

23.3 Congressional Reconstruction

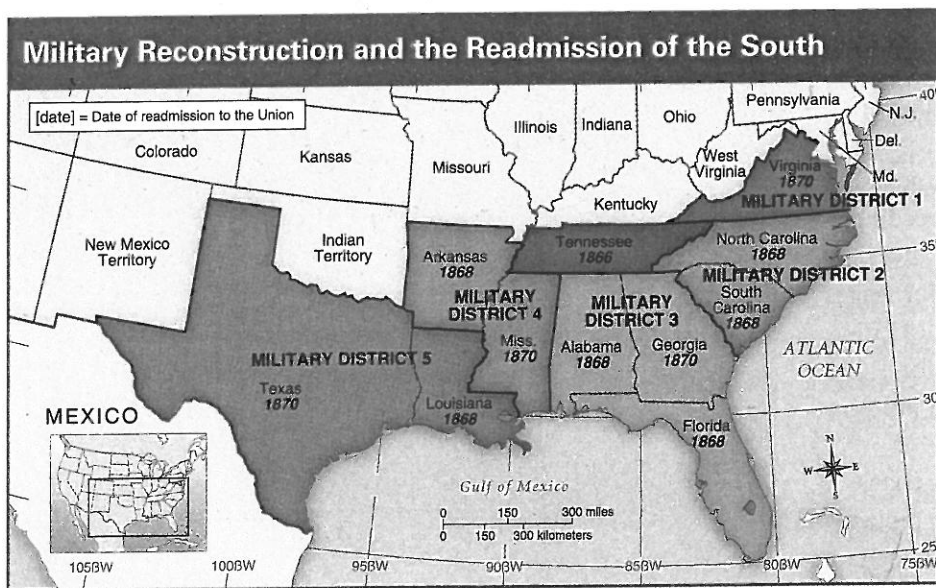
As 1865 came to a close, President Johnson announced that Reconstruction was over. The southern states were ready to rejoin the Union. Republican leaders in Congress did not agree. These lawmakers believed that the South would not be reconstructed until freedmen were granted full rights of citizenship.

civil rights the rights that are guaranteed by the Constitution to all people as citizens, especially equal treatment under the law

The following year, Congress enacted two bills designed to help freedmen. The first extended the life of the Freedmen's Bureau. The second was the **Civil Rights Act of 1866**. It struck at the black codes by declaring freedmen to be full citizens with the same rights as whites. Johnson declared both bills unconstitutional and vetoed them. An angry Congress overrode his vetoes.

The Fourteenth Amendment To further protect the rights of African Americans, Congress approved the Fourteenth Amendment. This amendment declared former slaves to be citizens with full civil rights. "No state," it said, "shall...deny to any person...the equal protection of the laws." This meant that state governments could not treat some citizens as less equal than others.

President Johnson opposed the Fourteenth Amendment and called on voters to throw Republican lawmakers out of office. Instead, Republican candidates won a two-thirds majority in both houses of Congress in the 1866 election. From that point on, Congress controlled Reconstruction.



Military Reconstruction Act

Early in 1867, the new Congress passed its own Military Reconstruction Act. Once again, it did so over Johnson's veto. This plan divided the South into five military districts, each governed by a general who was backed by federal troops. The state governments set up under Johnson's Reconstruction plan were declared illegal. New governments were to be formed by southerners loyal to the United States—both black and white.

Radical Republicans in Congress reorganized the South into the five military districts shown on this map.

Southerners who had supported the Confederacy were denied the right to vote.

Lawmakers also passed two acts designed to reduce Johnson's power to interfere with Congressional Reconstruction. The Command of the Army Act limited his power over the army. The Tenure of Office Act barred him from firing certain federal officials without the Senate's consent. President Johnson blasted both laws as unconstitutional. Then, to prove his point, he fired one of the officials protected under the Tenure of Office Act.

The Impeachment of Johnson The House of Representatives responded to Johnson's challenge by voting to impeach the president. Besides violating the Tenure of Office Act, Johnson was charged with bringing "the high office of the President of the United States into contempt, ridicule, and disgrace, to the scandal of all good citizens."

During his trial in the Senate, the president's lawyers argued that Johnson's only "crime" had been to oppose Congress. If he were removed from office for that reason, they warned, "no future President will be safe who happens to differ with a majority of the House and Senate."

Two thirds of the Senate had to find the president guilty in order to remove him from office. Despite very heavy pressure to convict him, 7 Republicans and 12 Democrats voted "not guilty." Johnson escaped removal from office by one vote, but his power was broken.

Sharecropping While Congress and the president battled over Reconstruction, African Americans in the South struggled to build new lives. Most former slaves desperately wanted land to farm but had no money to buy it. Meanwhile, their former owners desperately needed workers to farm their land but had no money to pay them. Out of the needs of both groups came a farming system called *sharecropping*.

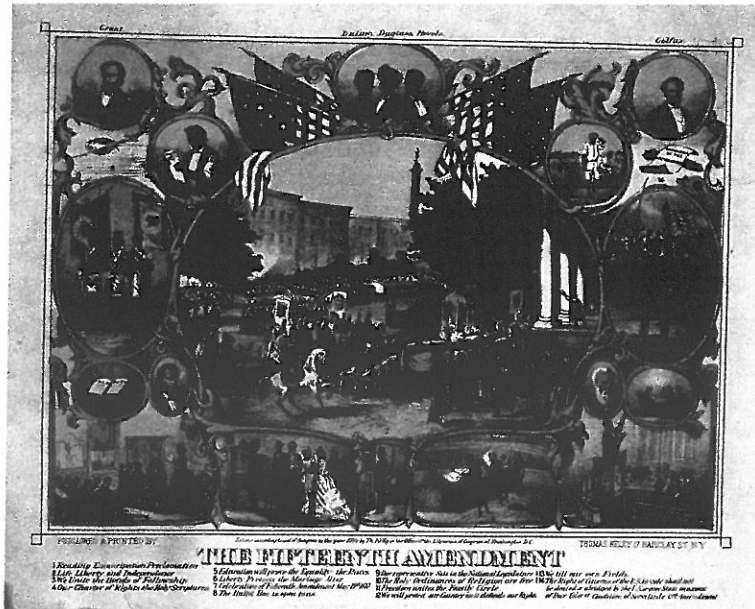
Planters who turned to sharecropping divided their land into small plots. They rented these plots to individual tenant farmers (farmers who pay rent for the land they work). A few tenants paid the rent for their plots in cash. But most paid their rent by giving the landowner a share—usually a third or a half—of the crops they raised on their plots.

Sharecropping looked promising to freedmen at first. They dreamed of being independent farmers who worked for themselves. In time, they hoped to earn enough money to buy a farm of their own.

However, most sharecroppers had to borrow money from planters to buy the food, seeds, tools, and supplies they needed to survive until harvest-time. Few ever earned enough from their crops to pay back what they owed. Rather than leading to independence, sharecropping usually led to a lifetime of poverty and debt.



Sharecroppers, such as these shown growing cotton, rented their land from plantation owners. In exchange, most paid one third to one half of their crops back to the landowners.



This poster celebrated the passage of the Fifteenth Amendment, which said that a citizen's right to vote could not be denied on account of race, color, or previous condition of servitude. The poster includes pictures of students, soldiers, preachers, teachers, and lawmakers.

scalawags white southerners who supported the federal government after the Civil War

carpetbaggers northerners who went to the South after the Civil War to gain money and political power

23.4 Southern Reconstruction

The U.S. Army returned to the South in 1867. The first thing it did was begin to register voters. Because Congress had banned former Confederates from voting, the right to vote in the South was limited to three groups—freedmen, white southerners who had opposed the war, and northerners who had moved south after the war.

The South's New Voters African Americans made up the South's largest group of new voters. Most black voters joined the Republican Party—the party of Lincoln and emancipation.

White southerners who had not supported secession were the next largest group. Many were poor farmers who had never voted before. In their eyes, the Democratic Party was the party of wealthy planters and secession. As a result, they also supported the Republican Party. Southern Democrats were appalled. They saw any white man who voted Republican as a traitor to the South. Democrats scorned such people as **scalawags**, or worthless scoundrels.

The last group of new voters were northerners who had moved south after the war. Yankee-hating southerners called the newcomers **carpetbaggers** after a type of handbag used by many travelers. They saw carpetbaggers as fortune hunters who had come south “to fatten on our misfortunes.”

The 1868 Election These new voters cast their first ballots in the 1868 presidential election. The Republican candidate was former Union general Ulysses S. Grant. Grant supported Reconstruction and promised to protect the rights of African Americans in the South. His Democratic opponent, Horatio Seymour, promised to end Reconstruction and return the South to its traditional leaders—white Democrats.

Seymour won a majority of white votes. Grant, however, was elected with the help of half a million black votes. The election's lesson to Republicans was that if they wanted to keep control of the White House and Congress, they needed African American votes.

The Fifteenth Amendment In 1869, at President Grant's urging, Congress passed the Fifteenth Amendment. This amendment said that a citizen's right to vote “shall not be denied...on account of race, color, or previous condition of servitude.” Its purpose was to protect the right of African American men to vote.

With the passage of this amendment, most abolitionists felt their work was done. The American Anti-Slavery Society declared the Fifteenth Amendment to be “the capstone and completion of our movement; the

fulfillment of our pledge to the Negro race; since it secures to them equal political rights with the white race.”

New State Constitutions When the army finished registering voters, southern Reconstruction got underway. Across the South, delegates were elected to constitutional conventions. About a fourth of those elected were African Americans.

The conventions met and wrote new constitutions for their states. These constitutions were the most progressive, or advanced, in the nation. They guaranteed the right to vote to every adult male, regardless of race. They ended imprisonment for debt. They also called for the establishment of the first public schools in the South. The Georgia constitution stated that these schools should be “forever free to all the children of the state.”

New State Governments

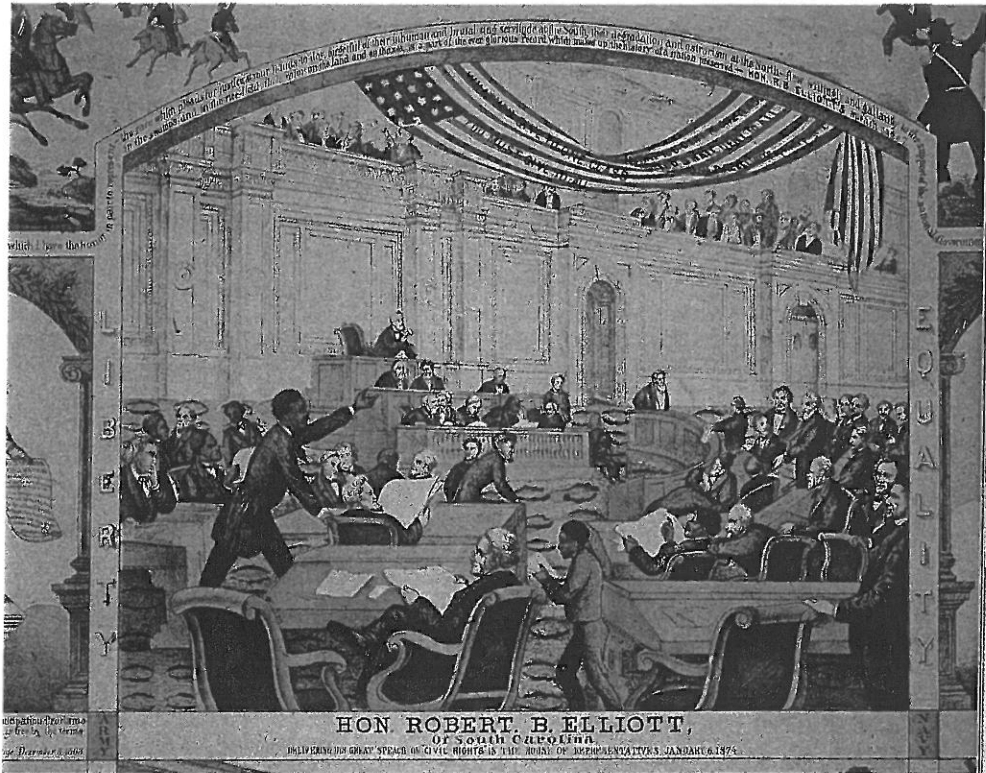
Elections were then held to fill state offices. To the dismay of southern Democrats, a majority of those elected were Republicans. About a fifth were African Americans.

The South’s new state governments quickly ratified the Fourteenth and Fifteenth Amendments. By 1870, every southern state had finished this final step of Reconstruction and rejoined the Union.

Next, southern governments turned to the task of rebuilding. Work was begun on damaged roads, bridges, and railroads. Schools and hospitals were built. To pay for these projects, state legislatures raised taxes. Between 1860 and 1870, taxes in the South increased by up to 400 percent.

African Americans in Office About a fifth of the South’s new officeholders were African Americans. Blacks served in every southern legislature and held high offices in three states. Twenty-two African Americans represented their states in Congress—20 in the House, and 2 in the Senate. After watching these representatives, many of whom had been born slaves, Pennsylvania congressman James G. Blaine observed:

The colored men who took their seats in both the Senate and House did not appear ignorant or helpless. They were as a rule studious, earnest, ambitious men, whose public conduct...would be honorable to any race.



Robert B. Elliott, African American congressman from South Carolina, delivers a speech in favor of civil rights. During Reconstruction, many African Americans were elected to the House of Representatives and the Senate.



TWO MEMBERS OF THE KU-KLUX KLAN IN THEIR DISGUISES.

Ku Klux Klan members, shown above, were determined to prevent African Americans from participating in politics. Using threats, beatings, and even murder, the Klan eventually reestablished white Democratic rule in the South.

office. In Georgia, for example, the legislature refused to seat elected black lawmakers until forced to by the state supreme court. When legal tricks failed, whites turned to terrorism, or violence.

Throughout the South, whites formed secret societies to drive African Americans out of political life. The most infamous of these groups was the Ku Klux Klan. Dressed in long, hooded robes and armed with guns and swords, Klansmen did their work at night. They started by threatening black voters and officeholders. African Americans who did not heed their threats were beaten, tarred and feathered, and even murdered.

The Enforcement Acts In 1870 and 1871, Congress passed three laws to combat terrorism against African Americans. Known as the Enforcement Acts, these laws made it illegal to prevent another person from voting by bribery, force, or scare tactics.

President Grant sent troops into the South to enforce these acts. Hundreds of people were arrested for their terrorist activities. Those who were brought to trial, however, were seldom convicted. Few witnesses and jurors wanted to risk the Klan's revenge by speaking out against one of its members.

23.5 The End of Reconstruction

Most whites in the South bitterly resented the southern Reconstruction governments. They hated the fact that these governments had been “forced” on them by the Yankees.

Many taxpayers also blamed their soaring tax bills on corruption (misuse of public office for personal gain) by the South's new leaders. One outraged Democrat called Republican rule in the South the “most stupendous system of organized robbery in history.” While some southern officeholders did line their pockets with public funds, most, whether black or white, were honest, capable leaders. Still, when taxes increased, so too did opposition to the new state governments.

But what bothered southerners most about their Reconstruction governments was seeing former slaves voting and holding public offices. Across the South, Democrats vowed to regain power and return their states to “white man's rule.”

White Terrorism At first, Democrats tried to win black voters away from the Republican Party. When that failed, they tried using legal tricks to keep blacks from voting or taking

The Amnesty Act of 1872 By this time, however, most northerners were losing interest in Reconstruction and the plight of the freedmen. It was time, many people said, to “let the South alone.” One sign of this changing attitude was the passage of the Amnesty Act of 1872. (*Amnesty* means forgiveness for past offenses.) This law allowed most former Confederates to vote once again.

The effects of the Amnesty Act were quickly seen. By 1876, Democrats had regained control of all but three states in the South. Republicans clung to power in South Carolina, Louisiana, and Florida, but only with the help of federal troops.

The Disputed Election of 1876 In 1876, Americans went to the polls to choose a new president. The Democrats nominated New York governor Samuel J. Tilden as their candidate. Rutherford B. Hayes was the Republican nominee. When the votes were tallied, Tilden won a majority of popular votes and 184 electoral votes, just one short of the 185 needed for election. Hayes received 165 electoral votes. Twenty electoral votes from four states were in dispute.

Congress, which was controlled by Republicans, appointed a commission to decide who should get the disputed votes. The commission awarded all 20 to Hayes, giving him exactly the 185 electoral votes he needed to win. Outraged Democrats in Congress threatened to block the election of anyone. Inauguration day drew near with no president in sight.

The Compromise of 1877 At the last moment, the two parties agreed to compromise. Democrats allow Hayes to become president. In return, Hayes agreed to give southern states “the right to control their own affairs.”

Once in office, President Hayes withdrew all remaining federal troops from the South. After that, Democrats quickly took control of the last southern states. “This is a white man’s country,” boasted South Carolina senator Ben Tillman, “and white men must govern it.”

Most white southerners cheered the end of Reconstruction. But for freedmen, the return of the South to “white man’s rule” was a giant step backward. “The whole South—every state in the South,” observed a Louisiana freedman, “has got into the hands of the very men that held us as slaves.”

Thomas Nast’s political cartoon “Is This a Republican Form of Government?” condemns northern indifference to the violence that African Americans had to endure as Reconstruction ended.





This painting shows a new South rising from the ashes of the Civil War. Although southern leaders hoped this would be the future of the South, most whites and African Americans continued to live in poverty.

23.6 Reconstruction Reversed

With Reconstruction over, southern leaders talked of building a “New South” humming with mills, factories, and cities. Between 1880 and 1900, the number of textile mills in the South grew rapidly. Birmingham, Alabama, became a major iron-making center. Still, most southerners, black and white, remained trapped in an “Old South” of poverty.

Losing Ground in Education During Reconstruction, freedmen had pinned their hopes for a better life on education provided by the South’s first public schools. When southern Democrats regained control of states, however, they cut spending on education. “Free schools are not a necessity,” explained the governor of Virginia. Schools, he said, “are a luxury...to be paid for, like any other luxury, by the people who wish their benefits.”

As public funding dried up, many schools closed. Those that stayed open often charged fees. By the 1880s, only about half of all black children in the South attended school.

Losing Voting Rights Southern Democrats also reversed the political gains made by freedmen after the war. Many southern states passed laws requiring citizens who wanted to vote to pay a poll tax. The tax was set high enough that voting, like education, became a luxury that many black southerners could not afford.

Some southern states also required citizens to pass a literacy test to show that they could read before allowing them to vote. These tests were rigged (set up) to fail any African American, regardless of his education.

In theory, these laws applied equally to blacks and whites and, for that reason, did not violate the Fifteenth Amendment. In practice, however, whites were excused from paying poll taxes or taking literacy tests by a “grandfather clause” in the laws. This clause said the taxes and tests did not apply to any man whose father or grandfather could vote on January 1, 1867. Since no blacks could vote on that date, the grandfather clause applied only to whites.

African Americans protested that these laws denied them their Constitutional right to vote. The Supreme Court, however, ruled that the new voting laws did not violate the Fifteenth Amendment because they did not deny anyone the right to vote on the basis of race.

Drawing a “Color Line” During Reconstruction, most southern states had outlawed segregation in public places. When Democrats returned to power, they reversed these laws and drew a “color line” between blacks and whites in public life. Whites called the new segregation acts **Jim Crow laws**.

Not all white southerners supported segregation. When a Jim Crow law was proposed in South Carolina, the *Charleston News and Courier* tried to show how silly it was by taking segregation to ridiculous extremes.

If there must be Jim Crow cars on railroads, there should be Jim Crow cars on the street railways. Also on all passenger boats.... There should be Jim Crow waiting saloons [waiting rooms] at all stations, and Jim Crow eating houses.... There should be Jim Crow sections of the jury box, and a separate Jim Crow...witness stand in every court—and a Jim Crow Bible for colored witnesses to kiss.

Instead of being a joke, as intended, most of these “silly” suggestions soon became laws.

Plessy v. Ferguson African Americans argued that segregation laws violated the Fourteenth Amendment’s guarantee of “equal protection of the laws.” Homer Plessy, who was arrested for refusing to obey a Jim Crow law, took his protest all the way to the Supreme Court. His case is known as *Plessy v. Ferguson*.

In 1896, the majority of Supreme Court justices ruled that segregation laws did not violate the Fourteenth Amendment as long as the facilities available to both races were roughly equal. Justice John Marshall Harlan, a former slaveholder, disagreed. “Our Constitution is color blind,” he wrote, “and neither knows nor tolerates classes among citizens.”

After the Supreme Court’s decision in *Plessy v. Ferguson*, more Jim Crow laws were passed. Blacks and whites attended separate schools, played in separate parks, and sat in separate sections in theaters. But despite the Court’s ruling that these separate facilities must be equal, those set aside for African Americans were almost always inferior to facilities labeled “whites only.”

Jim Crow laws Laws enforcing segregation of blacks and whites in the South after the Civil War. “Jim Crow” was a black character in an entertainer’s act in the mid-1800s.

In the cartoon below, Thomas Nast attacks the Ku Klux Klan and other white supremacist groups. According to this cartoon, what did supremacist groups do to African Americans? What does the label “Worse Than Slavery” mean?



The Granger Collection, New York