Reconstruction
(1865-1876)
Key Questions

1. How do we bring the South back into the Union?
2. How do we rebuild the South after its destruction during the war?
3. How do we integrate and protect newly-emancipated black freedmen?
4. What branch of government should control the process of Reconstruction?
Wartime Reconstruction
President Lincoln’s Plan

★ 10% Plan

* Proclamation of Amnesty and Reconstruction (December 8, 1863)
* Replace majority rule with “loyal rule” in the South.
* He didn’t consult Congress regarding Reconstruction.
* Pardon to all but the highest ranking military and civilian Confederate officers.
* When 10% of the voting population in the 1860 election had taken an oath of loyalty and established a government, it would be recognized.
President Lincoln’s Plan

★ 1864 → “Lincoln Governments” formed in LA, TN, AR

* “loyal assemblies”
* They were weak and dependent on the Northern army for their survival.
Wade-Davis Bill (1864)

- Required 50% of the number of 1860 voters to take an “iron clad” oath of allegiance (swearing they had never voluntarily aided the rebellion).
- Required a state constitutional convention before the election of state officials.
- Enacted specific safeguards of freedmen’s liberties.

Senator Benjamin Wade (R-OH)
Congressman Henry W. Davis (R-MD)
Wade-Davis Bill (1864)

- “Iron-Clad” Oath.
- “State Suicide” Theory [MA Senator Charles Sumner]
- “Conquered Provinces” Position [PA Congressman Thaddeus Stevens]
Jeff Davis Under Arrest

Jeff Davis in Prison.

Doctor, I have not been accustomed to such living, and will not put up with it. You must order me some more healthy food, or I shall starve to death.

I think M. Davis, that you will find it good healthy food, it is such as our soldiers were fed on. I think their adherents of late will show that they are tolerably healthy.

Massa Jeff, de dinner is ready.

Rotten sowbelly and muddy hard tacks were considered healthy food when I was in Ashby and Belle Island.
13th Amendment

Ratified in December, 1865.

Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

Congress shall have power to enforce this article by appropriate legislation.
Freedmen’s Bureau (1865)

- Bureau of Refugees, Freedmen, and Abandoned Lands.
- Many former northern abolitionists risked their lives to help southern freedmen.
- Called “carpetbaggers” by white southern Democrats.
Freedmen’s Bureau Seen Through Southern Eyes

Plenty to eat and nothing to do.
Freedmen’s Bureau School
Presidential Reconstruction
President Andrew Johnson

- Jacksonian Democrat.
- Anti-Aristocrat.
- White Supremacist.
- Agreed with Lincoln that states had never legally left the Union.

Damn the negroes! I am fighting these traitorous aristocrats, their masters!
President Johnson’s Plan (10%+)

- Offered amnesty upon simple oath to all except Confederate civil and military officers and those with property over $20,000 (they could apply directly to Johnson).

- In new constitutions, they must accept minimum conditions repudiating slavery, secession and state debts.

- Named provisional governors in Confederate states and called them to oversee elections for constitutional conventions.

**EFFECTS?**

1. Disenfranchised certain leading Confederates.
2. Pardoned planter aristocrats brought them back to political power to control state organizations.
3. Republicans were outraged that planter elite were back in power in the South!
Slavery is Dead?
Growing Northern Alarm!

- Many Southern state constitutions fell short of minimum requirements.
- Johnson granted 13,500 special pardons.
- Revival of southern defiance.

BLACK CODES
Black Codes

Purpose:
* Guarantee stable labor supply now that blacks were emancipated.
* Restore pre-emancipation system of race relations.

Forced many blacks to become sharecroppers [tenant farmers].
Congress Breaks with the President

- Congress bars Southern Congressional delegates.
- Joint Committee on Reconstruction created.
- February, 1866 → President vetoed the Freedmen’s Bureau bill.
- March, 1866 → Johnson vetoed the 1866 Civil Rights Act.
- Congress passed both bills over Johnson’s vetoes → **1st in U. S. history!!**
If my blood is to be shed because I vindicate the Union and the preservation of this government in its original purity and character, let it be shed; let an altar to the Union be erected, and then, if it is necessary, take me and lay me upon it, and the blood that now warms and animates my existence shall be poured out as a fit libation to the Union.

(February 1866)
Radical
(Congressional)
Reconstruction
14th Amendment

★ Ratified in July, 1868.

* Provide a constitutional guarantee of the rights and security of freed people.
* Insure against neo-Confederate political power.
* Enshrine the national debt while repudiating that of the Confederacy.

★ Southern states would be punished for denying the right to vote to black citizens!
The Balance of Power in Congress

<table>
<thead>
<tr>
<th>State</th>
<th>White Citizens</th>
<th>Freedmen</th>
</tr>
</thead>
<tbody>
<tr>
<td>SC</td>
<td>291,000</td>
<td>411,000</td>
</tr>
<tr>
<td>MS</td>
<td>353,000</td>
<td>436,000</td>
</tr>
<tr>
<td>LA</td>
<td>357,000</td>
<td>350,000</td>
</tr>
<tr>
<td>GA</td>
<td>591,000</td>
<td>465,000</td>
</tr>
<tr>
<td>AL</td>
<td>596,000</td>
<td>437,000</td>
</tr>
<tr>
<td>VA</td>
<td>719,000</td>
<td>533,000</td>
</tr>
<tr>
<td>NC</td>
<td>631,000</td>
<td>331,000</td>
</tr>
</tbody>
</table>
The 1866 Bi-Election

- A referendum on Radical Reconstruction.
- Johnson made an ill-conceived propaganda tour around the country to push his plan.
- Republicans won a 3-1 majority in both houses and gained control of every northern state.

Johnson’s “Swing around the Circle”
Radical Plan for Readmission

- Civil authorities in the territories were subject to military supervision.
- Required new state constitutions, including black suffrage and ratification of the 13th and 14th Amendments.
- In March, 1867, Congress passed an act that authorized the military to enroll eligible black voters and begin the process of constitution making.
Reconstruction Acts of 1867

★ Military Reconstruction Act

★ Restart Reconstruction in the 10 Southern states that refused to ratify the 14th Amendment.

★ Divide the 10 “unreconstructed states” into 5 military districts.
Reconstruction Acts of 1867

★ Command of the Army Act
* The President must issue all Reconstruction orders through the commander of the military.

★ Tenure of Office Act
* The President could not remove any officials [esp. Cabinet members] without the Senate’s consent, if the position originally required Senate approval.
  - Designed to protect radical members of Lincoln’s government.
  - A question of the constitutionality of this law.

Edwin Stanton
President Johnson’s Impeachment

- Johnson removed Stanton in February, 1868.
- Johnson replaced generals in the field who were more sympathetic to Radical Reconstruction.
- The House impeached him on February 24 before even drawing up the charges by a vote of 126 - 47!
The Senate Trial

11 week trial.

Johnson acquitted 35 to 19 (one short of required 2/3s vote).
Black "Adjustment" in the South
Sharecropping

Percentage of sharecropped farms, by county
- 35% - 80%
- 26% - 34%
- 20% - 25%
- 13% - 19%
- 0% - 12%
### Tenancy & the Crop Lien System

<table>
<thead>
<tr>
<th>Furnishing Merchant</th>
<th>Tenant Farmer</th>
<th>Landowner</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Loan tools and seed up to 60% interest to tenant farmer to plant spring crop.</td>
<td>- Plants crop, harvests in autumn.</td>
<td>- Rents land to tenant in exchange for $\frac{1}{4}$ to $\frac{1}{2}$ of tenant farmer’s future crop.</td>
</tr>
<tr>
<td>- Farmer also secures food, clothing, and other necessities on credit from merchant until the harvest.</td>
<td>- Turns over up to $\frac{1}{2}$ of crop to land owner as payment of rent.</td>
<td></td>
</tr>
<tr>
<td>- Merchant holds “lien” {mortgage} on part of tenant’s future crops as repayment of debt.</td>
<td>- Tenant gives remainder of crop to merchant in payment of debt.</td>
<td></td>
</tr>
</tbody>
</table>
Establishment of Historically Black Colleges in the South

- Locations of Freedmen's Bureaus
- Black colleges established during the Reconstruction Era
- Black colleges established before the Civil War
- Former Confederate states with Freedmen's Bureaus
- Former Confederate states without Freedmen's Bureaus
- Border states during Civil War
Black Senate & House Delegates
Colored Rule in the South?
Blacks in Southern Politics

- Core voters were black veterans.
- Blacks were politically unprepared.
- Blacks could register and vote in states since 1867.

- The 15th Amendment guaranteed federal voting.
15th Amendment

- Ratified in 1870.

- 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.

- The Congress shall have power to enforce this article by appropriate legislation.

- Women’s rights groups were furious that they were not granted the vote!
The “Invisible Empire of the South”
The Failure of Federal Enforcement

★ Enforcement Acts of 1870 & 1871 [also known as the KKK Act].

★ “The Lost Cause.”

★ The rise of the “Bourbons.”

★ Redeemers (prewar Democrats and Union Whigs).
The Civil Rights Act of 1875

- Crime for any individual to deny full & equal use of public conveyances and public places.
- Prohibited discrimination in jury selection.

Shortcoming → lacked a strong enforcement mechanism.

No new civil rights act was attempted for 90 years!
The Grant Administration (1868-1876)
The 1868 Democratic Ticket
Waving the Bloody Shirt!

Republican “Southern Strategy”
Grant Administration Scandals

- Grant presided over an era of unprecedented growth and corruption.
  - Credit Mobilier Scandal.
  - Whiskey Ring.
  - The “Indian Ring.”
The Tweed Ring in NYC

William Marcy Tweed
(notorious head of Tammany Hall’s political machine)

[Thomas Nast → crusading cartoonist/reporter]
Who Stole the People’s Money?
And They Say He Wants a Third Term
The Election of 1872

- Rumors of corruption during Grant’s first term discredit Republicans.
- Horace Greeley runs as a Democrat/Liberal Republican candidate.
- Greeley attacked as a fool and a crank.
- Greeley died on November 29, 1872!
Popular Vote for President: 1872

Map showing the popular vote for President in 1872, with states shaded in various colors to indicate different political affiliations:

- **Grant, Republican**
- **Greeley, Democrat and Liberal Republican**
- **No returns, unsettled, etc.**

Legend for states:

- **COLORADO TERRITORY**
- **NEW MEXICO TERRITORY**
- **NEBRASKA**
- **KANSAS**
- **IOWA**
- **ILLINOIS**
- **INDIANA**
- **OHIO**
- **WEST VIRGINIA**
- **VIRGINIA**
- **MARYLAND**
- **NORTH CAROLINA**
- **SOUTH CAROLINA**
- **FLORIDA**
- **GULF OF MEXICO**
- **ATLANTIC OCEAN**

The map also includes a scale for distance measurement.
The Panic of 1873

- It raises “the money question.”
  - debtors seek inflationary monetary policy by continuing circulation of greenbacks.
  - creditors, intellectuals support hard money.

- 1875 → Specie Redemption Act.

- 1876 → Greenback Party formed & makes gains in congressional races → The “Crime of ’73”!
Legal Challenges to the 14th & 15th Amendments

★ The Slaughterhouse Cases (1873)

- The court offered a narrow definition of the 14th Amendment.

- It distinguished between national and state citizenship.

- It gave the states primary authority over citizens’ rights.

- Therefore, the courts weakened civil rights enforcement!
Legal Challenges to the 14th & 15th Amendments

★ Bradwell vs. Illinois (1873)

- Myra Bradwell, a female attorney, had been denied the right to practice law in Illinois.
  - She argued that in the 14th Amendment, it said that the state had unconstitutionally abridged her "privileges and immunities" as a citizen.
  - The Supreme Court rejected her claim, alluding to women's traditional role in the home.
    - Therefore, she should NOT be practicing law!
Legal Challenges to the 14th & 15th Amendments

U. S. vs. Reese, et. al. (1876)

- The Court restricted congressional power to enforce the KKK Act.
- The court ruled that the STATE alone could confer voting rights on individuals.
  - The 15th Amendment did NOT guarantee a citizen’s right to vote, but just listed certain impermissible grounds to deny suffrage.
  - Therefore, a path lay open for Southern states to disenfranchise blacks for supposedly non-racial reasons [like lack of education, lack of property, etc.]
**Legal Challenges to the 14th & 15th Amendments**

- **U. S. vs. Cruickshank (1876)**
  - LA white supremacists accused of attacking a meeting of Blacks & were convicted under the 1870 Enforcement Acts.
  - The Court held that the 14th Amendment extended the federal power to protect civil rights ONLY in cases involving discrimination by STATES.
  - Therefore, discrimination by individuals or groups were NOT covered.
Legal Challenges to the 14th & 15th Amendments

★ Civil Rights Cases (1883)
- The Court declared the 1875 Civil Rights Act unconstitutional.
  - The Court held that the 14th Amendment gave Congress the power to outlaw discriminations by the states, but NOT by private individuals.
  - Black people must no longer “be the special favorites of the laws.”
- Therefore, this marked the end of federal attempts to protect African American rights until well into the 20th century!
The Abandonment of Reconstruction
Northern Support Wanes

★ "Grantism" & corruption.
★ Panic of 1873 [6-year depression].
★ Concern over westward expansion and Indian wars.

★ Key monetary issues:
  * should the government retire $432m worth of "greenbacks" issued during the Civil War.
  * should war bonds be paid back in specie or greenbacks.
1876 Presidential Tickets

GRAND NATIONAL REPUBLICAN BANNER.

GRAND NATIONAL DEMOCRATIC BANNER.
“Regional Balance?”
1876 Presidential Election

1876

ELECTORAL VOTE
TOTAL: 369

POPULAR VOTE
TOTAL: 8,430,783

Republican (Hayes)

Democratic (Tilden)

Territories
The Political Crisis of 1877

“Corrupt Bargain”
Part II?
Hayes Prevails
Alas, the Woes of Childhood...

Sammy Tilden—Boo-Hoo! Ruthy Hayes's got my Presidency, and he won't give it to me!
A Political Crisis: The “Compromise” of 1877