressional supervision.

The Radicals

Northern Democrats, weakened by their opposition to the war in its final year, denounced racial equality and supported Johnson's policies. Conservative Republicans, despite their party loyalty, favored a limited federal role in Reconstruction. Although a minority, Radical Republicans, led by Thaddeus Stevens, Charles Sumner, and George Julian, wanted to democratize the South, establish public education, and ensure freedpeople's rights. They favored black suffrage, supported some land confiscation and redistribution, and were willing to exclude the South from the Union to achieve their goals.

The Radicals brought a new civic vision; they wanted to create an activist federal government and the beginnings of racial equality. Many moderate Republicans, led by Lyman Trumbull, opposed Johnson's leniency but wanted to restrain the Radicals. They were, however, committed to federalizing the enforcement of civil, if not political, rights for the freedmen.

With the 1866 elections looming, Johnson and the Democrats sabotaged the possibility of a conservative coalition by refusing to cooperate with conservative or moderate Republicans. They insisted that Reconstruction was over, that the new state governments were legitimate, and that southern representatives should be admitted to Congress. The Radicals' influence grew with Johnson's intransigence.

Congress Versus Johnson

Republicans believed they reached a compromise with Johnson in spring 1866. Under its terms, Johnson would modify his program by extending the Freedmen's Bureau for another year and passing of a civil rights bill to counteract the black codes. This would force southern courts to practice equality under the scrutiny of the federal judiciary. Its provisions applied to public, not private, acts of discrimination. The Civil Rights Bill of 1866 was the first statutory definition of the rights of American citizens.

Johnson, however, vetoed both bills; they became law when Congress overrode his veto. Because the civil rights bill defined U.S. citizens as native-born persons who were taxed, Johnson claimed that it discriminated against "large numbers of intelligent, worthy, and patriotic foreigners... in favor of the negro." Hope of presidential-congressional cooperation was dead. In 1866, newspapers reported daily violations of blacks' rights in the South and carried alarming accounts of anti-Black violence. In Memphis, forty blacks were killed and twelve schools burned by white mobs, and in New Orleans, the toll was thirty-four African Americans dead and two hundred wounded. Violence convinced Republicans, and the northern public, that more needed to be done. A new Republican plan focused on the **Fourteenth Amendment** to the Constitution.



Link to Thaddeus Stevens's reconstruction speech.



Link to the text of President Johnson's veto of the 1866 Civil Rights bill.

Fourteenth

Amendment: Defined U.S. citizens as anyone born or naturalized in the United States, barred states from interfering with citizens' constitutional rights, and stated for first time that voters would be male.

Fourteenth Amendment

Of the five sections of the Fourteenth Amendment, the first would have the greatest legal significance. It conferred citizenship on "all persons born or naturalized in the United States" and prohibited states from abridging their constitutional "privileges and immunities" (see the Appendix for the Constitution and all amendments). It also barred states from taking a person's life, liberty, or property "without due process of law" and from denying "equal protection of the laws." These phrases have become powerful guarantees of African Americans' civil rights and the rights of all citizens, except for Indians, who were not granted citizenship rights until 1924.

Republicans almost universally agreed on the amendment's second and third sections. The fourth declared the Confederate debt null and void, and guaranteed the United States' war debt. Northerners rejected paying taxes to reimburse those who financed a rebellion, and business groups agreed on the necessity of upholding the U.S. government's credit. The second and third sections barred Confederate leaders from holding state and federal office. Only Congress, by a two-thirds vote of each house, could remove the penalty, thereby guaranteeing some punishment for Confederate leaders.

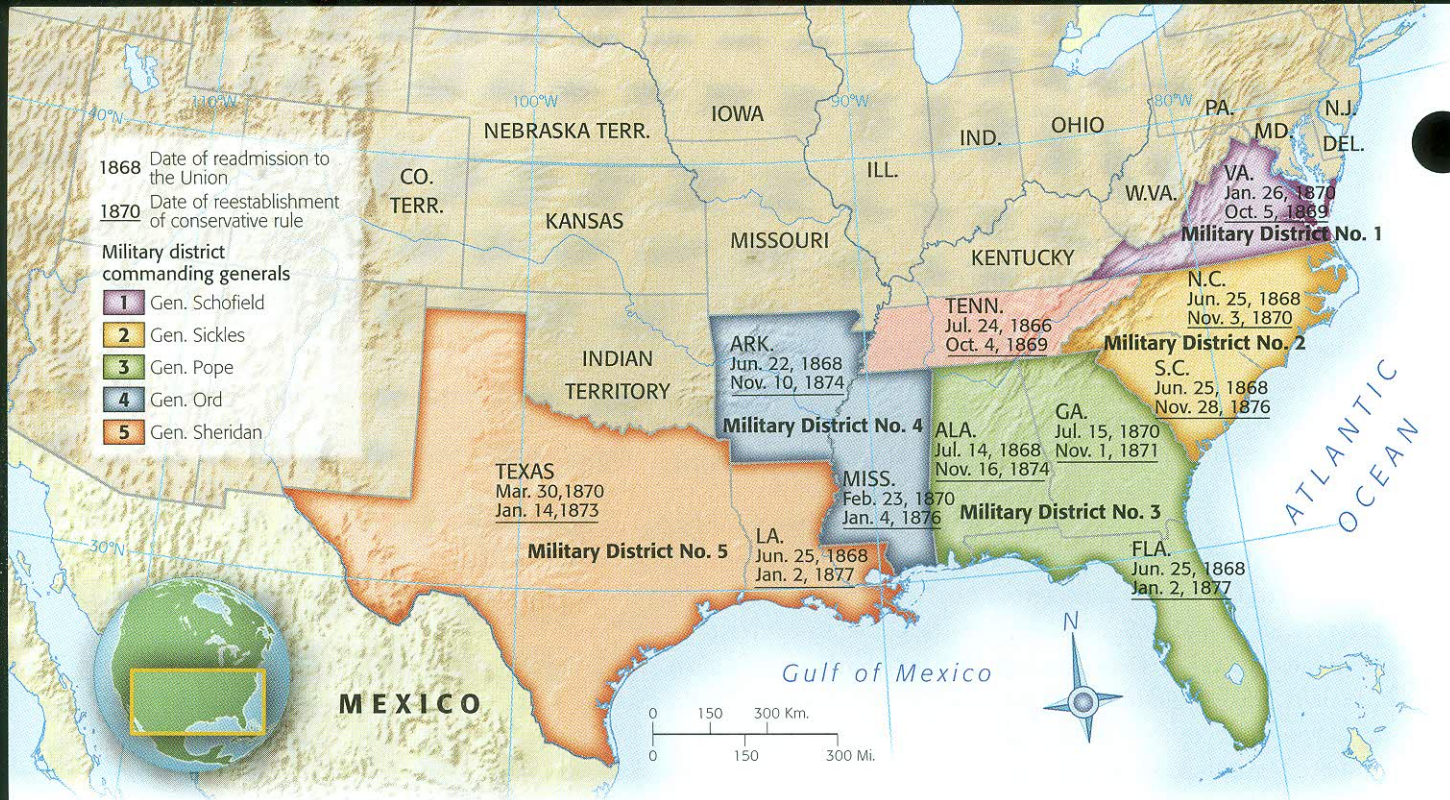
The second section of the amendment also dealt with representation and embodied the compromises that produced it. Northerners disagreed about whether blacks should have the right to vote. In truth, public will, North and South, lagged behind the egalitarianism of enactments that became constitutional cornerstones. Many northern states still maintained black disfranchisement laws during Reconstruction.

Emancipation ended the three-fifths clause for the purpose of counting blacks, which would increase southern representation. Thus, the postwar South stood to gain power in Congress, and if white southerners did not allow blacks to vote, former secessionists would derive the political benefit from emancipation. Consequently, Republicans determined that, if a southern state did not grant black men the vote, their representation would be reduced proportionally. The Fourteenth Amendment specified for the first time that voters were "male." As such, it provoked frustration in the women's rights movement. Advocates of women's equality worked with abolitionists for decades, often subordinating their cause to the slaves'. During the drafting of the Fourteenth Amendment, however, some leaders, such as Elizabeth Cady Stanton and Susan B. Anthony, ended their alliance with abolitionists and fought for women, infusing new life into the women's rights movement. Other female activists, however, argued that it was "the Negro's hour," causing strife among old allies. Many former male abolitionists, white and black, were willing to delay woman suffrage to secure freedmen the vote.

The South's and Johnson's Defiance

Johnson tried to block the Fourteenth Amendment. He urged state legislatures in the South to vote against ratification, and all but Tennessee rejected the amendment by a wide margin.

To present his case to northerners, Johnson organized a National Union Convention. He boarded a special train for a "swing around the circle" that carried his message into the Northeast, the Midwest, and back to Washington. Increasingly, audiences rejected his views, jeering at him. Johnson handed out American flags with thirty-six rather than twenty-five stars, declaring the Union already restored. And he labeled the Radicals "traitors" for attempting to take over Reconstruction.



MAP 16.1

The Reconstruction

This map shows the five military districts established when Congress passed the Reconstruction Act of 1867. As the dates within each state indicate, conservative Democratic forces quickly regained control of government in four southern states. So-called Radical Reconstruction was curtailed in most of the others, as factions within the weakened Republican Party began to cooperate with conservative Democrats.

Source: Copyright © Cengage Learning

In the 1866 elections, radicals and moderates whom Johnson denounced won reelection by large margins, and the Republican majority grew to two-thirds of both congressional houses. The North was clear: Johnson's policies of states' rights and white supremacy were giving the advantage to rebels and traitors. Thus Republican congressional leaders won a mandate to pursue their Reconstruction plan.

But nothing could be accomplished as long as the "Johnson governments" existed and the southern electorate remained exclusively white. Republicans resolved to form new state governments in the South and enfranchise the freedmen.

Reconstruction Acts of 1867–1868

After embittered debate, the First Reconstruction Act passed in March 1867. This plan, under which the southern states were readmitted to the Union, incorporated only a part of the Radical program. Union generals, commanding small garrisons and charged with supervising elections, assumed control in five military districts in the South (see Map 16.1). Confederate leaders designated in the Fourteenth Amendment were barred from voting until new state constitutions were ratified. The act guaranteed freedmen the right to vote and serve in state constitutional conventions. In addition, each southern state was required to ratify the Fourteenth Amendment and its new constitution by majority vote, then submit it to Congress for approval (see Table 16.1).

TABLE 16.1 Plans for Reconstruction Compared

	Johnson's Plan	Radicals' Plan	Fourteenth Amendment	Reconstruction Act of 1867
Voting	Whites only; high-ranking Confederate leaders must seek pardons	Give vote to black males	Southern whites may decide but can lose representation if they deny black suffrage	Black men gain vote; whites barred from office by Fourteenth Amendment cannot vote while new state governments are formed
Officeholding	Many prominent Confederates regain power	Only loyal white and black males eligible	Confederate leaders barred until Congress votes amnesty	Fourteenth Amendment in effect
Time out of Union	Brief	Several years; until South is thoroughly democratized	Brief	3–5 years after war
Other change in southern society	Little; gain of power by yeomen not realized; emancipation grudgingly accepted, but no black civil or political rights	Expand public education; confiscate land and provide farms for freedmen; expansion of activist federal government	Probably slight, depending on enforcement	Considerable, depending on action of new state governments

The Second, Third, and Fourth Reconstruction Acts, passed between March 1867 and March 1868, provided the details for voter registration boards, the adoption of constitutions, and the administration of “good faith” oaths by white southerners.

Failure of Land Redistribution

The Radicals blocked Johnson, but they had hoped Congress could do much more. Thaddeus Stevens, for example, argued that economic opportunity was essential to the freedmen. “He drew up a plan for extensive confiscation and redistribution of land, but it was never realized.”

Racial fears and an American obsession with the sanctity of private property made land redistribution unpopular. Thus, black farmers were forced to seek work in a hostile environment in which landowners opposed their acquisition of land.

Constitutional Crisis

To restrict Johnson's influence and safeguard its plan, Congress passed several controversial laws. First, it limited Johnson's power over the army by requiring the president to issue military orders through the General of the Army, Ulysses S. Grant. Then Congress passed the Tenure of Office Act, which gave the Senate power to approve changes in the president's cabinet. Designed to protect Secretary of War Stanton, a Radical sympathizer, this law violated the tradition of presidents controlling cabinet appointments. These measures, along with the Reconstruction Acts, were passed by a two-thirds override of presidential vetoes. In response, Johnson limited the military's power in the South, increasing the powers of the civil governments he created in 1865. Then he removed military officers who were enforcing Congress's new law, preferring commanders

who allowed disqualified Confederates to vote. Finally, he tried to remove Secretary of War Stanton, pushing the confrontation to its climax.

Impeachment: Process to remove a president from office; attempted but failed in case of Andrew Johnson.

Impeachment of President Johnson

Impeachment is a political procedure provided for in the Constitution as a remedy for crimes or serious abuses of power by presidents, federal judges, and other high government officials. Those who are impeached (judged or politically indicted) in the House are then tried in the Senate. Historically, this power was not used to investigate and judge the private lives of presidents, although more recently it was used this way against President Bill Clinton.

Twice in 1867, the House Judiciary Committee considered impeachment of Johnson, first rejecting it and then recommending it by a 5-to-4 vote, which was defeated by the House. After Johnson tried to remove Stanton, however, a third attempt to impeach him carried in early 1868. The indictment concentrated on his violation of the Tenure of Office Act, though modern scholars regard his efforts to obstruct enforcement of the Reconstruction Act of 1867 as a more serious offense.

Johnson's trial in the Senate lasted more than three months. The prosecution, led by Radicals, attempted to prove that Johnson was guilty of "high crimes and misdemeanors." But they also argued that the trial was a means to judge Johnson's performance. The Senate rejected such reasoning, which could have made removal from office a political weapon against any chief executive who disagreed with Congress. The prosecution fell one vote short of the necessary two-thirds majority. Johnson remained in office, politically weakened.

Election of 1868

In the 1868 presidential election, Ulysses S. Grant, running as a Republican, defeated Horatio Seymour, a New York Democrat. Grant was not a Radical, but his platform supported **congressional Reconstruction** and endorsed black suffrage in the South. (Significantly, Republicans stopped short of endorsing black suffrage in the North.) Democrats, meanwhile, denounced Reconstruction and preached white supremacy, conducting the most openly racist campaign to that point in American history. Both sides waved the "bloody shirt," blaming each other for the war's sacrifices. By associating with rebellion and Johnson's repudiated program, Democrats were defeated in all but eight states, though the popular vote was close. Blacks voted en masse for General Grant.

In office, Grant vacillated in dealing with southern states, sometimes defending Republican regimes and sometimes currying favor with Democrats. Occasionally, Grant called out federal troops to stop violence or enforce congressional acts. But he never imposed a military occupation on the South. Rapid demobilization reduced a federal army of more than 1 million to 57,000 within a year of the Appomattox surrender. Thereafter, the number of troops in the South declined, until in 1874 there were only 4,000 in southern states outside Texas. The legend of "military rule," so important to southern claims of victimization during Reconstruction, was steeped in myth.

congressional

Reconstruction: The process by which the Republican-controlled Congress sought to make the Reconstruction of the ex-Confederate states longer, harsher, and under congressional control.

Fifteenth Amendment

Fifteenth Amendment: Prohibited states from denying the vote to any citizen on account of "race, color, or previous condition of servitude."

In 1869, the Radicals pushed through the **Fifteenth Amendment**, the final major measure in Reconstruction's constitutional revolution. It forbade states to deny the vote "on account of race, color, or previous condition of servitude." Such wording did not guarantee the right to vote. It left states free to restrict suffrage on other grounds so that northern states

could continue to deny suffrage to women and certain men—Chinese immigrants, illiterates, and those too poor to pay poll taxes.

The Fifteenth Amendment became law in 1870. Although African Americans rejoiced, it left open the possibility for states to create countless qualification tests to obstruct voting.

Politics and Reconstruction in the South

From the start, white southerners resisted Reconstruction and opposed emancipation, as evident in the black codes. The former planter class proved especially unbending because of their tremendous financial loss in slaves. For many poor whites who never owned slaves and yet sacrificed in the war, destitution, plummeting agricultural prices, disease, and the uncertainties of a growing urban industrialization drove them off land toward cities and into hatred of black equality.

How did black voters in the early days of Reconstruction transform the South?

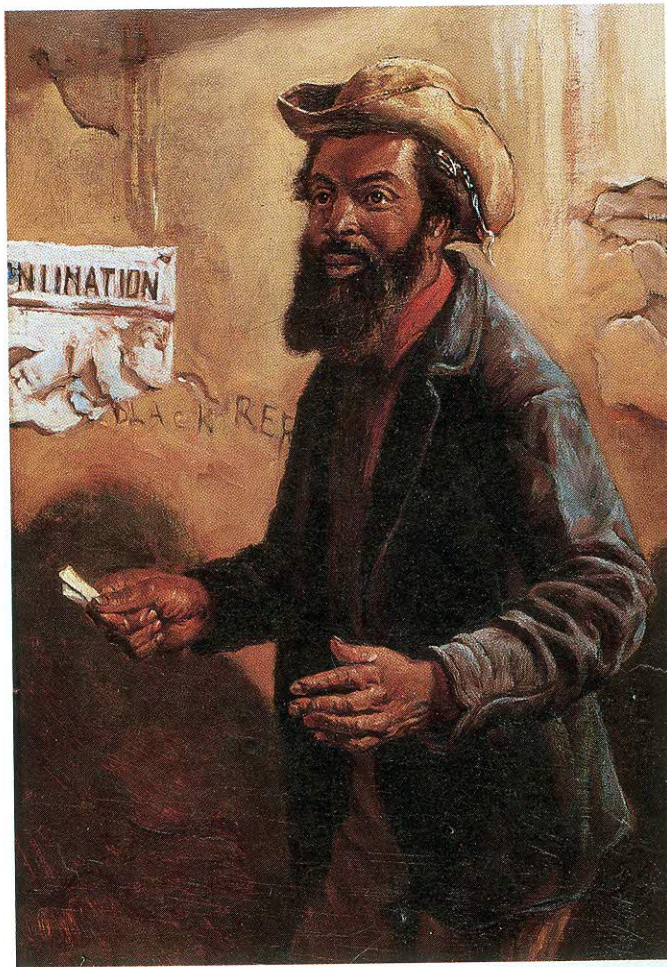
White Resistance

Some planters attempted to postpone freeing slaves by denying or misrepresenting events. Former slaves reported that their owners “didn’t tell them it was freedom” or “wouldn’t let [them] go.” To retain workers, some landowners claimed control over black children and used guardianship and apprentice laws to bind black families to the plantation.

Adamant resistance by whites soon manifested itself in other ways, including violence. A local North Carolina magistrate clubbed a black man on a public street, and in several states bands of “Regulators” terrorized blacks who displayed independence. And after President Johnson encouraged the South to resist congressional Reconstruction, many white conservatives captured the new state governments, while others boycotted the polls to defeat Congress’s plans.

Black Voters and the Southern Republican Party

Enthusiastically, blacks went to the polls, voting Republican, as one man said, to “stick to the end with the party that freed me.” Illiteracy did not prohibit blacks (or uneducated whites) from making intelligent choices. Mississippi’s William Henry could read only “a little,” but he said, “We saw D. Sledge vote; he owned half the county. We knowed he voted Democratic so we voted the other ticket so it would be Republican.” Women, who could not vote, encouraged their husbands and sons, and preachers exhorted their congregations to use the franchise.



Cheekwood Museum of Art, Nashville, Tennessee

Thomas Waterman Wood, who had painted portraits of society figures in Nashville before the war, sensed the importance of Congress’s decision in 1867 to enfranchise the freedmen. This oil painting, one in a series on suffrage, emphasizes the significance of the ballot for the black voter.

Thanks to a large black turnout and the restrictions on prominent Confederates, a new southern Republican Party came to power in the 1868–1870 constitutional conventions. Republican delegates consisted of a sizable black contingent (265 out of the more than 1,000 delegates throughout the South), northerners who had moved to the South, and native southern whites seeking change. The new constitutions they drafted were more democratic than anything previously adopted in the South. They eliminated property qualifications for voting and holding office, turned many appointed offices into elective posts, and provided for public schools and institutions to care for the mentally ill, the blind, the deaf, the destitute, and the orphaned.

The conventions broadened women's rights in property holding and divorce. Usually the goal was not equality but providing relief to thousands of suffering debtors. Since husbands typically contracted the debts, giving women legal control over their own property provided some protection for families.

Triumph of Republican Governments

Under these new constitutions, southern states elected Republican-controlled governments. For the first time, state legislators in 1868 included black southerners. Contrary to what white southerners later claimed, Republican state governments did not disfranchise ex-Confederates as a group. James Lynch, a leading black politician from Mississippi, saw disfranchising whites as foolish. Landless former slaves "must be in friendly relations with the great body of the whites in the state," he explained. "Otherwise...peace can be maintained only by a standing army." Despised and lacking power, southern Republicans strove for safe ways to gain a foothold in a depressed economy.

Far from vindictive toward the race that enslaved them, most southern blacks appealed to white southerners to be fair. Hence, the South's Republican Party condemned itself to defeat if white voters would not cooperate. Within a few years, most fledgling Republican parties in southern states would be struggling for survival against violent white hostility.

Industrialization and Mill Towns

Reconstruction governments promoted industry via loans, subsidies, and short-term exemptions from taxation. The southern railroad system was rebuilt and expanded, and coal and iron mining made possible Birmingham's steel plants. Between 1860 and 1880, the number of manufacturing establishments in the South nearly doubled.

This emphasis on big business, however, produced higher state debts and taxes, drew money from schools and other programs, and multiplied possibilities for corruption. The alliance between business and government often operated at the expense of farmers and laborers. It also doomed Republicans to failure in building support among poorer whites.

Poverty remained the lot of many southern whites. The war caused a massive loss of income-producing wealth, such as livestock, and a steep decline in land values. From 1860 to 1880, the South's share of per capita income fell to 51 percent of the national average. In many regions, the old planter class still ruled the best land and access to credit or markets.

As poor whites and blacks found farming less tenable, they moved to cities and mill towns. Industrialization did not sweep the South as it did the North, but it laid deep roots. Attracting textile mills to southern towns became a competitive crusade.

In 1860, the South counted some 10,000 mill workers; by 1880, the number grew to 16,741 and by century's end to 97,559. Many poor southerners moved from farmer to mill worker and other low-income wage work.

Republicans and Racial Equality

Whites who controlled the southern Republican Party were reluctant to allow blacks a share of offices proportionate to their electoral strength. Aware of their weakness, black leaders did not push hard for revolutionary change. Instead, they led efforts to establish public schools, although without pressing for integrated facilities. In 1870, South Carolina passed the first comprehensive school law in the South. By 1875, 50 percent of that state's black school-age children were enrolled in school, and approximately one-third of the three thousand teachers were black.

Those African American politicians who did fight for civil rights and integration were typically from cities such as New Orleans or Mobile, where large populations of light-skinned free blacks existed before the war. Their experience made them sensitive to issues of status. Laws requiring equal accommodations won passage but often went unenforced.

Economic progress, particularly land ownership, was a major concern for most freedpeople. Land reform failed because in most states whites were the majority, and former slaveowners controlled the best land and financial resources. Much land did fall into state hands for nonpayment of taxes. Such land was sold in small lots. But most freedmen had too little cash to bid against investors or speculators. Any widespread land redistribution had to arise from Congress, which never supported such action.

Myth of "Negro Rule"

Within a few years, white hostility to congressional Reconstruction increasingly prevailed. Conservatives had always wanted to fight Reconstruction through pressure and racist propaganda began to do so. Charging that the South had been turned over to ignorant blacks, conservatives used "black domination," as a rallying cry for a return to white supremacy.

Such attacks were part of the growing myth of "Negro rule," which would become a central theme in battles over the memory of Reconstruction. African Americans participated in politics but hardly dominated. They were a majority in only two of ten state constitutional conventions. In state legislatures, only in South Carolina's lower house did blacks constitute a majority. Sixteen blacks won seats in Congress before Reconstruction was over. Only eighteen served in a high state office, such as lieutenant governor, treasurer, superintendent of education, or secretary of state.

Some four hundred blacks served in political office during Reconstruction, an enormous achievement. Elected officials, such as Robert Smalls in South Carolina, labored for cheaper land prices, better healthcare, access to schools, and the enforcement of civil rights. For too long, the black politicians of Reconstruction were forgotten heroes of this seedtime of America's long civil rights movement.

Carpetbaggers and Scalawags

Conservative propaganda denounced northern whites as "carpetbaggers," greedy crooks planning to pour stolen tax revenues into their luggage made of carpet material.

In fact, most northerners who settled in the South came seeking business opportunities, as schoolteachers, or to find a warmer climate; most never entered politics. Those who entered politics generally wanted to democratize the South and to introduce northern ways such as industry and public education.

carpetbaggers: Derogatory nickname southerners gave to northerners who moved south after the Civil War, perceiving them as greedy opportunists who hoped to cash in on the South's plight.

scalawags: Term used by conservative southerners to describe other white southerners who were perceived as aiding or benefiting from Reconstruction.

Conservatives also invented the term **scalawag** to discredit white southerners cooperating with Republicans, as many wealthy men did. Most scalawags were yeoman farmers from mountain areas and nonslaveholding districts who were Unionists under the Confederacy. They hoped to benefit from the education and opportunities Republicans promoted. Sometimes banding with freedmen, they pursued common class interests to make headway against long-dominant planters. Over time, however, most black-white coalitions floundered due to racism.

Tax Policy and Corruption as Political Wedges

Republicans wanted to repair the war's destruction, stimulate industry, and support such new ventures as public schools—all of which required tax money. But the Civil War damaged the South's tax base. One category of valuable property—slaves—had disappeared entirely. Hundreds of thousands of citizens lost much their property—money, livestock, and buildings—to the war. Tax increases (sales, excise, and property) was necessary for even traditional services. Inevitably, Republican tax policies aroused strong opposition, especially among yeomen.

Corruption charges also plagued Republicans. Many carpetbaggers and black politicians engaged in fraudulent schemes or sold their votes, participating in what scholars recognize was a nationwide surge of corruption in an age ruled by “spoils-men” (see pages 516). Corruption crossed party lines, but Democrats pinned the blame on unqualified blacks and greedy carpetbaggers among southern Republicans.

Ku Klux Klan: A terrorist organization established by six Confederate war veterans that sought to reestablish white supremacy in the South, suppress black voting, and topple Reconstruction governments.

Ku Klux Klan

Republican leaders also allowed factionalism along racial and class lines to undermine party unity. At the same time, the **Ku Klux Klan**, a secret veterans' club that began in Tennessee in 1866, spread through the South, rapidly becoming a terrorist organization. Klansmen sought to frustrate Reconstruction and keep the freedmen in subjection with nighttime harassment, whippings, rapes, and murders.

Although the Klan tormented blacks, its main purpose was political. Lawless nightriders targeted active Republicans, killing leading whites and blacks in several states. After freedmen who worked for a South Carolina scalawag started voting, terrorists visited the plantation and, as one victim noted, “whipped every ... [black] man they could lay their hands on.” Klansmen also attacked Union League clubs—Republican organizations that mobilized the black vote—and schoolteachers who aided freedmen.

Specific social forces shaped and directed Klan violence, with Alamance and Caswell Counties in North Carolina receiving the worst Klan violence. Slim Republican majorities there rested on cooperation between black voters and white yeomen. Together, these black and white Republicans ousted long-entrenched officials. The wealthy and powerful men who lost their accustomed political control were the Klan's county officers and local chieftains. By intimidation and murder, the Klan weakened the Republican coalition and restored a Democratic majority.



The Granger Collection, New York

Cartoon, depicting a freedman, John Campbell, vainly begging for mercy in Moore County, North Carolina, August 10, 1871. The image evokes the power, fear, and mystery of the Klan without actually showing its bloody deeds.

Klan violence injured Republicans across the South. One of every ten black delegates to the 1867–1868 state constitutional conventions was attacked, seven fatally. In one judicial district of North Carolina, the Ku Klux Klan was responsible for twelve murders, over seven hundred beatings, along with many cases of rape and arson. A single attack on Republicans in Eutaw, Alabama, left four blacks dead and fifty-four wounded. According to historian Eric Foner, the Klan “made it virtually impossible for Republicans to campaign or vote in large parts of Georgia.”

Thus Republican mistakes, racial hostility, and terror brought down the Republican regimes. In most states, Radical Reconstruction lasted only a few years (see Map 16.1). The most enduring failure of Reconstruction, however, was that it failed to alter the South’s social structure or its distribution of wealth and power.

Retreat from Reconstruction

During the 1870s, northerners lost the will to sustain Reconstruction, as they confronted economic and social transformations in their regions and the West. Radical Republicans like Albion Tourgée, a former Union soldier who moved to North Carolina and was elected a judge, condemned Congress’s timidity. He and many African Americans believed that, during Reconstruction, the North “threw all the Negroes on the world without any way of getting along.” As the North lost interest in the South, Reconstruction collapsed.

What led the North to lose interest in reconstructing the South?

Political Implications of Klan Terrorism

Whites in the old Confederacy referred to this decline of Reconstruction as “southern redemption.” During the 1870s, “redeemer” Democrats claimed to be the South’s saviors from alleged “black domination” and “carpetbag rule.” Violence and terror emerged as a tactic in politics.

In 1870 and 1871, the Ku Klux Klan’s violent campaigns forced Congress to pass two **Enforcement Acts** and an anti-Klan law. These laws made actions by individuals against the civil and political rights of others a federal criminal offense. They also provided for election supervisors and permitted martial law and suspension of the writ of habeas corpus to combat murders, beatings, and Klan threats. In 1872 and 1873, Mississippi and the Carolinas saw many prosecutions; but in other states, the laws were ignored. Southern juries sometimes refused to convict Klansmen; less than half of the 3,310 cases ended in convictions. Although many Klansmen fled their state to avoid prosecution, and the Klan officially disbanded, paramilitary organizations known as Rifle Clubs and Red Shirts often took the Klan’s place.

Still, there were ominous signs that the North’s commitment to racial justice was fading, as some influential Republicans opposed the anti-Klan laws. Rejecting other Republicans’ arguments that the Thirteenth, Fourteenth, and Fifteenth Amendments made the federal government the protector of citizens’ rights, dissenters charged that Congress was infringing on states’ rights. This foreshadowed a general revolt within Republican ranks in 1872.

Enforcement Acts: Laws that sought to protect black voters and made violations of civil and political rights a federal offense and sought to end Ku Klux Klan violence.

Industrial Expansion and Reconstruction in the North

Immigration and industrialization surged in the North. Between 1865 and 1873, 3 million immigrants entered the country, most settling in the industrial cities of the North and West. Within only eight years, industrial production increased by 75 percent. For the first time, nonagricultural workers outnumbered farmers, and wage earners outnumbered independent craftsmen. Government policies encouraged this rapid growth. Low taxes on investment and high tariffs on manufactured goods helped create a new class of powerful industrialists, especially railroad entrepreneurs.

From 1865 to 1873, 35,000 miles of new track were laid, this fueled the banking industry and made Wall Street the center of American capitalism. Eastern railroad magnates, such as Thomas Scott of the Pennsylvania Railroad, created economic empires with the assistance of huge government subsidies of cash and land. Railroad corporations also bought up mining operations, granaries, and lumber companies. Big business now employed lobbyists to curry favor with government. Corruption ran rampant, with some congressmen and legislators paid retainers by major companies.

As captains of industry amassed unprecedented fortunes, gross economic inequality polarized American society. The work force, worried a Massachusetts business leader, was in a “transition state ... living in boarding houses” and becoming a “permanent factory population.” In New York or Philadelphia, workers increasingly lived in unhealthy tenement housing. Thousands would list themselves on the census as “common laborer” or “general jobber.” Concerned, in 1868 Republicans passed an eight-hour workday bill that applied to federal workers. The “labor question” (see Chapter 18) now preoccupied northerners far more than the “southern” or “freedmen” question.

Then the Panic of 1873 ushered in more than five years of economic contraction. Three million people lost their jobs, especially in large cities. Debtors and the unemployed sought easy-money policies to spur expansion (workers and farmers desperately needed cash). Businessmen, disturbed by the strikes and industrial violence that accompanied the panic, defended property rights and demanded “sound money” policies. The chasm between farmers and workers and wealthy industrialists widened.

Liberal Republican Revolt

Disenchanted with Reconstruction, a largely northern group calling itself the Liberal Republicans bolted the party in 1872 and nominated Horace Greeley, editor of the *New York Tribune*, for president. A varied group, Liberal Republicans included foes of corruption and advocates of a lower tariff. Two popular attitudes united them: distaste for federal intervention in the South and an elitist desire to let market forces and the “best men” determine policy.

Democrats also nominated Greeley in 1872, but it was not enough to keep Grant from reelection. Greeley’s campaign for North-South reunion was a harbinger of the future in American politics. Organized Blue-Gray fraternalism (gatherings of Union and Confederate veterans) began as early as 1874. Grant continued to use military force sparingly and in 1875 refused a desperate request from Mississippi’s governor for troops to quell racial and political terrorism there.

Grant made a series of poor appointments that fueled public dissatisfaction with his administration. His secretary of war, his private secretary, and officials in the Treasury and Navy Departments were involved in bribery or tax-cheating scandals. Instead of exposing the corruption, Grant defended the culprits. In 1874,

Democrats recaptured the House of Representatives, signaling the end of the Radical Republican vision of Reconstruction.

General Amnesty

Democratic gains in Congress weakened legislative resolve on southern issues. Congress already lifted the political disabilities of the Fourteenth Amendment from many former Confederates. In 1872, it adopted an Amnesty Act, which pardoned most of the remaining rebels. In 1875, Congress passed a **Civil Rights Act**, partly in tribute to the recently deceased Charles Sumner, purporting to guarantee black people equal accommodations in public places, such as inns and theaters, but the bill was watered down and contained no enforcement provisions. (The Supreme Court later struck down this law; see page 523.)

Democrats regained control of four state governments before 1872 and eight by the late January 1876 (see Map 16.1). In the North, Democrats successfully stressed the failure and scandals of Reconstruction governments. Sectional reconciliation now seemed crucial for commerce. The nation was expanding westward, and the South was a new investment frontier.

Civil Rights Act of 1875:

Designed to desegregate public places but lacked enforcement provisions.

The West, Race, and Reconstruction

As the Fourteenth Amendment and other enactments granted blacks the beginnings of citizenship, other non-whites faced continued persecution. Across the West, the federal government pursued a containment policy against Native Americans. In California, where white farmers and ranchers often forced Indians into captive labor, some civilians practiced "Indian hunting." By 1880, thirty years of violence left an estimated forty-five hundred California Indians dead at the hands of white settlers.

In Texas and the Southwest, expansionists still deemed Mexicans and other mixed-race Hispanics to be "lazy" and incapable of self-government. In California and the Far West, initially few whites objected to the Chinese who did the dangerous work of building railroads through the Rocky Mountains. But when the Chinese competed for urban, industrial jobs, conflict emerged. Anti-coolie clubs appeared in California in the 1870s, seeking laws against Chinese labor, inciting racism, and organizing vigilante attacks on Chinese workers and the factories that employed them. Western politicians sought white votes by pandering to prejudice, and in 1879 the new California constitution denied Chinese the vote.

Viewing America from coast to coast, the Civil War and Reconstruction years dismantled racial slavery and fostered a volatile new racial complexity, especially in the West. Some African Americans asserted that they were more like whites than "uncivilized" Indians, while others, like the Creek freedmen of Indian Territory, sought an Indian identity. In Texas, whites, Indians, blacks, and Hispanics had mixed for decades, and by the 1870s forced reconsideration in law and custom of exactly who was white.

America was undergoing what one historian has called a reconstruction of the concept of race itself. The turbulence of the expanding West reinforced the new nationalism and the reconciliation of North and South based on a resurgent white supremacy.

Foreign Expansion

In 1867, new expansion pressures led Secretary of State William H. Seward to purchase Alaska from Russia (see Chapter 22). Opponents ridiculed Seward's \$7.2 million venture, but Seward convinced congressmen of Alaska's economic potential, and other lawmakers favored the dawning of friendship with Russia.



Links to the World

The "Back to Africa" Movement

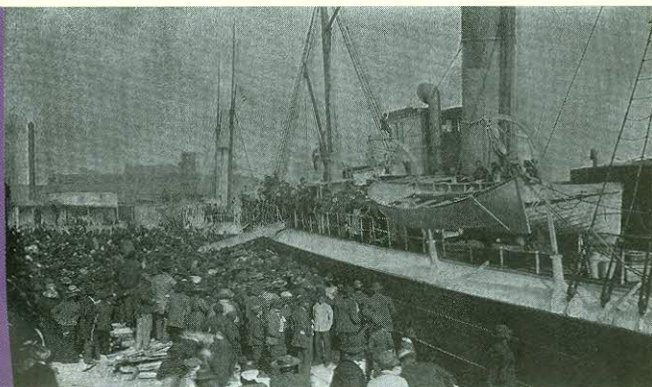
In the wake of the Civil War, and especially after the despairing end of Reconstruction, some African Americans sought to leave the South for the American West or North, but also to relocate to Africa. Liberia had been founded in the 1820s by the white-led American Colonization Society (ACS), an organization dedicated to relocating blacks "back" in Africa. Some eleven thousand African Americans had emigrated voluntarily to Liberia by 1860, with largely disastrous results. Many died of disease, and others felt disoriented in the strange new land and ultimately returned to the United States.

Reconstruction reinvigorated the emigration impulse, especially in cotton-growing districts where blacks had achieved political power before 1870 but were crushed by violence and intimidation in the following decade. When blacks felt confident in their future, the idea of leaving America fell quiet; but when threatened or under assault, whole black communities dreamed of a place where they could become an independent "race," a "people," or a "nation" as their appeals often announced. Often that dream, more imagined than realized, lay in West Africa.

Before the Civil War, most blacks had denounced the ACS for its racism and its hostility to their sense of American birthright. But letters of inquiry flooded into the organization's headquarters after 1875. Wherever blacks felt the reversal of the promise of emancipation the keenest, they formed local groups such as the Liberia Exodus Association of Pinesville, Florida, or the Liberian Exodus Arkansas Colony, and many others.

At emigration conventions, and especially in churches, blacks penned letters to the ACS asking for maps or any information about a new African homeland. Some local organizers would announce 80 or 100 recruits "widawake for Liberia," although such enthusiasm rarely converted into an Atlantic voyage. The impulse was genuine, however. "We wants to be a People," wrote the leader of a Mississippi emigration committee; "we can't be it heare and find that we ar compel to leve this Cuntry." Henry Adams, a former Louisiana slave, Union soldier, and itinerant emigration organizer, advocated Liberia, but also supported "Kansas fever" with both Biblical and natural rights arguments. "God ... has a place and a land for all his people," he wrote in 1879. "It is not that we think the soil climate or temperature" elsewhere is "more congenial to us—but it is the idea that pervades our breast 'that at last we will be free,' free from oppression, free from tyranny, free from bulldozing, murderous southern whites."

By the 1890s, Henry McNeal Turner, a freeborn former Georgia Reconstruction politician, and now Bishop of the African Methodist Episcopal Church, made three trips to Africa and vigorously campaigned through press and pulpit for blacks to "Christianize" and "civilize" Africa. Two shiploads of African Americans did sail to Liberia, although most returned disillusioned or ill. Turner's plan of "Africa for the Africans" was as much a religious vision as an emigration system, but like all such efforts then and since, it reflected the despair of racial conditions in America more than realities in Africa. The numbers do not tell the tale of the depth of the impulse in this link to the world: in 1879–1880, approximately twenty-five thousand southern blacks moved to Kansas, whereas from 1865 to 1900, just under four thousand emigrated to West Africa.



© Bettmann/Corbis

Departure of African American emigrants to Liberia aboard the Laurada, Savannah, Georgia, March 1896. The large crowd bidding farewell to the much smaller group aboard the ship may indicate both the fascination and the ambivalence for this issue among blacks in the South. (Illustrated American Magazine, March 21, 1896).

Also in 1867 the United States took control of the Midway Islands, a thousand miles northwest of Hawai'i. Through diplomacy, Seward and his successor, Hamilton Fish, resolved wartime grievances with Great Britain by arranging a financial settlement for damage done by the *Alabama* and other cruisers built in England and sold to the Confederacy. Sectional reconciliation in Reconstruction America would serve new ambitions for world commerce and expansion.

Judicial Retreat from Reconstruction

Meanwhile, the Supreme Court played its part in the northern retreat from Reconstruction. During the Civil War, the Court was cautious and inactive. Reaction to the *Dred Scott* decision (1857) was so vehement, and the Union's wartime emergency so great, that the Court had avoided interference with government actions. But that changed in 1866 when *Ex parte Milligan* reached the Court.

Lambdin P. Milligan of Indiana had plotted to free Confederate prisoners of war and overthrow state governments. Consequently, a military court sentenced Milligan, a civilian, to death. Milligan challenged the military tribunal's authority, claiming he was entitled to a civil trial. The Supreme Court declared that military trials were illegal when civil courts were open and functioning.

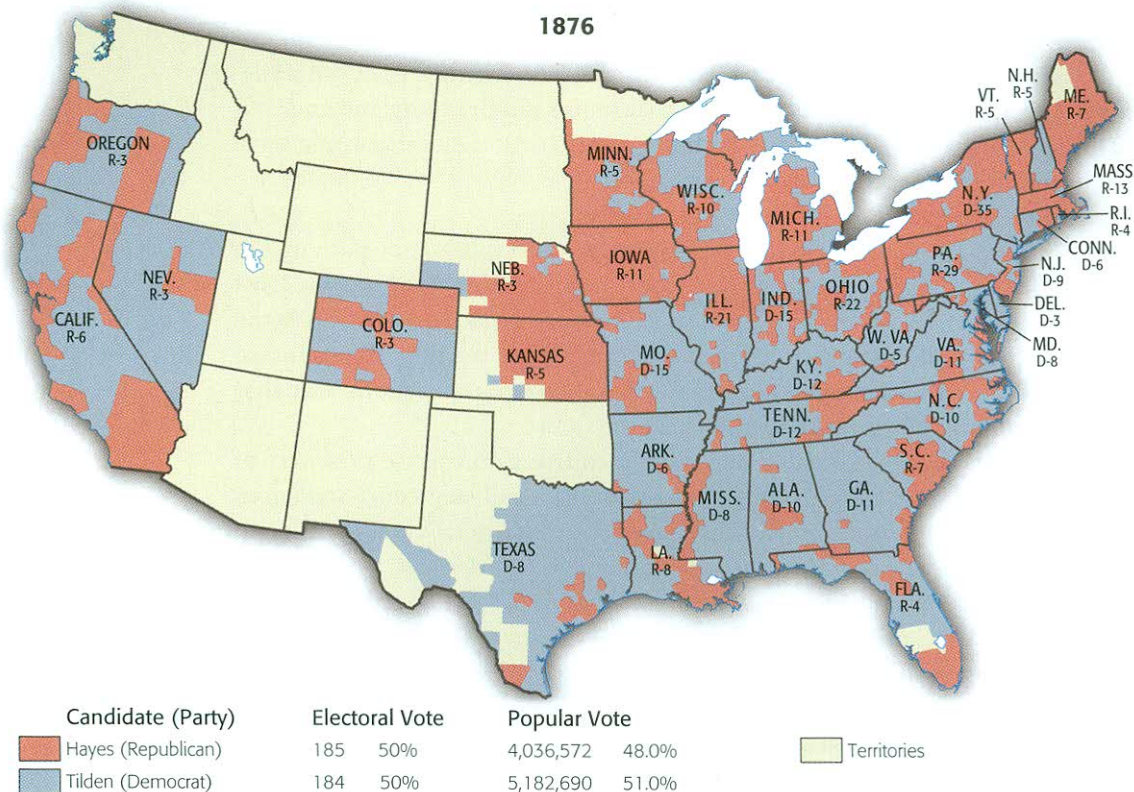
In the 1870s, the Court renewed its challenge to Congress's actions when it narrowed the meaning of the Fourteenth Amendment. The *Slaughter-House* cases (1873) began in 1869, when the Louisiana legislature granted one company a monopoly on livestock slaughtering in New Orleans. Rival butchers sued, and their attorney, former Supreme Court justice John A. Campbell, argued that Louisiana had violated the rights of some citizens in favor of others. The Fourteenth Amendment, Campbell contended, had brought individual rights under federal protection.

But in the *Slaughter-House* decision, the Supreme Court dealt a blow to the scope of the Fourteenth Amendment. It declared state citizenship and national citizenship separate. National citizenship involved only matters such as the right to travel freely from state to state, and only such narrow rights, held the Court, were protected by the Fourteenth Amendment.

Shrinking from a role as "perpetual censor" for civil rights, the Court's majority declared that the framers of the recent amendments had not intended to "destroy" the federal system, in which the states exercised "powers for domestic and local government, including the regulation of civil rights." Thus, the justices severely limited the amendment's potential for protecting the rights of black citizens—its original intent.

The next day, the Court decided *Bradwell v. Illinois*, a case in which Myra Bradwell, a female attorney, was denied the right to practice law in Illinois because she was a married woman, and hence not a free agent. Using the Fourteenth Amendment, Bradwell's attorneys contended that the state had unconstitutionally abridged her "privileges and immunities" as a citizen. The Supreme Court disagreed, declaring a woman's "paramount destiny ... to fulfill the noble and benign offices of wife and mother."

In 1876, the Court further weakened the Reconstruction era amendments. In *U.S. v. Cruikshank*, the Court overruled the conviction under the 1870 Enforcement Act of Louisiana whites who had attacked a meeting of blacks and conspired to deprive them of their rights. The justices ruled that the Fourteenth Amendment did not give the federal government power to act against these whites. The duty of protecting citizens' equal rights, the Court said, "rests alone with the States." Such judicial conservatism blunted the revolutionary potential of the Civil War amendments.

**MAP 16.2****Presidential Election of 1876 and the Compromise of 1877**

In 1876, a combination of solid southern support and Democratic gains in the North gave Samuel Tilden the majority of popular votes, but Rutherford B. Hayes won the disputed election in the electoral college, after a deal satisfied Democratic wishes for an end to Reconstruction.

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Disputed Election of 1876 and Compromise of 1877

As the 1876 presidential election approached, the nation was focused on economic issues, and the North lost interest in Reconstruction. Samuel J. Tilden, the Democratic governor of New York, ran strongly in the South and needed one electoral vote to beat Rutherford B. Hayes, the Republican nominee. Nineteen electoral votes from Louisiana, South Carolina, and Florida (the only southern states not yet under Democratic rule) were disputed; both Democrats and Republicans claimed to have won those states despite fraud committed by their opponents (see Map 16.2).

To resolve this unprecedented situation, Congress established a fifteen-member electoral commission, balanced between Democrats and Republicans. Because the Republicans held the majority in Congress, they prevailed, 8 to 7, on every attempt to count the returns, with commission members voting along strict party lines. Hayes would become president if Congress accepted the commission's findings.

But Democrats controlled the House and could filibuster to block action on the vote. Many citizens feared another civil war, as some southerners vowed, "Tilden or Fight!" The crisis ended when Democrats acquiesced in the election of Hayes



Legacy for a People and a Nation

The Lost Cause

All major wars compel a struggle over their historical memory. After the Civil War, white southerners and their northern allies constructed a “Lost Cause” tradition, a racially exclusive version of the war and Reconstruction which persists today.

For ex-Confederates, the Lost Cause served as a psychological response to the trauma of defeat. Over time, it also included reinterpretations of the war’s causes, southern resistance to Reconstruction, doctrines of white supremacy, and a mythic popular culture in the North and South. Lost Cause advocates—from officers to soldiers to women leading memorial associations—argued that the war was never about slavery, that the Confederates lost due to Yankee numbers and resources, and that southern and northern sacrifice should be equally honored. In the industrial, multiethnic America of the emerging twentieth century, an Old South of benevolent masters and faithful slaves, of Robert E. Lee as America’s truest Christian soldier, provided a sentimentalized road to reunion.

By the 1890s, elite southern white women—among them the United Daughters of the Confederacy—built monuments, lobbied congressmen, delivered lectures, ran contests for schoolchildren, and strove to control the content of history textbooks, to exalt the South. Above all, Lost Causers advocated what one historian has called a “victory narrative” of the nation’s triumph over Reconstruction’s racial revolution and constitutional transformations. In his 1881 memoir, Jefferson Davis declared: “Well may we rejoice in the regained possession of self-government. . . . This is the great victory . . . a total non-interference by the Federal government in the domestic affairs of the States.”

These stories endure in Civil War memorabilia, such as the epic *Gone with the Wind*, the 2003 film *Gods and Generals*, and uses of the Confederate flag to oppose civil rights. And the Confederate state rights tradition is employed today by states and advocacy groups to resist federal stimulus money and national healthcare reform.

based on a “deal” between Hayes’s supporters and southerners who wanted federal aid to railroads, internal improvements, and removal of troops from southern states. Northern and southern Democrats decided not to contest the election of a Republican who would not continue Reconstruction.

Southern Democrats rejoiced, but African Americans grieved over the betrayal of their hopes for equality. In a Fourth of July speech in Washington, D.C., in 1875, Frederick Douglass reflected on fifteen years of unparalleled change for his people and worried about the hold of white supremacy on America’s historical memory: “If war among the whites brought peace and liberty to the blacks, what will peace among the whites bring?”

Summary

Reconstruction left a contradictory record. It was an era of tragic aspirations and failures but also of unprecedented legal, political, and social change. The Union victory brought increased federal power, stronger nationalism, sweeping federal intervention in the southern states, and landmark Constitutional amendments. But northern commitment to make lasting changes eroded, leaving the revolution unfinished. The promise for new lives and liberties among the freedpeople had eroded if not died.

The North embraced emancipation, black suffrage, and constitutional alterations strengthening the central government primarily to defeat the rebellion. As wartime pressures declined, Americans, especially northerners, retreated from Reconstruction. The people and the courts maintained a preference for state authority and distrusted federal power. Free labor ideology stressed respect for property and individual self-reliance. Racism transformed into Klan terror and theories of black degeneration.

New challenges gradually overwhelmed the aims of Reconstruction. Industrialization promised prosperity but also wrought increased exploitation of labor. Moreover, industry increased the nation's power and laid the foundation for an enlarged American role in international affairs. In the wake of the Civil War, Americans faced two profound tasks—healing and dispensing justice. Making sectional reunion compatible with black freedom and equality overwhelmed American politics, and the nation faced this ongoing dilemma more than a century later.

Chapter Review

Wartime Reconstruction

 **Which two political acts recognized the centrality of slavery to the war?**

Passage of the Thirteenth Amendment and establishment of the Freedmen's Bureau in early 1865 sent a clear signal that slavery was a major cause for the Civil War. The Thirteenth Amendment first abolished slavery ("involuntary servitude") and second gave Congress the power to enforce it. Then, a few months later in March, Congress established the Bureau of Refugees, Freedmen and Abandoned Lands, known as the Freedmen's Bureau, to help former slaves. During its four years as a federal agency, it supplied food and medical services, built thousands of schools and colleges, negotiated job contracts between former slaves and masters, and managed confiscated lands.

The Meanings of Freedom

 **How did blacks exert their newfound freedom?**

With emancipation, former slaves sought to reunite families broken apart through slave sales. Community also became important, as they built their own churches that ultimately served to unify racial ties. Seeking greater control over their work lives, African Americans wanted fairer employers and hoped to own land; when that was not possible, they rented land from former masters under the sharecropping system, in

which they paid for supplies and rent by giving owners' half their crops on average. Former slaves also embraced the education that had been denied them under slavery and started schools, colleges, and universities throughout the South or attended those launched by the Freedmen's Bureau.

Johnson's Reconstruction Plan

 **What was Johnson's vision for Reconstruction?**

Johnson's approach to Reconstruction could be summed up in a single quote: "The Constitution as it is, and the Union as it was." As president, he controlled Reconstruction policy through 1865, pardoning former Confederates and reestablishing state governments in the South. Despising the planter class, he initially insisted that ex-Confederates with property worth more than \$20,000 apply directly to him for pardons. Gradually, Johnson pardoned planters, too, which restored the former elite to power, possibly because he wanted to block Radical Republicans from implementing extensive and racial political changes in the South. Deeply racist, Johnson remained silent when southern states implemented black codes to restrict former slaves' freedom by requiring them to carry passes, obey curfew laws, and live in housing provided by a landowner. Nonetheless, after just eight months, Johnson declared Reconstruction was completed.