

## **TOPIC ONE: RECONSTRUCTION, 1865-77**

### **I. The End of Civil War**

1. The Civil War ended in the April 1865 with surrender of Confederate forces
2. 620,000 died, more victims than any other American War before Vietnam.

### **II. Reconstruction: 1865 to 1877 (3 attempts)**

#### 1. Attempt One: Abraham Lincoln's 10% Plan (Dec. 1863)

- A. State could rejoin Union when 10% of its voters (1860) took an oath of allegiance
  1. Pledge support to Constitution and Union
  2. Swear support for laws and proclamations concerning emancipation
  3. Military and political leaders of the Confederacy were barred from participating
- B. Abraham Lincoln's plan opposed by Radical Republicans in Congress who see it as too lenient.
  1. Congressional Republicans propose the **Wade-Davis Bill** (1864)
    - a. "This Civil War measure, introduced by two Radical Republicans, Ohio senator Benjamin F. Wade and Maryland representative Henry Winter Davis, asserted congressional power over Reconstruction.
    - b. It required that a seceded state's white men take an oath of loyalty to the Constitution and guarantee black equality."
    - c. State could rejoin Union when a majority of its voters (1860) took an oath of allegiance
    - b. Seen as more forceful with South.
  2. Lincoln pocket vetoes the Wade-Davis Bill
- C. After Wade-Davis veto, Lincoln's plan was put aside after he was killed by John Wilkes Booth 14 April 1865
- D. On April 14, 1865, as President Lincoln watched a performance of "Our American Cousin" at Ford's Theater in Washington, D.C., he was shot by John Wilkes Booth, an actor from Maryland obsessed with avenging the Confederate defeat. Lincoln died the next morning. Booth escaped to Virginia. Eleven days later, cornered in a burning barn, Booth was fatally shot by a Union soldier. Nine other people were involved in the assassination; four were hanged, four imprisoned, and one acquitted.

#### 2. Attempt Two: Andrew Johnson's Plan (Vice President who became President)

Johnson (1808-1875) had been appointed Unionist Governor of Tennessee in 1862, while many people in the state were still fighting against the North. Johnson, a Southern Democrat loyal to the Union, ran as Abraham Lincoln's vice presidential candidate in 1864 and took over as seventeenth President of the United States in 1865 when Lincoln was assassinated. Johnson is the only U.S. president to have been impeached.

- A. Appointed a Unionist as provisional governor of each southern state
- B. Governor called Constitutional Convention -- loyal voters elected and made up delegates
- C. Conventions set to:
  1. Invalidate all secession laws
  2. Recognize all laws passed by the Congress of the United States since 1860
  3. Recognize the 13<sup>th</sup> Amendment
  4. Repudiate all wartime debts
  5. Constitutions must be approved by Congress
- D. Process lasts from May to December 1865, by which time everything is done: All Southern states but Texas had met Johnson's requirements.
- E. 13th Amendment ratified by 29 of 36 states (December 1865)
  1. Throughout the summer of 1865 Johnson had proceeded to carry out Lincoln's reconstruction program, with minor modifications. By presidential proclamation he appointed a governor for each of the seceded states and restored political rights to large numbers of southern citizens through use of the presidential pardoning power.
  2. In due time conventions were held in each of the former Confederate states to repeal the ordinances of secession, repudiate the war debt, and draft new state constitutions. Eventually the people of each state elected a governor and a state legislature, and when the legislature of a state ratified the Thirteenth Amendment, the new state government was recognized and the state was admitted back in the Union again.

3. By the end of 1865, this process, with a few exceptions, was completed. But the states that had seceded were not yet fully restored to their former positions within the Union because the Congress had not yet seated their U. S. Senators and Representatives, who were now coming to Washington to take their places in the federal legislature.

4. Both Lincoln and Johnson had foreseen that the Congress would have the right to deny southern legislators seats in the U.S. Senate or House of Representatives, under the clause of the Constitution that says: "Each house shall be the judge of the qualifications of its own members." This denial came to pass when, under the leadership of Thaddeus Stevens of Pennsylvania, those Congressmen who sought to punish the south refused to seat its duly elected Senators and Representatives. Then, within the next few months, the Congress proceeded to work out a plan of southern reconstruction quite different from the one Lincoln had started and Johnson had continued. Text from "An Outline of American History."

### 3. PROBLEMS with Johnson's Solution . . . .

A. Congress had been out of session during the Fall and Summer of 1865, and when Congressional members came back to session (Dec. 4, 1865), they felt Johnson had left them out of the process.

B. Congressional leaders also thought Johnson had been far too lenient.

#### **1. Too many Confederates in politics**

- a. Of 80 Southerners elected to US Congress, half had been prominent officials in the Confederate Gov.
- b. 10 Confederate Generals elected
- c. 9 former Confederate Congressmen
- d. Alexander Stephens, Vice President of the Confederacy, was elected.

#### **2. Creation of black codes in Southern States**

Laws were different in each state but most embodied the same kinds of restrictions. Commonly, codes compelled freedmen to work. In many states, if unemployed, African Americans faced the potential of being arrested and charged with vagrancy. Many of those that did work had their day regulated. Codes dictated their hours of labor, duties, and the behavior assigned to them as agricultural workers.

Black Codes left African Americans with little freedom. Even the freedom to chose a type of work was often regulated. Many white southerners believed blacks were predestined to work as agricultural laborers. In addition, the advantage of regulating occupations provided them with laborers. In South Carolina, for example, a special license and certificate from a local judge attesting to a freedman's skill had to be obtained in order to pursue work in any occupation other than in agriculture or domestic work.

Self-sufficiency was also discouraged. Codes prevented African Americans from raising their own crops. In Mississippi, for instance, they were restricted from renting or leasing any land outside of cities or towns and black ownership was left up to local authorities.

Almost every aspect of life was regulated, including the freedom to roam. Often blacks were prohibited from entering towns without permission. In Opelousas, Louisiana blacks needed permission from their employer to enter the town. A note was required and it had to state the nature and length of the visit. Any black found without a note after ten o'clock at night was subject to imprisonment. Residency within towns and cities was also discouraged. Local ordinances in Louisiana made it almost impossible for blacks to live within the towns or cities. Residency was only possible if a white employer agreed to take responsibility for his employee's conduct.

The creators of the codes did not try to hide the obvious bias and prejudice. Not surprisingly, by 1866, Black Codes were suspended by Federal officials who deemed that the codes were too harsh and decided that blacks should be subject to the same penalties and regulations as whites.

3. **Thaddeus Stevens** (1792-1868) was one of the most influential political leaders of the Reconstruction era. He served in the U.S. Congress from 1849 to 1853 and from 1859 to 1868. An adamant abolitionist, Stevens was dissatisfied with the Presidential Reconstruction policies of Andrew Johnson and eventually led the impeachment forces against the president. Stevens sponsored the radical plan of Reconstruction that divided the South into military districts. Stevens favored equal rights for black Americans, and dedicated much of his career to securing those rights.

4. **Charles Sumner** (1811-1874), U.S. senator. Known for his powerful oratory and deep commitment to the cause of civil rights. He brought his abolitionism to the U.S. Senate in 1852, where he served until his death in 1874. During Reconstruction, Sumner joined Thaddeus Stevens as a leader of the Radicals, demanding that the south be treated as an occupied province without constitutional protections.

#### 4. Attempt Three: Congressional Reconstruction (Reconstruction Act of 1867)

- A. Restructure South, making it so that the planters no longer had political and economic control
- B. Ex-Confederate states were divided into 5 military districts
- C. Martial law imposed
- D. Military Governors are to call Constitutional Conventions for the formation of new Constitutions.
- E. All adult males, regardless of color, were to vote for members to Conventions, if they had not supported the Confederacy.
- F. The new state Constitutions had to accept the 13<sup>th</sup> and 14<sup>th</sup> Amendments.
- G. Congress passes (March 1867)
- H. Johnson vetoed, yet overridden
- I. This was the plan that brought the states back into the Union, because states were readmitted once they had a new constitution and had accepted (not ratified) the 13<sup>th</sup> and 14<sup>th</sup> Amendments.

### **III. Fourteenth Amendment ratified (1868)**

- 1. 14th Amendment gives citizenship to the former slaves.
- 2. 14th Amendment says that states shall not deprive any person of life, liberty, or property, without due process of law.
- 3. 14th Amendment says that states shall not deny any person the equal protection of the law.

### **IV. Impeachment of President Andrew Johnson (1868) – Political impeachment**

- 1. Johnson unpopular with both Republicans and Democrats
- 2. He often vetoed Congressional bills

#### a. Freedman's Bureau Bill (Renewal Bill) of 1866

information from: <http://www.iath.virginia.edu/vshadow2/HIUS403/freedmen/overview.html>

1. The Bureau of Refugees, Freedmen and Abandoned Lands was established in March 3, 1865 after two years of bitter debate. The Freedmen Bureau, as it was commonly called, was to address all matters concerning refugees and freedmen within the states that were under reconstruction. The Bureau was not appropriated a budget of its own, but was instead commissioned as a subsidiary of the War Department and depended upon it for funds and staff.

2. The Freedmen's Bureau was headed by Commissioner General O. O. Howard who was appointed by President Andrew Johnson with the consent of the Senate. Commissioner Howard was received a salary of \$3,000 and gave \$50,000 in bonds. Assistant Commissioners were appointed to each of the ten states under reconstruction in the same manner. The Assistant Commissioner received a salary of \$2,500 and gave \$20,000 bond. The salaries of other positions were not stated in the bill, so the majority of the positions in the Bureau were filled by army officers.

3. In the beginning, the Freedmen's Bureau did not suffer from lack of funding. The Bureau sold and rented lands in the South which had been confiscated during the war. However, President Johnson undermined the Bureau's funding by returning all lands to the pre-Civil War owners in 1866. After this point, freed slaves lost access to lands and the Bureau lost its primary source of funding.

4. The majority of historians believe that the Freedmen's Bureau made a very small impact, if any, on the freedmen during reconstruction. A few of the reasons for the Bureau's failures as a provider for social welfare include the following: 1) lack of funds; 2) weak organization of the Bureau's internal structure; 3) opposition from conservatives and 4) apathy of the Southern community

5. Despite the many criticisms, the Freedmen's Bureau did help African-Americans gain access to the rights that they were denied during slavery. This site will address four of these rights.

#### a. Social Services

The Freedmen's Bureau helped black communities to establish schools and churches. Under slavery, blacks had been denied the right to education and religion.

b. Violence and Justice

The Freedmen's Bureau monitored the civil authorities in cases that involved African-Americans. Initially, the Freedmen's Bureau conducted its own court of law when it was illegal for a black to testify in court in the majority of Southern states.

c. Labor and Contracts

The labor system of the South had to be completely restructured after the war. Many former slave owners attempted to trick former slaves into entering contracts under the same terms as under the slavery system. The Freedmen's Bureau acted on the behalf of blacks to negotiate fair contracts for labor and property.

d. Family Services

Freedom offered blacks the opportunity to establish a firm family structure. The Freedmen's Bureau acted as a clearinghouse of information to aide blacks in finding lost relatives and mediated domestic disputes.

6. The advocates of the Freedmen's Bureau had genuine intentions to aide the African-American population prosper as freedmen, but the lack of funding and support from the federal government in conjunction with opposition at the local level tempered the Bureau's success.

7. In fact, in 1866, President Johnson vetoed a bill to renew and refund the Freedmen's Bureau. Though Congress overrode his veto, Johnson's act represented his disagreement with Congress about the South.

b. Civil Rights Act of 1866

1. The Civil Rights Act (1866) was passed by Congress on 9th April 1866 over the veto of President Andrew Johnson. The act declared that all persons born in the United States were now citizens, without regard to race, color, or previous condition. As citizens they could make and enforce contracts, sue and be sued, give evidence in court, and inherit, purchase, lease, sell, hold, and convey real and personal property. Persons who denied these rights to former slaves were guilty of a misdemeanor and upon conviction faced a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both. The activities of organizations such as the Ku Klux Klan undermined the workings of this act and it failed to guarantee the civil rights of African Americans.

2. In April 1866, President Andrew Johnson vetoed the Civil Rights Bill. Johnson told Thomas C. Fletcher, the governor of Missouri: "This is a country for white men, and by God, as long as I am President, it shall be a government for white men." His views on racial equality was clearly defined in a letter to Benjamin B. French, the commissioner of public buildings: "Everyone would, and must admit, that the white race was superior to the black, and that while we ought to do our best to bring them up to our present level, that, in doing so, we should, at the same time raise our own intellectual status so that the relative position of the two races would be the same."

3. Johnson's Impeachment

Information from [encarta.com](http://encarta.com)

a. In February 1868 the U.S. House of Representatives passed a resolution of impeachment against President Johnson and appointed a committee to prepare articles of impeachment. The House passed 11 articles of impeachment against Johnson in March 1868. Ten of the articles concerned the president's alleged violation of the Tenure of Office Act, an 1867 statute that required the president to seek congressional approval before dismissing officials confirmed by the Senate. The other charge against Johnson was a general accusation that he had attempted to undermine Congress. An outrageous charge that Johnson had been involved in the assassination of President Abraham Lincoln, his predecessor, was withdrawn at the last minute.

b. The Senate that tried Johnson was dominated by the so-called Radical Republicans, who were outraged by Johnson's readiness to bring Confederate states back into the Union following the American Civil War (1861-1865) without assuring equal rights for former slaves. Thirty-five senators voted to convict Johnson and 19 voted to acquit, one vote short of the two-thirds majority required to remove the president. Seven moderate Republicans who feared the removal of a president would permanently damage the presidency and weaken the traditional separation of powers cast ballots for acquittal. Johnson's trial demonstrated that impeachment is often as much a matter of politics as of law, at least in the case of a president.

## V. Fifteenth Amendment ratified (1870)

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

2. Ratified by twenty-nine of thirty-seven states.

3. Obviously, then, the states of the old Confederacy did not support the idea of black suffrage.

## **VI. Reconstruction=Republican control of the Southern governments**

Republican divisions in the South:

1. Black Republicans--freedmen, who in 1870 with the 15th amendment got the right to vote.
2. Carpetbaggers--Northerners who came South after the Civil War to make money
3. Scalawags--Southern "upcountry" farmers who supported the Republican party

## **VII. The Ku Klux Klan: Southern White Terror (1866)**

## **VIII. The End of Reconstruction**

1. Election of 1876
  - A. Rutherford B. Hayes (R) vs. Samuel J. Tilden (D)
  - B. 185 electoral votes needed to win
  - C. Tilden racked up 184 with 3 states left
  - D. The three states in which federal troops remained, Louisiana, South Carolina, and Florida sent two sets of results, one Democratic and one Republican for election purposes
2. Compromise of 1877
  - A. The Democrats agreed that Hayes might have the remainder of the disputed returns and take office in return for:
    1. withdrawing federal troops from the three states in which they remained, Louisiana, South Carolina & Florida.
    2. Giving Democrats a place at the presidential patronage trough
    3. Support for a bill subsidizing the Texas and Pacific Railroad's construction of a southern transcontinental line.
  - B. The compromise bought peace at a price. The freedmen of the south were sacrificed by the Republicans. With the Hayes-Tilden deal, the Republican party quietly abandoned its commitment to black equality.
  - C. With the Compromise, the Republican party died in the South.

## **IX. Redemption**

1. When the federal troops did leave a state, its government swiftly passed into the hands of white "Redeemers," or "Home Rule" regimes, which were invariably Democratic.
2. Finally, in 1877, the last federal troops were removed, and the "solid" Democratic South congealed