

The Politics of Reconstruction

MAIN IDEA

Congress opposed Lincoln's and Johnson's plans for Reconstruction and instead implemented its own plan to rebuild the South.

WHY IT MATTERS NOW

Reconstruction was an important step in African Americans' struggle for civil rights.

Terms & Names

- Andrew Johnson
- Reconstruction
- Radical Republicans
- Thaddeus Stevens
- Wade-Davis Bill
- Freedmen's Bureau
- black codes
- Fourteenth Amendment
- impeach
- Fifteenth Amendment

One American's Story

As a young man, **Andrew Johnson**—who succeeded Abraham Lincoln as president—entered politics in Tennessee. He won several important offices, including those of congressman, governor, and U.S. senator.

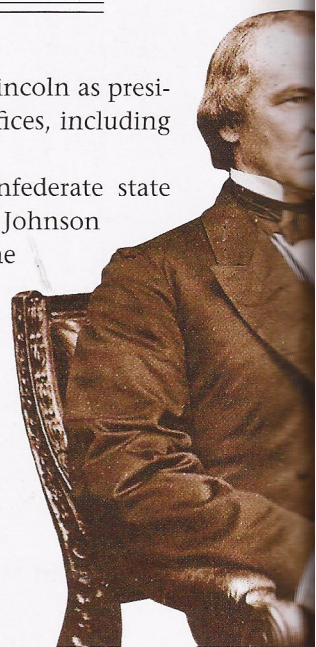
After secession, Johnson was the only senator from a Confederate state to remain loyal to the Union. A former slave-owner, by 1863 Johnson supported abolition. He hated wealthy Southern planters, whom he held responsible for dragging poor whites into the war. Early in 1865, he endorsed harsh punishment for the rebellion's leaders.

A PERSONAL VOICE ANDREW JOHNSON

"The time has arrived when the American people should understand what crime is, and that it should be punished, and its penalties enforced and inflicted. . . . Treason must be made odious . . . traitors must be punished and impoverished . . . their social power must be destroyed. I say, as to the leaders, punishment. I say leniency, conciliation, and amnesty to the thousands whom they have misled and deceived."

—quoted in *Reconstruction: The Ending of the Civil War*

On becoming president, Johnson faced not only the issue of whether to punish or pardon former Confederates but also a larger problem: how to bring the defeated Confederate states back into the Union.



▲ Andrew Johnson
the 17th
president of
the United States

Lincoln's Plan for Reconstruction

Reconstruction was the period during which the United States began to rebuild after the Civil War, lasting from 1865 to 1877. The term also refers to the process the federal government used to readmit the Confederate states. Complicating the process was the fact that Abraham Lincoln, Andrew Johnson, and Congress had differing ideas on how Reconstruction should be handled.

LINCOLN'S TEN-PERCENT PLAN Lincoln, before his death, had made it clear that he favored a lenient Reconstruction policy. Lincoln believed that secession was constitutionally impossible and therefore that the Confederate states had never left the Union. He contended that it was individuals, not states, who had rebelled and that the Constitution gave the president the power to pardon individuals. Lincoln wished to make the South's return to the Union as quick and easy as possible.

In December 1863, President Lincoln announced his Proclamation of Amnesty and Reconstruction, also known as the Ten-Percent Plan. The government would pardon all Confederates—except high-ranking Confederate officials and those accused of crimes against prisoners of war—who would swear allegiance to the Union. After ten percent of those on the 1860 voting lists took this oath of allegiance, a Confederate state could form a new state government and gain representation in Congress. **A**

Under Lincoln's terms, four states—Arkansas, Louisiana, Tennessee, and Virginia—moved toward readmission to the Union. However, Lincoln's moderate Reconstruction plan angered a minority of Republicans in Congress, known as **Radical Republicans**. Led by Senator Charles Sumner of Massachusetts and Representative **Thaddeus Stevens** of Pennsylvania, the Radicals wanted to destroy the political power of former slaveholders. Most of all, they wanted African Americans to be given full citizenship and the right to vote. In 1865, the idea of African-American suffrage was truly radical; no other country that had abolished slavery had given former slaves the vote.

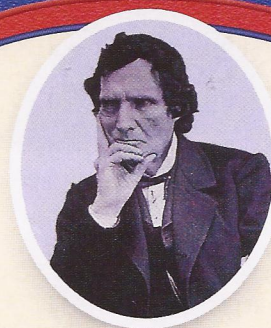
RADICAL REACTION In July 1864, the Radicals responded to the Ten-Percent Plan by passing the **Wade-Davis Bill**, which proposed that Congress, not the president, be responsible for Reconstruction. It also declared that for a state government to be formed, a majority—not just ten percent—of those eligible to vote in 1860 would have to take a solemn oath to support the Constitution.

Lincoln used a pocket veto to kill the Wade-Davis Bill after Congress adjourned. According to the Constitution, a president has ten days to either sign or veto a bill passed by Congress. If the president does neither, the bill will automatically become law. When a bill is passed less than ten days before the end of a congressional session, the president can prevent its becoming law by simply ignoring, or "pocketing," it. The Radicals called Lincoln's pocket veto an outrage and asserted that Congress had supreme authority over Reconstruction. The stage was set for a presidential-congressional showdown.

Johnson's Plan

Lincoln's assassination in April 1865 left his successor, the Democrat Andrew Johnson, to deal with the Reconstruction controversy. A staunch Unionist, Johnson had often expressed his intent to deal harshly with Confederate leaders. Most white Southerners therefore considered Johnson a traitor to his region, while Radicals believed that he was one of them. Both were wrong.

KEY PLAYER



THADDEUS STEVENS
1792–1868

The Radical Republican leader Thaddeus Stevens had a commanding physical presence and was famous for his quick wit and sarcasm. One colleague called him "a rude jousting in political and personal warfare."

Before serving in Congress, he had practiced law in Pennsylvania, where he defended runaway slaves. Stevens hated slavery and in time came to hate white Southerners as well. He declared, "I look upon every man who would permit slavery . . . as a traitor to liberty and disloyal to God."

After Stevens died, at his own request he was buried in an integrated cemetery, because he wanted to show in death "the principles which I advocated throughout a long life: Equality of Man before his Creator."



▲
Former
Confederate
officers George
Washington Custis
Lee, Robert E. Lee,
and Walter Taylor,
photographed in
1865

JOHNSON CONTINUES LINCOLN'S POLICIES In May 1865, with Congress in recess, Johnson announced his own plan, Presidential Reconstruction. He declared that each remaining Confederate state—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Texas—could be readmitted to the Union if it would meet several conditions. Each state would have to withdraw its secession, swear allegiance to the Union, annul Confederate war debts, and ratify the Thirteenth Amendment, which abolished slavery.

To the dismay of Thaddeus Stevens and the Radicals, Johnson's plan differed little from Lincoln's. The one major difference was that Johnson wished to prevent most high-ranking Confederates and wealthy Southern landowners from taking the oath needed for voting privileges. The Radicals were especially upset that Johnson's plan, like Lincoln's, failed to address the needs of former slaves in three areas: land, voting rights, and protection under the law. **B**

If Johnson's policies angered Radicals, they relieved most white Southerners. Johnson's support of states' rights instead of a strong central government reassured the Southern states. Although Johnson supported abolition, he was not in favor of former slaves gaining the right to vote—he pardoned more than 13,000 former Confederates because he believed that “white men alone must manage the South.”

The remaining Confederate states quickly agreed to Johnson's terms. Within a few months, these states—all except Texas—held conventions to draw up new state constitutions, to set up new state governments, and to elect representatives to Congress. However, some Southern states did not fully comply with the conditions for returning to the Union. For example, Mississippi did not ratify the Thirteenth Amendment.

Despite such instances of noncompliance, in December 1865, the newly elected Southern legislators arrived in Washington to take their seats. Fifty-eight of them had previously sat in the Congress of the Confederacy, six had served in the Confederate cabinet, and four had fought against the United States as Confederate generals. Johnson pardoned them all—a gesture that infuriated the Radicals and made African Americans feel they had been betrayed. In an 1865 editorial, an African-American newspaper publisher responded to Johnson's actions.

A PERSONAL VOICE PHILIP A. BELL

“The war does not appear to us to be ended, nor rebellion suppressed. They have commenced reconstruction on disloyal principles. If rebel soldiers are allowed to mumble through oaths of allegiance, and vote Lee's officers into important offices, and if Legislatures, elected by such voters, are allowed to define the provisions of the Amnesty Proclamation, then were our conquests vain. . . . Already we see the fruits of this failure on the part of Government to mete out full justice to the loyal blacks, and retribution to the disloyal whites.”

—quoted in *Witness for Freedom: African American Voices on Race, Slavery, and Emancipation*

PRESIDENTIAL RECONSTRUCTION COMES TO A STANDSTILL When the 39th Congress convened in December 1865, the Radical Republican legislators, led by Thaddeus Stevens, disputed Johnson's claim that Reconstruction was complete. Many of them believed that the Southern states were not much different

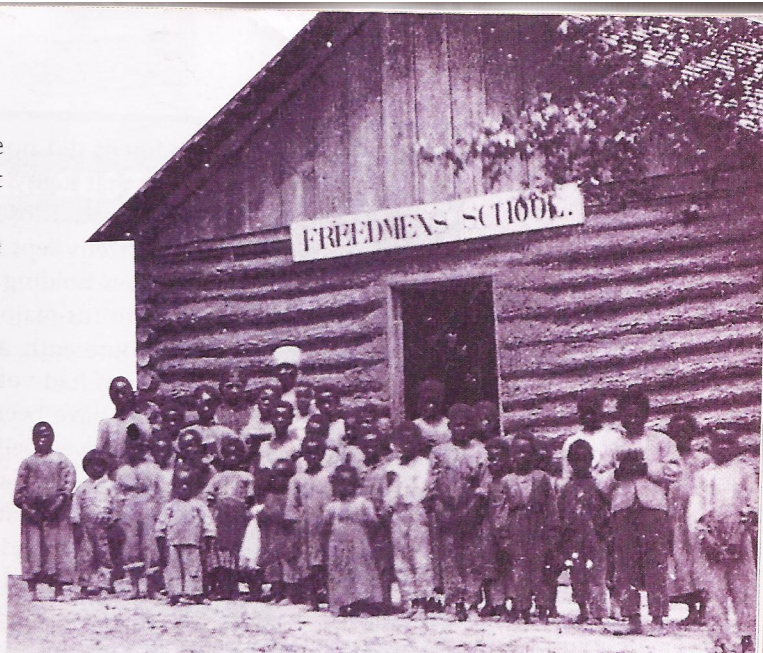
MAIN IDEA

Contrasting

B How did the views of Presidents Lincoln and Johnson on Reconstruction differ from the views of the Radicals?

from the way they had been before the war. As a result, Congress refused to admit the newly elected Southern legislators.

At the same time, moderate Republicans pushed for new laws to remedy weaknesses they saw in Johnson's plan. In February 1866, Congress voted to continue and enlarge the **Freedmen's Bureau**. The bureau, established by Congress in the last month of the war, assisted former slaves and poor whites in the South by distributing clothing and food. In addition, the Freedmen's Bureau set up more than 40 hospitals, approximately 4,000 schools, 61 industrial institutes, and 74 teacher-training centers.



▲ One important project of the Freedmen's Bureau was establishing primary schools, like the one shown here, for the children of former slaves.

CIVIL RIGHTS ACT OF 1866 Two months later, Congress passed the Civil Rights Act of 1866, which gave African Americans citizenship and forbade states from passing discriminatory laws—**black codes**—that severely restricted African Americans' lives. Mississippi and South Carolina had first enacted black codes in 1865, and other Southern states had rapidly followed suit.

Black codes had the effect of restoring many of the restrictions of slavery by prohibiting blacks from carrying weapons, serving on juries, testifying against whites, marrying whites, and traveling without permits. In some states, African Americans were forbidden to own land. Even worse, in many areas resentful whites used violence to keep blacks from improving their position in society. To many members of Congress, the passage of black codes indicated that the South had not given up the idea of keeping African Americans in bondage. ☹

Johnson shocked everyone when he vetoed both the Freedmen's Bureau Act and the Civil Rights Act. Congress, Johnson contended, had gone far beyond anything "contemplated by the authors of the Constitution." These vetoes proved to be the opening shots in a battle between the president and Congress. By rejecting the two acts, Johnson alienated the moderate Republicans who were trying to improve his Reconstruction plan. He also angered the Radicals by appearing to support Southerners who denied African Americans their full rights. Johnson had not been in office a year when presidential Reconstruction ground to a halt.

Congressional Reconstruction

Angered by Johnson's actions, radical and moderate Republican factions decided to work together to shift the control of the Reconstruction process from the executive branch to the legislature, beginning a period of "congressional Reconstruction."

MODERATES AND RADICALS JOIN FORCES In mid-1866, moderate Republicans joined with Radicals to override the president's vetoes of the Civil Rights and Freedmen's Bureau acts. The Civil Rights Act of 1866 became the first major legislation ever enacted over a *presidential veto*. In addition, Congress drafted the **Fourteenth Amendment**, which provided a constitutional basis for the Civil Rights Act.

The Fourteenth Amendment made "all persons born or naturalized in the United States" citizens of the country. All were entitled to equal protection of the law, and no state could deprive any person of life, liberty, or property without due

process of law. The amendment did not specifically give African Americans the vote. However, it did specify that if any state prevented a portion of its male citizens from voting, that state would lose a percentage of its congressional seats equal to the percentage of citizens kept from the polls. Another provision barred most Confederate leaders from holding federal or state offices unless they were permitted to do so by a two-thirds-majority vote of Congress. **D**

Congress adopted the Fourteenth Amendment and sent it to the states for approval. If the Southern states had voted to ratify it, most Northern legislators and their constituents would have been satisfied to accept them back into the Union. President Johnson, however, believed that the amendment treated former Confederate leaders too harshly and that it was wrong to force states to accept an amendment that their legislators had no part in drafting. Therefore, he advised the Southern states to reject the amendment. All but Tennessee did reject it, and the amendment was not ratified until 1868.

1866 CONGRESSIONAL ELECTIONS The question of who should control Reconstruction became one of the central issues in the bitter 1866 congressional elections. Johnson, accompanied by General Ulysses S. Grant, went on a speaking tour, urging voters to elect representatives who agreed with his Reconstruction policy. But his train trip from Washington to St. Louis and Chicago and back was a disaster. Johnson offended many voters with his rough language and behavior. His audiences responded by jeering at him and cheering Grant.

In addition, race riots in Memphis, Tennessee, and New Orleans, Louisiana, caused the deaths of at least 80 African Americans. Such violence convinced Northern voters that the federal government must step in to protect former slaves. In the 1866 elections, moderate and Radical Republicans won a landslide victory over Democrats. The Republicans gained a two-thirds majority in Congress, ensuring them the numbers they needed to override presidential vetoes. By March 1867, the 40th Congress was ready to move ahead with its Reconstruction policy. **E**

RECONSTRUCTION ACT OF 1867 Radicals and moderates joined in passing the Reconstruction Act of 1867, which did not recognize state governments formed under the Lincoln and Johnson plans—except for that of Tennessee, which had ratified the Fourteenth Amendment and had been readmitted to the Union. The act divided the other ten former Confederate states into five military districts, each headed by a Union general. The voters in the districts—including African-American men—would elect delegates to conventions in which new state

MAIN IDEAS

Summarizing

D What were the main benefits of the Fourteenth Amendment? How did it offer African Americans?

MAIN IDEAS

Analyzing Effects

E What effects did the elections of 1866 have on the ability of the Republicans to carry out their plan for Reconstruction?

Major Reconstruction Legislation, 1865–1870

Legislation

Freedmen's Bureau Acts (1865–1866)

Civil Rights Act of 1866

Fourteenth Amendment
(ratified 1868)

Reconstruction Act of 1867

Fifteenth Amendment
(ratified 1870)

Enforcement Act of 1870

Provisions

Offered assistance, such as medical aid and education, to freed slaves and war refugees

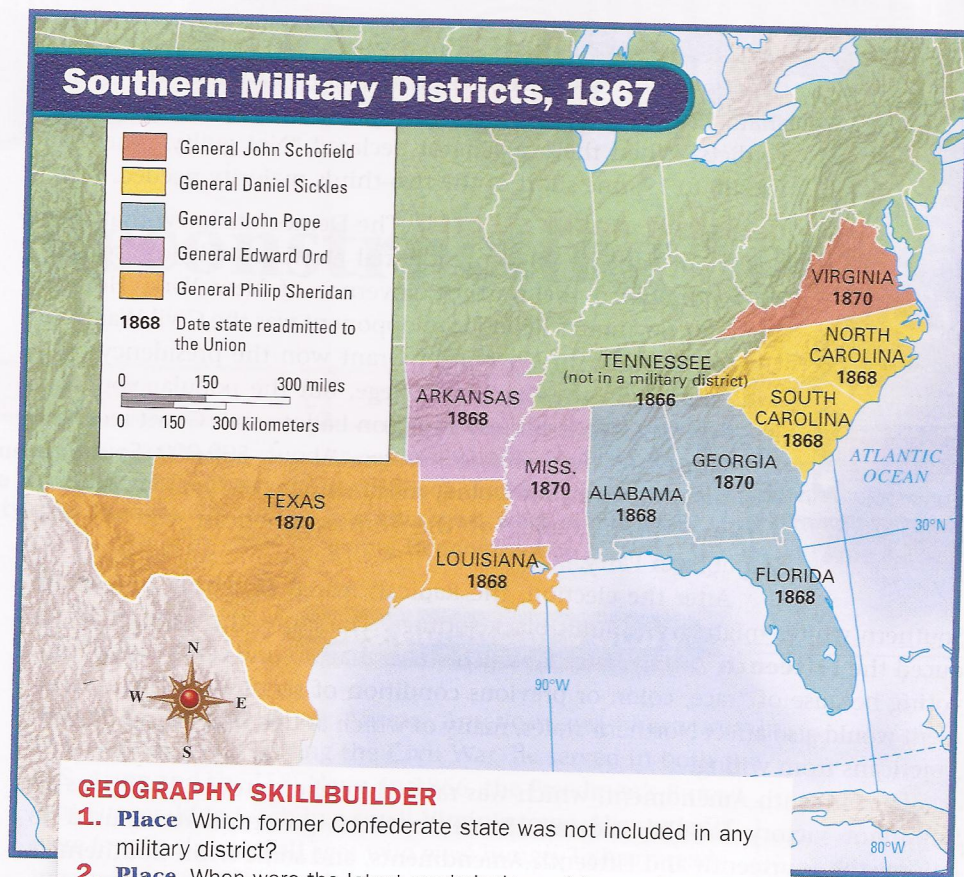
Granted citizenship and equal protection under the law to African Americans

Makes all persons "born or naturalized in the United States" citizens; stipulates that states that prevented male citizens from voting would lose a percentage of their congressional seats; barred most Confederate leaders from holding political offices

Abolished governments formed in the former Confederate states; divided those states into five military districts; set up requirements for readmission to the Union

States that no one can be kept from voting because of "race, color, or previous condition of servitude"

Protected the voting rights of African Americans and gave the federal government power to enforce the Fifteenth Amendment



constitutions would be drafted. In order for a state to reenter the Union, its constitution had to ensure African-American men the vote, and the state had to ratify the Fourteenth Amendment.

Johnson vetoed the Reconstruction Act of 1867 because he believed it was in conflict with the Constitution. Congress promptly overrode the veto.

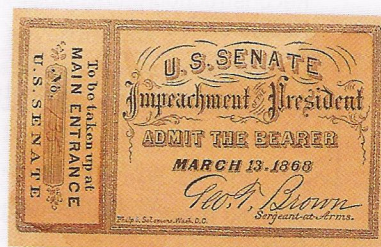
JOHNSON IMPEACHED Radical leaders felt President Johnson was not carrying out his constitutional obligation to enforce the Reconstruction Act. For instance, Johnson removed military officers who attempted to enforce the act. The Radicals looked for grounds on which to **impeach** the president—that is, to formally charge him with misconduct in office. The House of Representatives has the sole power to impeach federal officials, who are then tried in the Senate.

In March 1867, Congress had passed the Tenure of Office Act, which stated that the president could not remove cabinet officers “during the term of the president by whom they may have been appointed” without the consent of the Senate. One purpose of this act was to protect Secretary of War Edwin Stanton, the Radicals’ ally.

Johnson, along with many others, was certain that the Tenure of Office Act was unconstitutional. To force a court test of the act, Johnson fired Secretary of War Stanton. His action provided the Radicals with the opportunity they needed—the House brought 11 charges of impeachment against Johnson, 9 of which were based on his violation of the Tenure of Office Act. Johnson’s lawyers disputed these charges by pointing out that President Lincoln, not Johnson, had appointed Secretary Stanton, so the act did not apply.

Johnson’s trial before the Senate took place from March to May 1868. On the day the final vote was taken at the trial, tension

The lucky holders of tickets like this one could see Johnson’s impeachment proceedings in 1868.





▲ A campaign poster supporting the Republican ticket in the election of 1868

mounted in the jammed Senate galleries. Would the Radicals get the two-thirds vote needed for conviction? People in the Senate chamber held their breath as one by one the senators gave their verdicts. When the last senator declared “Not guilty,” the vote was 35 to 19, one short of the two-thirds majority needed.

ULYSSES S. GRANT ELECTED The Democrats knew that they could not win the 1868 presidential election with Johnson, so they nominated the wartime governor of New York, Horatio Seymour. Seymour’s Republican opponent was the Civil War hero Ulysses S. Grant. In November, Grant won the presidency by a wide margin in the electoral college, but the popular vote was less decisive. Out of almost 6 million ballots cast, Grant received a majority of only 306,592 votes. About 500,000 Southern African Americans had voted, most of them for Grant, bringing home the importance of the African-American vote to the Republican Party.

After the election, the Radicals feared that pro-Confederate Southern whites might try to limit black suffrage. Therefore, the Radicals introduced the **Fifteenth Amendment**, which states that no one can be kept from voting because of “race, color, or previous condition of servitude.” The amendment would also affect Northern states, many of which at this time barred African Americans from voting.

The Fifteenth Amendment, which was ratified by the states in 1870, was an important victory for the Radicals. Some Southern governments refused to enforce the Fourteenth and Fifteenth Amendments, and some white Southerners used violence to prevent African Americans from voting. In response, Congress passed the Enforcement Act of 1870, giving the federal government more power to punish those who tried to prevent African Americans from exercising their rights.

Such political achievements were not, however, the only changes taking place during Reconstruction. The period was also a time of profound social and economic changes in the South.



ASSESSMENT

1. TERMS & NAMES For each term or name, write a sentence explaining its significance.

- Andrew Johnson
- Thaddeus Stevens
- black codes
- impeach
- Reconstruction
- Wade-Davis Bill
- Fourteenth Amendment
- Fifteenth Amendment
- Radical Republicans
- Freedmen’s Bureau

MAIN IDEA

2. TAKING NOTES

Fill in a chart like the one shown with features of presidential Reconstruction and congressional Reconstruction.

| Presidential Reconstruction | Congressional Reconstruction |
|-----------------------------|------------------------------|
| | |

Why did presidential Reconstruction fail?

CRITICAL THINKING

3. HYPOTHESIZING

Describe how Reconstruction might have been different if Abraham Lincoln had lived.

4. INTERPRETING CHARTS

Look again at the chart on page 380. What was the primary focus of the major Reconstruction legislation?

5. EVALUATING DECISIONS

Do you think the Radical Republicans were justified in impeaching President Johnson? Why or why not? **Think About:**

- the controversy over Reconstruction policies
- the meaning of the Tenure of Office Act
- Johnson’s vetoes