

Enduring Understanding: Reconstruction and African American Rights

1. Reconstruction meant the restoration of the seceded states into the Union. The major questions facing the government at this time were:
 - What was the relation of the seceded states to the Union?
 - How should the southern whites be treated?
 - What should be done for the freed blacks?
2. Andrew Johnson was not as strong a president as Lincoln, and following Lincoln's death Johnson alienated many members of the largely Republican Congress because 1) he really was a Democrat at heart ; 2) he was a racist; 3) he vetoed many bills such as the Civil Rights Act of 1866, the Second Freedmen's Bureau Bill, and the Tenure of Office Act. These vetoes led to Congressional Reconstruction in which the radicals eventually took over.
3. Johnson was impeached (charged) but not convicted of high crimes and misdemeanors. Most of the eleven charges said the same thing in different ways: that Johnson had violated the Tenure of Office Act (which was later declared unconstitutional by the Supreme Court.) Johnson's acquittal upheld the American principle of presidential independence of Congress.
4. Once the former Confederates were barred from holding office, southern state governments during Reconstruction fell into the hands of **carpetbaggers, scalawags, and blacks.**

Failures of Reconstruction	Successes of Reconstruction
Many state governments were marked by graft & corruption, wild spending, heavy taxes, and a greatly increased public debt	Framed liberal constitutions that guaranteed civil liberties, provided for universal male manhood suffrage (14 th and 15 th amendments), and ended imprisonment for debt
Despite the passage of the 14 th and 15 th amendments and the Civil Rights Acts of 1866 and 1875, blacks never achieved lasting equal rights; organizations like the Klan eventually came to power	Started to rebuild the South by constructing roads, public buildings, and subsidizing railroads with land grants.
Disappointed with the carpetbag governments, Northerners grew weary of reconstruction and came to believe that the South could not be coerced into changing its traditional attitude toward blacks	Introduced free, compulsory, public education for whites as well as blacks
The Solid South took root in which southern whites voted for Democrats in every election from 1872 to 1976 with the exception of the elections of 1928 and 1964.	Showed that blacks could become involved in a meaningful way in the political process.
Between the end of Reconstruction and the beginning of the 20 th century, southern governments instituted literacy tests, grandfather clauses, poll taxes and all white primaries. In addition segregation laws called Jim Crow laws were later given sanction by the decision in Plessy v. Ferguson	Southerners realized the importance of diversification and began to diversify in the New South: manufacturing began and agricultural products began to be diversified.
Economically most southern blacks remained in the south return to a form of "bondage"	Passed the 13 th amendment which freed black slaves from bondage.

known as “sharecropping” and remained not only tied to the soil, but beholden to the owners of the property on which they worked.	
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PRESIDENTIAL RECONSTRUCTION PLANS

	PHILOSOPHY	PLAN
LINCOLN	Lincoln believed that the Southern states had never left the union since no state could legally do this. He believed that the rebellion against the federal government was the work of individual southerners, not the south as a whole and therefore reconstruction should not be punitive. Reconstruction, in his mind, was a task for the president because of the president’s power to pardon.	All southerners except high ranking military and government leaders were to be pardoned upon taking an oath of allegiance to the Union. When 10% of the voters in a state took the oath of allegiance, they were permitted to form a legal state government and rejoin the union.
JOHNSON	Johnson’s philosophy mirrored the philosophy of Lincoln. However he wanted to add rich white southerners to the list of those being disenfranchised.	Johnson offered pardons to most southerners who pledged allegiance to the Union and who agreed to the abolition of slavery as long as the total value of their taxable property was under \$20,000. He accepted the government of every southern state that disowned its act of secession, repudiated the Confederate debt, and ratified the 13 th amendment.

CONGRESSIONAL RECONSTRUCTION

When Congress convened in December, 1865, it rejected Johnson’s plan. Congress refused to seat the newly elected Southern Congressmen and declared invalid the newly formed state governments in the South. Among the reasons why Congress condemned Johnson’s program were the following:

- Johnson vetoed both the Freedmen’s Bureau Bill of 1866 and the Civil Rights Act of 1866 and Congress had to override both vetoes.
- Congressmen believed that the former Confederate states were “conquered provinces” and should be punished for their disloyalty as they had committed political suicide.
- Congress wished to curb the powers of the president that had expanded greatly during the war years. It claimed that only the legislative branch had the authority to readmit seceded states. This authority was based on the right of Congress in Article IV of the Constitution to admit new states to the Union.
- Southern state legislatures had begun to enact laws called “black codes.” These codes prohibited blacks from moving from one place to another without permission, forced blacks to work for whites and allowed them to be bound to their former masters as

apprentices, punished blacks for vagrancy with forced labor contracts, and prohibited blacks from signing legal contracts and testifying in court. Congress viewed these laws as seeking to re-enslave blacks.

- Under Johnson's plan most Southern whites had the right to vote. However, little had been done to give the vote to Southern blacks. Southern whites were overwhelmingly Democratic and Southern blacks were Republican. The Republicans in Congress feared that, unless Southern blacks were allowed to vote, Southern white voters would all vote Democratic and the Democratic Party would soon regain control of the federal government.

RADICAL CONGRESSIONAL RECONSTRUCTION

Once the Radical Republicans, led by Representative Thaddeus Stevens of PA and Senator Charles Sumner of MA, gained control of Congress, the Reconstruction Acts of 1867 were passed which provided that:

- The 10 unreconstructed southern states were to be divided into 5 military districts, each policed by federal troops under the command of a military governor.
- Southerners who had voluntarily fought in the confederate armies were disenfranchised – deprived of the right to vote or hold office.
- To qualify for readmission, a state had to hold a convention and frame a constitution guaranteeing black suffrage.
- Delegates to the constitutional convention from each state had to be elected by all the citizens eligible to vote, including blacks.
- When a state organized a new government and ratified the 14th amendment, the state was restored to the union.
- States readmitted after 1870 also had to ratify the 15th amendment giving blacks and all men the right to vote.
- The radicals in Congress later passed a second Civil Rights Act, guaranteeing equal rights to blacks in public places such as theaters, railroad stations, and parks.

RECONSTRUCTION UNDER PRESIDENT GRANT

1. In 1871 Congress passed the **Force Act** (the Ku Klux Klan Act) that made actions by individuals against the civil and political rights of others a federal criminal offence for the first time. The law also provided for election supervisors and permitted martial law and the suspension of the writ of habeas corpus to combat murders, beatings, and threats by the Klan.
2. The **Amnesty Act of 1872** restored the political rights of all but about 500 southern white Confederates.
3. Reconstruction was ended by the **Compromise of 1877** caused by the **Disputed Election of 1876**. Tilden had the most electoral votes, but votes in 4 southern states were disputed that might have given the election to Hayes. An electoral commission with 8 Republicans and 7 Democrats gave the election to Hayes. Hayes and his supporters calmed the Democratic opposition to the Election of 1876 by offering to a) provide federal funds for internal improvements in the South; b) appoint a Southerner to a cabinet post; and c) remove all federal troops from the South.
4. In the **Civil Rights Cases of 1883**, the Supreme Court declared the **Civil Rights Act of 1875** unconstitutional on the grounds that the federal government could protect only civil rights

not social rights and that the government could not prohibit private individuals from discriminating against blacks.

5. **Plessy v. Ferguson (1896)** formally sanctioned Jim Crow (segregation) laws throughout the South.

Past essay questions dealing with Reconstruction:

How do you account for the failure of Reconstruction (1865 – 1877) to bring social and economic equality of opportunity to the former slaves? (1983)

Discuss the political, economic, and social reforms introduced in the South between 1864 and 1877. To what extent did these reforms survive the Compromise of 1877? (1992)