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History

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## Lecture 12: Reconstruction

### Emancipation:

- Civil war eventually ends slavery, but not a quick process at all
- Lincoln did not have intention of abolishment
  - Eventually, he realized that abolishment is a good war tactic to help them win against south
- In 1863 → passes Emancipation Proclamation
  - Only frees enslaved people within states that had seceded from the US → did not affect states in the Union
  - Not a lot of immediate impact
  - Encourages some enslaved people to start fleeing for union lines
- Not until Jan 1865 → Congress passes 13<sup>th</sup> amendment
  - Abolished slavery
  - Has to be ratified, doesn't go into effect until December of 1865
- Big loophole in 13<sup>th</sup> amendment
  - Says "neither slavery nor involuntary servitude, *except as a punishment for crime* whereof the party shall have been duly convicted..."
  - Juneteenth → when the last group of enslaved people heard the news that enslaved people are free

### Social and Economic Consequences of Civil War:

- Medical Advancements
  - Activists fighting for cleanliness and hygiene in medical establishments during the war
  - Pushes off conversations about women's rights → women put it on pause to support their country (can't focus on women's rights right now)
  - Gives recognition for Black Americans
    - Black people served in the war → "contraband property" is enslaved people who escaped and joined the war on behalf of the Union
    - People grudgingly but do realize that Black people are contributing to military → maybe they deserve more rights
  - South is completely devastated
    - All paper money (CSA money) is now worthless
    - Homes & crops have been burned and destroyed → Sherman's march to the sea
    - Freeing of enslaved people is huge financial investment that has just been lost
    - 20% of adult White male population is dead → generation of breadwinners, families trying to figure out what to do

### Adjusting to Freedom:

- Newly freed Black people celebrating end of slavery → what next?
- Immediate reaction is to track down family members
  - Slavery separated families
- Worked very hard to establish schools → they know education is important
- Establishing their own church congregations → for Christian environment that does not support slavery
  - Churches also big community place → also home base for political organizations

### The Freedmen's Bureau, 1865:

- US gov. realizes they have to do something for newly freed population
- Economic and legal assistance for enslaved people
  - Included land (some people get some)
- Legalizing marriages (marriages were not church/government)
- Have to sort out custody of children → some parents not legally married, some parents don't want to be legally married, some people with multiple children with different people
- Contracts → might need someone to help read contracts as they cannot read/write

### Reconstruction, 1865-1877:

- US literally and figuratively has to figure out how to rebuild after massive internal conflict
- How do we rebuild after 4+ years of bitter, bloody conflict?
- Should we punish the south for seceding and their role in instigating the civil war?
- What do we do about newly freed people? How do we integrate them? Do we send them back?
  - Most of the people born in the US, have not been importing people from Africa since 1808

### Presidential Reconstruction: Lincoln:

- First period of reconstruction before the war ended under Lincoln, called the presidential reconstruction
- Lincoln takes a fairly moderate and lenient approach
- Called the 10% plan
  - Amnesty to the CSA army → no punishment for southern people, except for high-ranking confederate officials
  - Southern states must ratify the 13<sup>th</sup> amendment
  - 10% of all eligible voters in 1860 have to swear loyalty to be able to rejoin the US to be able to recreate state government and be apart of federal government
  - Arkansas, Tennessee, and Louisiana rejoin under this plan before the war ends
  - People fighting in the north are not happy with being this lenient
- Congress's Wade-Davis Bill, 1864 → majority Republican Congress passes this
  - Lincoln pocket vetoes this, just sits on his desk for 10 days → doesn't become law

- Congress wanted a 50% loyalty oath

President Andrew Johnson:

- Lincoln gets reelected in 1864
- Lincoln is the first president to be assassinated → April 1865 (beginning of his new term)
  - Disgruntled Southern person shot him
- His VP, Andrew Johnson, Southern Democrat becomes president
  - From a poor, southern white family → only reason he hates slavery is because he hated wealthy southerners
  - He had no interest in racial equality, is a white supremacist
- First thing he does → ended all land confiscation and redistribution of land to freed people
  - If they don't give them land, what are they supposed to do?
- He doesn't care about CSA punishment
  - Says that they have to be "humiliated"/grovel to him, then they will be pardoned (high level officials)
  - This gives CSA leaders immediate route back to political power
    - VP of confederacy was almost immediately reelected to US Senate
- Mississippi refused to ratify the 13<sup>th</sup> amendment → didn't actually do this until 1995
  - Amendment still goes into effect if there was 3/4 majority

"Black Codes":

- Basically designed to keep Black people in a way that is as close to slavery as possible
  - Could not own/lease farms
  - Could not own guns
  - Could not serve on juries
  - Could not marry a White person
- Limited or gave no access to them to state institutions (orphanages, schools, etc)
- In many cases, there are laws that limit freed people to jobs that are farming/domestic labor (all these laws are passed in the state, not federal)
- Created a lot of way to criminalize behavior → curfews, vagrancy (homeless), insults
  - They go to an all-white jury If they were found guilty → could force them back into slavery → 13<sup>th</sup> amendment loophole
  - A lot of Black people are arrested, incarcerated, and forced back into labor

Congressional Reconstruction:

- Both radical and moderate Republicans are not thrilled
- Moderate/radical Republicans vs. Johnson
  - Even if they say them as inferior, they still believe they believe basic rights
- South is doing exactly what they did during the war → what was the point? Just had a 4+ year bloody war, but now it feels like everything is going back to the way it was before.
- Ended up with massive butting of heads
  - Congress passed laws
  - Johnson vetoed it
  - Can only override veto with 2/3 majority → will do that
  - Repeat this over and over again

- Johnson cannot stop the 14<sup>th</sup> Amendment because of this
  - Whole goal is to provide citizenship, equality under the law, and due process to everyone born in the US → undoing Dred Scott decision
    - Can't apply law differently to different people
  - Also barred Confederate politicians from office (for now)

#### Radical Reconstruction, 1866:

- Republicans in Congress make pretty big changes
- Only able to do this because 1866 is a midterm election year → Republicans able to gain 2/3 majority in Congress → can override any veto, Johnson has very little power now
- Moderates and radicals banded together to stop Johnson
- Pass 3 Military Reconstruction Acts, 1867:
  - 10 southern states divided into 5 military districts under union generals
  - If you want martial law to stop (white and black, except former CSA officials) to get delegates to draft new state constitutions that includes Black voting rights and ratifies 14<sup>th</sup> amendment
  - President is commander in chief of military → congress made it a requirement that military orders through General Grant → limits Johnson's power
- Pass tenure of Office Act, 1867
  - Cabinet positions elected by Lincoln → Johnson would fire them
  - Congress says that if someone is hired with Senate approval, then Johnson needs Senate approval to fire them as well → can't fire someone just for supporting reconstruction policies

#### Johnson's Impeachment:

- They pass this law, and immediately fires Secretary of War → violates Tenure of Office Act
- Congress says this is grounds for impeachment
  - House votes 126-47 to impeach (2/3 majority)
  - He goes to trial in the Senate
  - First president to ever be impeached
  - Senate hearings last for 6 weeks → he is not kicked out of office (they are 1 vote short of 2/3 majority) → acquitted, gets to stay in office for the rest of his term
  - Is a benefit → this does limit his power (people are like we don't like u v much) → does not get chosen to run for reelection

#### Election of 1868:

- Some states cannot vote yet because they have not ratified 14<sup>th</sup> amendment
- They pick military general Republican Ulysses S. Grant with majority electoral votes → even former CSA states are voting for him because now Black people (majorities in some states) are voting

#### 15<sup>th</sup> Amendment, 1869 ratified 1870:

- Prohibits voting discrimination on the basis of race
- Completely splinters women's rights movements

- Some women are upset and say you can't give Black men the right to vote before white women → insulted by this
  - Some are happy that more people are getting voting rights and therefore they could get voting rights soon as well
- Congressional officials have to supervise southern elections (because this doesn't just happen, needs to be enforced)
  - Doesn't matter what 15<sup>th</sup> amendment says unless there is martial law

#### Southern Perceptions:

- People don't stop being racist
- How southerners view the situation
- "Scalawags" → term used to refer southern white Republicans, other southerners say its just betrayal
  - Ostracized, scapegoated
- A lot of white people in the north travel to the south (schoolteachers, opportunists)
  - Southerners call them "carpetbaggers" → see them all as having bad intentions
  - Corruption → carrying suitcase to stuff it full of money then run away
  - Some people actually doing this, others just trying to help

#### Black Political Participation:

- Black voters make up the majority in AL, FL, MS, SC, and LA
- If they are majority in 5/11 former confederate states, they have a lot of power
  - Now that their voting rights are guaranteed → 600 black men voted to state legislatures across the country
  - 15 voted to the House of Representatives
  - 2 voted to Senate
  - People of color for the first time in history of the country being voted into positions of power
- Heavily engaged, not just there to fill a seat → interracial coalitions (with other white politicians to support you)
- Not thrilling for supporters of the Confederacy

#### "Redemption":

- Actively campaign against Republicans, trying to vote for Democrats as much as possible
- Reconstruction is bad → redemption
- Need to get rid of republicans, don't want Black people in gov., lets redeem the South
- Ku Klux Klan, 1865
  - By confederate veterans
  - Whole goal is to terrorize Black people + republicans and prevent them from voting
    - Voter intimidation
    - Hid behind robes and masks and would beat, murder, threaten
    - Hundreds of white republicans and black people killed because of this → this works
    - If choice is between survival and voting, survival usually trumps

- Very quickly, Democrats are able to regain control of state govts. Because of this in 1869-77

#### Sharecropping:

- Despite all the things Congress did during Radical Reconstruction, they never got back to doing anything about giving freed people land
- Many black people don't have land, and they need to work, they only know how to work by farming
- They rent land – sharecropper is provided land and seed. In exchange, he promises landowner half the crop. Sharecropper buys food and clothing on credit from landowner's store. Sharecropper plants and harvests crop. Sharecropper gives landowner crop to sell. Sharecropper will get half the earnings, minus the cost of his purchases for the year. When settling up, landowner says that sharecroppers owes more than he has earned. To pay debt, sharecropper must promise landowner a greater share of next year's crop.
  - This was not just Black people, some poor white people as well.
  - Effectively a similar form of slavery, but technically a legal contract.
  - People do this while also going to school at night.
  - Many black people going in a cycle of economic dependency

#### Reconstruction Fatigue:

- The rest of the country is getting tired if the reconstruction as well
- Lack of support for equality – not in this because they believe Black people should have equal rights
- Anything that is corrupt that happens is blamed on Black people in politics
- Northerners start to sympathize w/ Southern white
- Grant's govt. has massive corruption scandals
  - Many people abusing power – people start blaming this on the Republicans
- People have been talking about this for almost a decade, they are tired of this conversation.
- Even though Grant gets reelected, in 1872, Congress removes the penalty that says former CSA people can't be elected.
  - Now, office holding is not restricted for former CSA leaders
  - Basically all the way back to pre-Civil War :O
- In the 1874 midterms, Democrats win the House majority – they are now back in power and control in Congress

#### Limiting the 14<sup>th</sup> amendment:

- Citizenship to people who are born on US soil
- But, how this is interpreted shifts a lot
- Mostly happening the SC
  - SCOTUS cases:
    - Slaughterhouse cases 1873
      - Reinterpreting the 14<sup>th</sup> amendment to not be about giving citizenship to Black people but to apply to corporations
      - Equal protections for corporations under the law

- US vs Cruikshank, 1876
  - SC says you can't convict White people of violating Black people's 14<sup>th</sup> amendment rights
  - 14<sup>th</sup> amendment only applies to gov. officials, not private groups

#### Election of 1878:

- Grant has served two terms, not running again
  - People are not fans of Grant because of scandals
- Republicans pick Rutherford B Hayes bc he is one of the few people who hasn't been caught up in scandals
- Democrat Samuel L Tilden running on anti-corruption platforms
- Tilden wins popular vote by 51%
  - He technically wins by 1 electoral vote, but there are 20 that are disputed
    - Democrats haven't taken over the LA, FL, and SC
    - Certified votes from reconstruction gov in those states
    - They send in separate electors to DC as electors for Tilden
    - Congress is like: two sets of electors from each state, which one counts?
      - Senate says pick certified votes, house says pick Democrat ones → not in agreement

#### Compromise of 1877:

- House and Senate can't agree, so assign Joint Electoral Commission of 15 and let them decide (theoretically non-partisan)
- 8-7 to give votes to Hayes (Republican)
  - Has to be approved by House and the Senate
  - Would give Hayes win by 1 electoral vote
- Democratic in Senate (to avoid filibuster) say we will approve on certain conditions:
  - Appoint southern cabinet members
  - Remove federal troops from South
  - Transcontinental railroad through South
- Ended federal protection for freed people in the South