

# Reconstruction: The Second Civil War



**Reconstruction**(1863/1865-1877) was the attempt of the federal government of the United States to resolve the issues of the American Civil War (1861-1865), after the Confederacy was defeated and slavery ended. Reconstruction addressed how secessionist Southern states would return to the Union, the civil status of the leaders of the Confederacy, and the Constitutional and legal status of the Negro Freedmen. After the Civil War, violent controversy erupted throughout the South over how to tackle such issues.

The start of Reconstruction is often dated to the capitulation of the Confederacy in 1865, although some historians date it to 1863, the year of the Emancipation Proclamation. The constitutional amendments and legislative reforms that laid the foundation for the most radical phase of Reconstruction were enacted from 1865 until 1870.

# **The Phases of Reconstruction**

Reconstruction came in three phases. Presidential Reconstruction, 1863-66 was controlled by Presidents Abraham Lincoln and Andrew Johnson, with the goal of quickly reuniting the country. It can be said to have begun with the Emancipation Proclamation. The programs proposed by Lincoln and subsequently by Johnson (who by late 1865 had lost the support of most of the Republican party) were opposed by the Radical Republicans.

The second phase of reconstruction occurred after the 1866 elections and began Congressional Reconstruction, 1866-1873 emphasizing civil rights and voting rights for the freedmen. Supported by the Military Reconstruction Act of 1867, in 1868 new state governments came to power in the former Confederacy which were based on a Republican coalition of freedmen, carpetbaggers and scalawags.

The third phase of reconstruction, the **Redemption, 1873-1877**, white Southern Democrats (calling themselves "Redeemers") defeated the Republicans and took control of each southern state, marking the end of **Reconstruction**. In 1877, President Rutherford Hayes withdrew federal troops, causing the collapse of the remaining three Republican state governments.

By the 1870s Reconstruction had made some progress to provide the former slaves with equal rights under the law, including the right to vote for men, and public education to achieve literacy. During Reconstruction, most states in the South established public education, although funding was variable. However, much of the initial progress towards equal rights was rolled back between 1873 and 1877, when conservative whites (calling themselves “ Redeemers”) took power throughout the former Confederacy.

In 1877 President Rutherford Hayes withdrew federal troops, causing the collapse of the remaining three Republican state governments. Through the enactment of Jim Crow laws and extralegal means, the Redeemers subsequently enforced a system of racial segregation which stayed in place throughout the South into the 1960s.



Bitterness from the heated partisanship of the era lasted into the 20th century. But in other ways whites in the North and South undertook reconciliation, which reached a height in the early 20th century. This reconciliation coincided with the nadir of American race relations, nadir during which there was an increase of racial segregation throughout America, disfranchisement of most African-Americans in the South, and racial violence, especially in the South. However, the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> amendments were constitutional legacies of the Radical period that provided the underpinning for later civil rights legislation that was enacted in the 1960s.

## **John Hope Franklin On Reconstruction**

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**Franklin :** The South suffered enormously from the devastations that characterized the war. And what we sometimes forget is that some of the devastation came rather early. There was a drive into the South in 1862, which caused the whole Confederate government and Tennessee to collapse. And Nashville was in the hands of the Union Army early in the war. But of course the devastation extended all the way down the Mississippi River finally to New Orleans, and the South was cut off from each other..

That is, one half the South was cut off from the other half of the South. And then there was the drive to the sea, to the Atlantic Ocean, which of course cut the northern part of the South from the southern part of the South. So you've got these sharp divisions that were brought about by military operations. And that was, of course, very devastating generally.

But that was only one part of it. Then you had the divisions, the ideological and political divisions, which of course meant that some people in the South were debating that the South should move in this direction politically; others were saying that it should move in that direction politically. And it's interesting to observe that the very thing that caused them to divide from the North caused division within the South, you see. And that brought on great disorder generally.

## **1863-1866: The Problem of Restoring the South to the Union**

During the Civil War, Republican leaders agreed that slavery had to be permanently destroyed, and that all forms of Confederate nationalism had to be suppressed. Moderates said this could be easily accomplished as soon as Confederate armies surrendered and the Southern states repealed secession and ratified the 13<sup>th</sup> Amendment. By September 1865, all of these things had happened.

The Thirteenth Amendment to the United States Constitution officially abolished and continues to prohibit slavery, and with limited exceptions, such as those convicted of a crime, prohibits involuntary servitude. Prior to its ratification, slavery remained legal only in Delaware, Kentucky, Missouri, Maryland, and New Jersey; everywhere else in the USA slaves had been freed by state action and the federal government's Emancipation Proclamation.



Abraham Lincoln (who had issued the Emancipation Proclamation) and others were concerned that the Emancipation Proclamation would be seen as a temporary war measure, and so, besides freeing slaves in those states where slavery was still legal, they supported the Amendment as a means to guarantee the permanent abolition of slavery.

The ratification of the Thirteenth Amendment in 1865 was followed by the other two Reconstruction Amendments, the Fourteenth which protected the civil rights of former slaves and was ratified in 1866, and the Fifteenth which banned racial restrictions on voting which was ratified in 1869.

President Abraham Lincoln was the leader of the moderate Republicans and wanted to speed up Reconstruction and reunite the nation as painlessly and as quickly as possible. Lincoln formally began Reconstruction in late 1863 with his Ten percent plan, which went into operation in several states but which Radicals opposed. Lincoln pocket vetoed the Radical plan, the Wade –Davis Bill of 1864, which was much more strict than the Ten-Percent Plan.

President Abraham Lincoln proposed the Ten Percent Plan of Reconstruction in December 1863, and offered a full pardon to the seceding states. It decreed that a state could be reintegrated into the Union when 10 percent of its voters in the presidential election of 1860 had taken an oath of allegiance to the U.S. and pledged to abide by emancipation. The next step in the process would be for the states to formally elect a state government. Also, the states were able to write a new constitution, but had to abolish slavery forever. At that time, Lincoln would recognize the purified regime. By 1864, Louisiana and Arkansas had established fully functioning Unionist governments. This policy was meant to shorten the war by offering a moderate peace plan. It was also intended to further his emancipation policy by insisting that the new governments abolish slavery.

The Wade-Davis Bill of 1864, a program proposed by two Radical Republicans, Senator Benjamin Wade of Ohio and Representative Henry Winter Davis of Maryland, made re-admittance to the Union almost impossible or at least without a great moral defeat for the South. It required a majority in each Southern state to swear the Ironclad oath to the effect they had never in the past supported the Confederacy. The bill passed both houses of Congress on July 2, 1864, but President Lincoln pocket vetoed it and never took effect.



Senator Benjamin Franklin  
Wade of Ohio



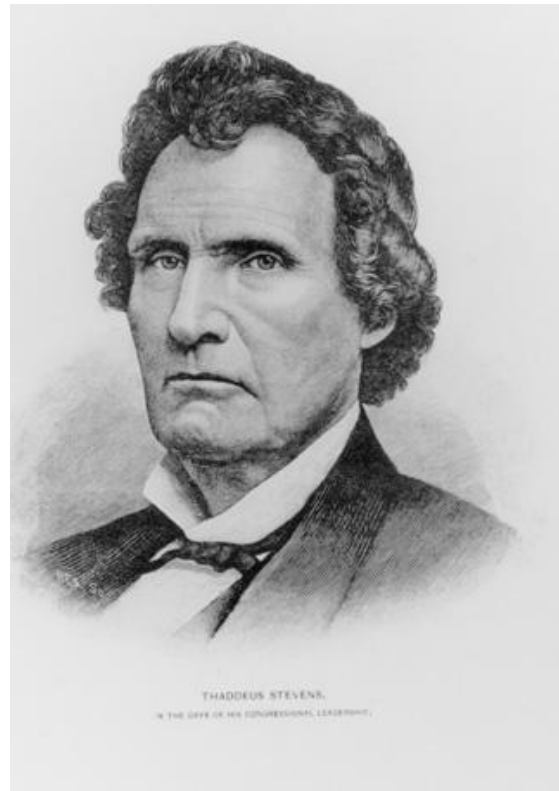
Senator  
Henry  
Winter  
Davis  
Of  
Maryland

The opposing faction of Radical Republicans questioned Southern intentions and demanded more stringent federal action. Congressman Thaddeus Stevens and Senator Charles Sumner led the Radical Republicans. Sumner argued that secession had destroyed statehood alone but the Constitution still extended its authority and its protection over individuals, as in the territories. Thaddeus Stevens and his followers viewed secession as having left the states in a status like newly conquered territory.



Senator Charles  
Sumner of  
Massachusetts

Thaddeus Stevens,  
Representative from  
Pennsylvania





After John Wilkes Booth assassinated President Abraham Lincoln in April 1865, President Andrew Johnson switched from the Radical to the moderate camp. By 1866, however, Johnson, with no party affiliation, broke with the moderate Republicans and aligned himself more with the Democrats who opposed equality and the Fourteenth Amendment. Radicals attacked the policies of Johnson, especially his veto of the Civil Rights Act of 1866, which protected the civil rights of freedmen.



President  
Andrew  
Johnson

Congress rejected Johnson's argument that he had the war power to decide what to do, since the war was over. Congress decided it had the primary authority to decide because the Constitution said the Congress had to guarantee each state a republican form of government. The issue became how republicanism should operate in the South, that is, how the freedmen would achieve citizenship, what the status of the Confederate states should be, and what should be the status of men who had supported the Confederacy

Northern anger over the assassination of Lincoln and the immense human cost of the war led to demands for harsh policies. Vice President Andrew Johnson had taken a hard line and spoke of hanging rebel Confederates, but when he succeeded Lincoln as President, Johnson took a much softer line, pardoning many Confederate leaders and ex-Confederates to maintain their control of Southern state governments, Southern lands, and black people. Jefferson Davis was held in prison for two years, but other Confederate leaders were not. There were no treason trials. Only one person—Captain Henry Wirz , the commandant of the prison camp in Andersonville, Georgia —was executed for war crimes.

# Freedmen's Bureau



March 3, 1865, Congress established the Bureau of Refugees, Freedmen, and Abandoned Lands. Also known as the Freedmen's Bureau, it was a federal agency that was formed during Reconstruction to aid distressed refugees of the Civil War. The Freedmen's Bureau Bill was initiated by Abraham Lincoln and intended to last for one year after the end of the Civil War. It became primarily an agency to help the Freedmen (freed former slaves) in the South. The Bureau was part of the United States Department of War, and headed by Union General Oliver O. Howard. Fully operational from June 1865 through December 1868, it was disbanded by President Andrew Johnson.

# THE FREEDMAN'S BUREAU!

AN AGENCY TO KEEP THE **NEGRO** IN IDLENESS AT THE **EXPENSE** OF THE WHITE MAN.  
 TWICE VETOED BY THE **PRESIDENT**, AND MADE A LAW BY **CONGRESS**.  
 SUPPORT CONGRESS & YOU SUPPORT THE NEGRO. SUSTAIN THE PRESIDENT & YOU PROTECT THE WHITE MAN



In March 1865, Congress had established the Freedmen's Bureau. The Bureau provided food, clothing, and fuel to destitute former slaves and white refugees. It did not, as later myths said, promise 40 acres and a mule.

Although resigned to the abolition of slavery, many ex-Confederates were not willing to accept the granting of civil rights to the freedmen. The defeated feared that after the abolition of slavery, the freedmen would threaten their economic and political preeminence in the South. In the words of Benjamin F. Perry, president Johnson's choice as the provisional governor of South Carolina: "First, the Negro is to be invested with all political power, and then the antagonism of interest between capital and labor is to work out the result."



However, the fears of the mostly conservative planter elite were partly assuaged by the actions of president Johnson, who ensured that a wholesale land redistribution from the planters to the Freedman did not occur. President Johnson ordered that confiscated or abandoned lands administered by the Freedman's Bureau would not be redistributed to the freedmen but be returned to the pardoned owners. Land was returned that would have been forfeited under the provisions of the Confiscation Acts passed by Congress in 1861 and 1862.

Sharecroppers

In the South



Southern state governments quickly enacted the restrictive “black codes.”. However they were abolished by Congress and seldom had effect because the Freedman's Bureau (not the local courts) handled the legal affairs of freedmen. The Black Codes were based off of northern vagrancy laws.

Under the black codes, the freedmen had more rights than did free blacks before the war, but they still had only a limited set of second-class civil rights, no voting rights, and their rights as citizens such as owning firearms, serving in a jury when no black was present in the case, and moving about the countryside without employment were prohibited. Among other provisions, the Black Codes stringently limited blacks' ability to control their own employment. The Black Codes outraged northern opinion. They were overthrown by the Civil Rights Act of 1866 that gave the Freedmen full legal equality (except for the right to vote).

The election of 1866 decisively changed the balance of power, giving the Radicals control of Congress and enough votes to overcome Johnson's vetoes and even to impeach him. Johnson was acquitted by one vote, but he remained almost powerless regarding Reconstruction policy. Radicals used the Army to take over the South and give the vote to black men, and they took the vote away from an estimated 10,000 or 15,000 white men who had been Confederate officials or senior officers.

The Radical stage lasted for varying lengths in the different states, where a Republican coalition of freedmen, scalawags, and carpetbaggers took control and promoted modernization through railroads and public schools. They were charged with corruption by their opponents, the conservative–Democratic coalition, who called themselves "Redeemers" after 1870. Violence sponsored by the Ku Klux Klan was occasionally overcome by federal intervention.

# Scalawag the Monkey



# SCALAWAG

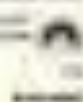


With  
Long John  
Silver and  
Jesse James  
reborn into one

Directed by  
Gordon Fleiss with  
the assistance of  
R. D. MacLeod

Presented by  
RKO DOLBY  
SCALAWAG

Scalawag is a new and exciting musical  
comedy starring LARRY LANE, DONALD CRISP, and  
LUCY LUSK. A new musical comedy with  
a new twist on the old story.



In the South after the Civil War, a scalawag was a Southern white who joined the Republican party in the ex-Confederate South during Reconstruction. Scalawags formed a winning coalition with freedmen, blacks who were former slaves, and Northern newcomers derisively labeled carpetbaggers, to take control of their state and local governments. The coalition controlled for varying lengths of time during 1866-1877 every ex-Confederate state except Virginia. Two of the most prominent scalawags were General James Longstreet, Robert E. Lee's top general after Stonewall Jackson, and Joseph E. Brown, the wartime governor of Georgia.



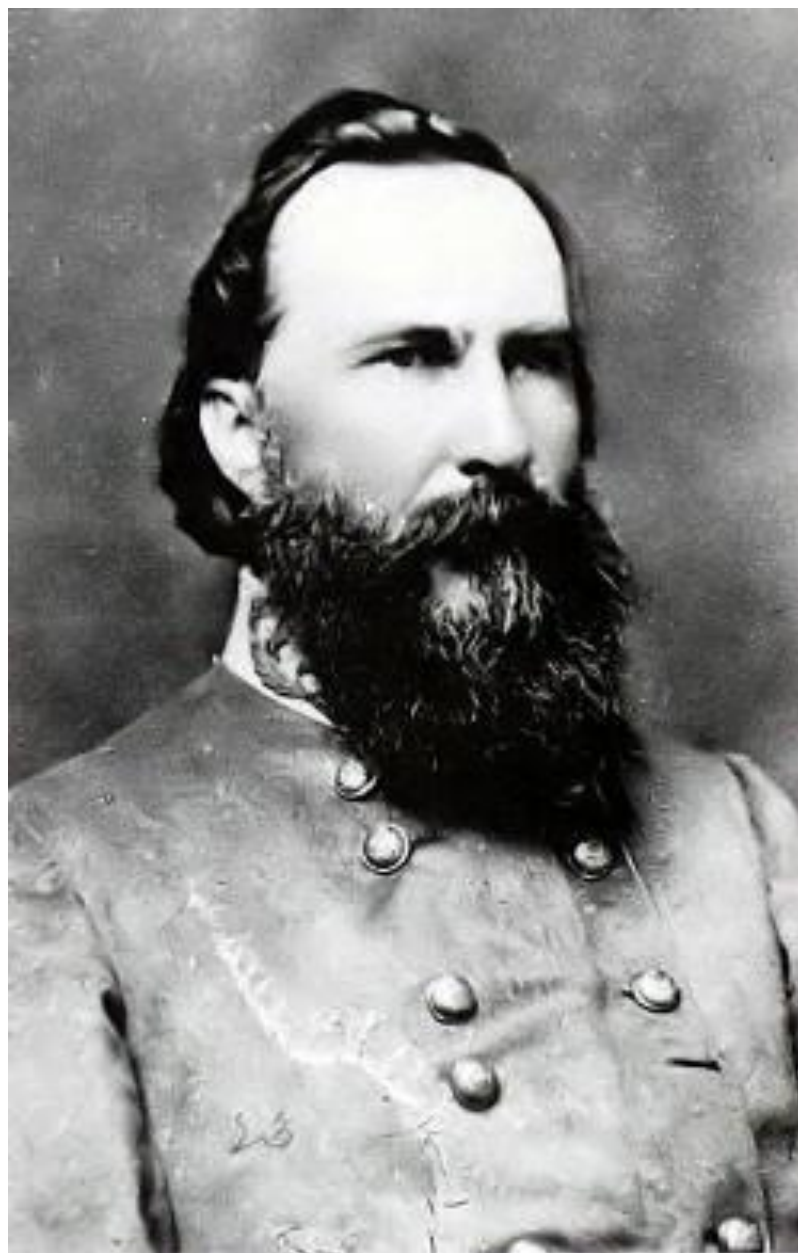
Carpetbagger



Carpetbagger



General  
James  
Longstreet



## **Congress imposes Radical Reconstruction: 1866–73**

Republicans in Congress took control of Reconstruction policies after the election of 1866. They passed legislation over President Johnson's vetoes. They passed constitutional amendments against his wishes. Thaddeus Stevens and Charles Sumner, and the Republican faction that called themselves "radicals" led efforts to extend suffrage to freedmen. They were generally in control, although they had to compromise with the moderate Republicans. (The Democrats in Congress had almost no power.) Historians generally refer to this period as *Radical Reconstruction*

## **Military reconstruction**

With the Radicals in control Congress passed the Reconstruction Acts in 1867. The first Reconstruction Act placed ten Confederate states under military control, grouping them into five military districts:

- First Military District: First Virginia, under General John Schofield.
- Second Military District: The Carolinas, under General Daniel Sickles.
- Third Military District: Georgia, Alabama and Florida, under General John Pope.
- Fourth Military District: Arkansas and Mississippi, under General Edward Ord.
- Fifth Military District: Texas and Louisiana, under Generals Philip Sheridan and Winfield Scott Hancock.

Tennessee was not made part of a military district (having already been readmitted to the Union), and therefore federal controls did not apply.

The ten Southern state governments were re-constituted under the direct control of the United States Army. There was little or no fighting, but rather a state of martial law in which the military closely supervised local government, supervised elections, and protected office holders from violence. Blacks were enrolled as voters; former Confederate leaders were excluded. No one state was entirely representative.

The first critical step ... was the registration of voters according to guidelines established by Congress and interpreted by Generals Sheridan and Griffin. The Reconstruction Acts called for registering all adult males, white and black, except those who had ever sworn an oath to uphold the Constitution of the United States and then engaged in rebellion.... Sheridan interpreted these restrictions stringently, barring from registration not only all pre-1861 officials of state and local governments who had supported the Confederacy but also all city officeholders and even minor functionaries such as sextons of cemeteries. In May Griffin ... appointed a three-man board of registrars for each county, making his choices on the advice of known Scalawags and local Freedman's Bureau agents.



First black voters during reconstruction.

In every county where practicable a freedman served as one of the three registrars.... Final registration amounted to approximately 59,633 whites and 49,479 blacks. It is impossible to say how many whites were rejected or refused to register (estimates vary from 7,500 to 12,000), but blacks, who constituted only about 30 percent of the state's population, were significantly overrepresented at 45 percent of all voters.

All Southern states were readmitted to the Union by the end of 1870, the last being Georgia. All but 500 top Confederate leaders were pardoned when President Grant signed the Amnesty Act of 1872.

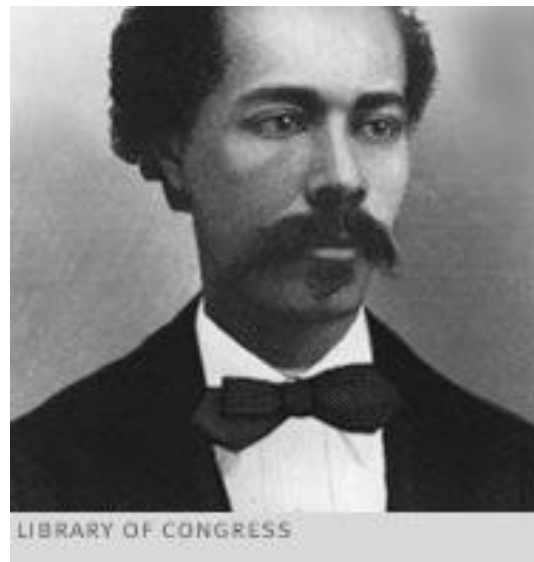


## **African American officeholders**

Republicans took control of all Southern state governorships and state legislatures, leading to the election of numerous African-Americans to state and national offices, as well as to the installation of African-Americans into other positions of power. About 137 black officeholders had lived outside the South before the Civil War. Some had escaped from slavery to the North and returned to help the South advance in the postwar era. A number of them had achieved education and positions of leadership elsewhere. Other African American men who served were leaders in their communities, including a number of preachers. As was the case in white communities, all leadership did not depend on wealth and literacy.

## **Black Legislators**

When black men are given the right to vote, they elect hundreds of black legislators to state and national offices, even though the elections are preceded by threats and violence. The new black politicians, like Mississippi's John Roy Lynch, pass ambitious civil rights and public education laws.



The last black Congressman elected from the South was George Henry White of North Carolina, elected in 1897. His term expired in 1901, the same year that the last president to have fought in the civil war, William McKinley, died. No blacks served in Congress for the next 28 years.



Congressman

George

Henry

White

George Henry White was born a slave in Rosindale, North Carolina, on 18th December, 1852. After working as a farm laborer he studied at Howard University (1873-1877). This was followed by a period as a school teacher and as a lawyer in New Bern.

A member of the Republican Party, White was elected to the House of Representatives in 1880. He campaigned for increased spending on African American education. White helped to establish four new schools and for a while served as principal of the school in New Bern.

In 1885 White was elected to the state Senate where he served on the committees for the insane asylum, insurance and judiciary. He also continued to work as a lawyer in New Bern and Taboro.

White was elected to Congress in 1896. He was the last former slave to serve in Congress and by 1898 was the only African American in the House of Representatives. White campaigned against racial discrimination and urged the enforcement of the second section of the Fourteenth Amendment that reduced the representation in the House of Representatives of those states which denied African Americans the vote.

In January, 1901, White proposed a bill that would make lynching of American citizens a federal crime. He argued that any person participating actively in or acting as an accessory in a lynching should be convicted of treason. White pointed out that lynching was being used by white mobs in the Deep South to terrorize African Americans. He illustrated this by showing that of the 109 people lynched in 1899, 87 were African Americans. Despite White's passionate plea, the bill was easily defeated.

White was aware that his outspoken comments on civil right would result in him losing his next election. In his last speech in Congress on 29th January, 1901, White predicted: "This is perhaps the Negroes' temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up some day and come again. These parting words are in behalf of an outraged, heart-broken bruised and bleeding, but God-fearing people, faithful, industrious, loyal, rising people - full of potential force." White's forecast was correct and it was not until 1928 that another African American, Oscar DePriest, was elected to Congress.

In 1905 White moved to Philadelphia where he successfully practiced law and established the People's Saving Bank in Lombard Street. This bank was able to help African Americans to purchase homes and start businesses. As well as helping to establish Whitesboro, a community for migrating African Americans from the Deep South, White was active in the National Association for the Advancement of Colored People (NAACP). George Henry White died in 1918.



# Terrorism in the South





Reaction by conservative Confederates to the occupation and regulation of their states included the formation of violent secret societies, especially the Ku Klux Klan. Violence occurred in cities and in the countryside between white former Confederates, Republicans, African-Americans, representatives of the federal government, and Republican-organized armed Loyal Leagues. The victims of violence were overwhelmingly African Americans, although white supporters were also attacked.



Ku Klux Klan  
during  
Reconstruction



The Klan  
and the  
white men.

The Panic of 1873 hit the Southern economy hard and disillusioned many Republicans who had gambled that railroads would pull the South out of its poverty. The price of cotton fell by half; many small landowners, local merchants and cotton factors (wholesalers) went bankrupt. Sharecropping, for both black and white farmers, became more common as a way to spread the risk of owning land. The old abolitionist element in the North was aging away, or had lost interest, and was not replenished. Many carpetbaggers returned to the North or joined the Redeemers. Blacks had an increased voice in the Republican Party, but across the South it was divided by internal bickering and was rapidly losing its cohesion. Many local black leaders started emphasizing individual economic progress in cooperation with white elites, rather than racial political progress in opposition to them, a conservative attitude that foreshadowed Booker T. Washington.

Nationally, President Grant took the blame for the depression; the Republican Party lost 96 seats in all parts of the country in the 1874 elections.. The Democrats took control of the House and were confident of electing Samuel J. Tilden president in 1876. President Grant was not running for re-election and seemed to be losing interest in the South. States fell to the Redeemers, with only four in Republican hands in 1873, Arkansas, Louisiana, Mississippi and South Carolina; Arkansas then fell in 1874. Political violence was endemic in Louisiana, but efforts to seize the state government were repulsed by federal troops who entered the state legislature and hauled away several Democratic legislators. The violation of tradition embarrassed Grant, and some of his cabinet recommended against further intervention.

By now, all Democrats and most northern Republicans agreed that Confederate nationalism and slavery were dead—the war goals were achieved—and further federal military interference was an undemocratic violation of historic Republican values. The victory of Rutherford Hayes in the hotly contested indicated his "let alone" policy toward the South would become Republican policy, as indeed happened when he won the 1876 Republican nomination for president. The last explosion of violence came in , in which Democratic rifle clubs, operating in the open and without disguise, threatened or shot enough Republicans to decide the election for the Redeemers. Republican Governor Adelbert Ames asked Grant for federal troops to fight back; Grant refused, saying public opinion was "tired out" of the perpetual troubles in the South. Ames fled the state as the Democrats took over Mississippi.



Reconstruction continued in South Carolina, Louisiana and Florida until 1877. After Republican Rutherford Hayes won the disputed US Presidential election of 1876, the Compromise of 1877 was reached whereby the white South agreed to accept Hayes's victory if he withdrew the last Federal troops. By this point, everyone had agreed that Reconstruction was finished. However, the African-Americans who wanted their legal rights guaranteed by the Federal government were repeatedly frustrated for another 75 years; they considered Reconstruction a failure.

# Faces of Reconstruction





















