

**UNIT 6**  
**RECONSTRUCTION AFTER THE**  
**CIVIL WAR**

CHAPTER 1 THE PROBLEM OF RECONSTRUCTION..... 1  
CHAPTER 2 TWO PLANS FOR RECONSTRUCTION..... 8  
CHAPTER 3 PRESIDENT JOHNSON IMPEACHED ..... 12  
CHAPTER 4 CONGRESSIONAL RECONSTRUCTION IN SOUTH CAROLINA: A STUDY IN BLACK  
POWER..... 17  
CHAPTER 5 THE RED SHIRT ELECTION IN SOUTH CAROLINA..... 23  
CHAPTER 6 EQUALITY POSTPONED ..... 28  
CHAPTER 7 THE AFRICAN-AMERICAN AS SHARECROPPER..... 31  
CHAPTER 8 TWO PATHS TOWARDS EQUALITY..... 35

by  
Thomas Ladenburg, copyright, 1974, 1998, 2001, 2007  
100 Brantwood Road, Arlington, MA 02476  
781-646-4577  
t.ladenburg@verizon.net

## Chapter 1

### The Problem of Reconstruction

It was April 9, 1865. The guns that had been firing for four years were silent at last, and in Virginia at the Appomatox Court House, General Robert E. Lee surrendered to General Ulysses S. Grant. The terms of surrender were fair: Southern soldiers were allowed to keep their swords and pistols, and they could take their horses and their mules home with them to help with the farm work. In a little over two weeks, when the last Confederate army surrendered, the long war that had divided the country was over at last.

As southern soldiers made their way home, they saw a far different country from the one they had left. Signs of the long struggle could be seen everywhere. Virginia, Tennessee, South Carolina, and Georgia looked like one huge battlefield. Where busy towns once stood, there were mostly burned ruins; where beautiful plantations and prosperous farms had once flourished, there were broken down houses and torn-up fences; and where slaves had once worked, thousands of freed people were out testing the meaning of their new freedom.

One year before, General Sherman had marched his army from Atlanta to Savannah, Georgia. His



**Richmond, Virginia in April, 1865**

armies had set fire to houses and fields along their path. He sent special demolition squads out in all directions to devastate the countryside and the South's ability to continue fighting. Bridges were demolished; barns were burned and livestock were slaughtered; train tracks were pulled up, heated, and twisted around trees. It was said that a bird flying over the sixty mile-wide swath of devastation brought about by Sherman would have to carry its own food. After arriving in Savannah for Christmas, Sherman's army marched northward through South Carolina and into North Carolina destroying, looting and burning. Southern armies were unable to stop them until the war had finally ended

The destruction in Virginia was not as systematic as it was in Georgia, but almost as bad. Virginia had been in the middle of the war for the better part of four years., and resembled a gigantic battlefield The southern capital in Richmond, only 90 miles from Washington, DC., was set afire by fleeing Confederate troops during the last weeks of the war. Only burned-out buildings remained for the hated Yankees to capture.

The South was badly damaged and close to collapsing in other ways as well. The North had been able to blockade Southern ports to prevent importation of food and war materials from England. The blockade also made the South's cotton all but worthless. By the time the war ended, Confederate banks were ruined, its factories destroyed, its people desolate, homeless, and starved, and its slaves freed. The South had fought to its last ounce of strength and collapsed in defeat.

The most serious price paid by the warring nation was the loss of human lives. The North suffered 110,000 battle deaths and another 250,000 killed from other causes. The South lost a total of 250,000 men. Nearly one out of four soldiers who fought on either side was killed. Twice as many Americans died during the Civil War as died in World War II; and eleven times as many as died in Vietnam. There were very few families on either side who did not mourn the loss of a father, son, husband or other relative, friend or neighbor.

It is impossible to make a correct guess as to the cost of the Civil War in dollars. No one knows exactly how much production was lost in the four years of fighting, or how much future production was lost by the death and serious injury of 750,000 people. Nor can anybody add up the loss in property, homes, livestock, and factory production. What can be determined, however, are the costs of the war to the taxpayers. That sum comes to 20 billion dollars at a time when the total national production for one year was about only 4.8 billion dollars. A comparative loss today would top \$15 trillion.

## The Condition of the South in White and Black

Toward the war's end a Southern teenager wrote in her diary:

*"We have no reason to complain. So many families are worse off. Many have not tasted meat for months, and we, too, having a cow, are able to have butter. My underclothing is of coarse unbleached homespun, such as we gave the Negroes formerly. My shoes are one hundred and fifty dollars a pair. In two or three months these prices will be doubled."*

*"We live tolerably poorly. Two meals a day. Two plates of bread for breakfast. Dinner consists of a very small piece of meat, a few potatoes and a dish of hominy and a pone of corn bread."*

A Southern belle, however, complained that now she would have to do the housework. She said that she would not mind, except that the 'lazy Negroes' could no longer be put to work. In fact, this daughter of a Georgian planter was quite upset by the behavior of the freedmen:

*Things are coming to such a pass that it is unsafe for ladies to walk on the street. The town is becoming more crowded with "freedmen" every day and their insolence increases with their numbers. Every available house is running over with them, and there are some quarters of the village where white people can hardly pass without being insulted. The Negroes are nearly all idle, and most of them live by stealing.<sup>1</sup>*

Between the time Abraham Lincoln had issued his Emancipation Proclamation and the day Lee surrendered, some four million slaves had tasted freedom. Never before had so many people experienced such a dramatic change in their lives. Under the best of conditions, the change from slavery to freedom would have been difficult. Coming at the end of a terrible war, the new freedom was bewildering to both the freedman and his former master. One freedman described the experience as his mother told it to him:

*When freedom come, my mama said Old Master called all of em to his house, and said "You all free, we ain't got nothing to do with you no more. Go on away. We don't whup you no more, go on your way." My mama said they go on off, then they come back and stand around just looking*

---

<sup>1</sup> Quoted in Grady McWhiney, *Reconstruction and the Freedman* (Chicago: Rand McNally and Company, 1963), p. 31.

# Digital History

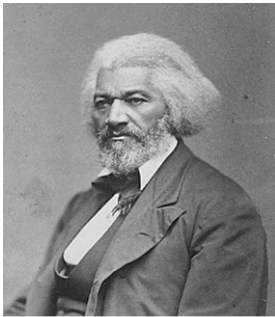
www.digitalhistory.uh.edu

*at him and old Mistress. They give 'em something to eat and he say: "Go on away, you don't belong to us no more, you been freed."*<sup>2</sup>

Another freedman heard essentially the same story:

*They go away, and they kept coming back. They didn't have no place to go and nothing to wear. From what she said they had a terrible time. She said it was bad times. Some took sick and had no 'tension and died. Seemed like it was four or five years before they got to places they could live. They all got scattered.*<sup>3</sup>

Another freed slave saw the problem in terms of the whites' refusal to accept the fact that black Americans were free:



**Frederick Douglass**

*It seem like the white people can't git over us being free, and they do everything to hold us down all the time. We have to just keep bowing and scraping when we are around white folks like we did when we was slaves. They had us down and they kept us down*

Frederick Douglass, the spokesman for black Americans for over a half-century, summed up the situation when he said that the black man was:

*...free from the individual master but a slave of society. He had neither money, property, nor friends. He was free from the old plantation, but he had nothing but the dusty road under his feet. He was free from the old quarter that once gave him shelter, but a slave to the rains of summer and the frosts of winter. He was turned loose, naked, hungry, and destitute to the open sky."*<sup>4</sup>

An African-American folk song from that period made essentially the same point:

Slavery and freedom;

They's mostly the same;

No difference hardly

Cept in name

## The Black Codes

Southern Whites believed it was necessary to write laws recognizing the changed status of black people. As soon as new legislatures met after the war, codes defining the rights and responsibilities of former slaves were drawn up. Some examples follow:

- Negroes must find gainful employment.
- Negro orphans should be put to work immediately.
- Negro adults without jobs would be arrested, fined or jailed.
- These fines should be no more than \$50.00.

<sup>2</sup> Quoted in B. A. Botkin, ed., *Lay My Burden Down: A Folk History of Slavery* (Chicago: University of Chicago Press, 1961)

<sup>3</sup> loc. cit.

<sup>4</sup> Quoted in Samuel Eliot Morison and Henry Steele Commager, *The Growth of the American Republic, Vol II* (New York: Oxford University Press, 1956), , p. 16

# Digital History

www.digitalhistory.uh.edu

- Negroes who could not pay the fine may be hired out to work by suitable adults who pay it for the
- Negroes may sue and be sued by other Negroes.
- Negroes may intermarry with each other.
- Negroes may not ride in first class railroad cars unless accompanied by their master or mistress.
- Negroes may not keep or carry firearms.
- Negroes must be off the street by sundown.
- Negroes could not sue whites in court or testify against whites.
- Negroes could not vote.

Southerners defended these 'black codes,' as necessary to keep order in the South and to help the freedman make the difficult adjustment from slavery to freedom. Northerners attacked the laws as signs that the South wished to keep Negroes as slaves under a different name. Even into the 20th century, the debate over these codes continues, as the following excerpts shows:

**William Dunning:  
White Southern Historian**

The black codes were an honest attempt to restore order in the South. They clearly recognized the fact that former slaves could not be on the same moral, social or intellectual level as whites. The laws understood the childlike level of the Negro and did not give him the right to vote, carry firearms, testify against whites or break labor contracts. It is true that some of the codes went too far. But they were right in their main emphasis of protecting Negroes and society from the results of the Negroes' own laziness and ignorance.

**W.E.B. Du Bois:  
African American Historian**

The black codes were the South's way of avoiding the most important consequence of the Civil War. They attempted to keep black Americans slaves in everything but name. Almost every independent work or movement by blacks was made a crime for which the guilty party could be fined and then hired out to work without wage for whites who paid the fine. The codes denied almost every basic right belonging to free men, and would make it impossible for black people to rise above the poverty and humiliation they suffered as slaves.<sup>5</sup>

## How to Put Humpty-Dumpty Together Again

Like no other event in the South's history, the Civil War had broken its society, disrupted its economy, and created social chaos. The years after the war would have to be devoted to putting America back together. As thoughtful men and women all over the country considered how this should be done, three major questions were uppermost in their minds.

1. Should the Southern states that seceded from the Union be allowed to come back as states equal in status to those states that remained loyal? Or should they have to wait until they could prove their loyalty to the Union and their willingness to treat their freed slaves fairly?
2. How should the South's confederate leaders be treated? Should they be pardoned for rebelling against their country and enjoy the rights granted to all loyal citizens? Or should they be punished for having fought against their government and country?

---

<sup>5</sup> Accounts freely adapted from writings by the authors.

3. What rights, privileges and assistance should be given to the four million freedmen? And should the states or the Federal government have the power to protect and help them?

In the eleven years following the Civil War, these questions were debated throughout the land. During this time, public opinion in the North found vastly different answers. But, despite some sincere efforts to assist black Americans, it took more than 100 years since the War's end before they were able to enjoy most of the same rights their white countrymen have always taken for granted.

### **Suggested student exercises:**

1. Describe the conditions of the South after the Civil War.
2. Do you agree with the authors of the Black Codes that the freed slaves were not yet ready for freedom and needed special laws to regulate their behavior? Why or why not? Whose position on the codes themselves, Dunning's or Du Bois's do you accept. Cite examples to illustrate your argument.
3. What do you think about the issues of Reconstruction raised in this reading: the return of the Southern states, the pardoning of Southern leaders, and the rights of the freedman? Explain your position on those issues that you believe are most important.
4. Do you think that each black family in the South should have been given some of the land they had worked as slaves? Why or why not? (See epilogue)

### **Epilogue: Land for the Freedman? (May also be read in conjunction with Chapter 7)**

In the closing days of the Civil War, Secretary of War, Edwin Stanton held a conference with a number of black leaders. Stanton asked 'How could the former slave best be helped?' The black spokesmen had a quick reply, 'Give us land. That way we can take care of ourselves.'

The Confiscation Act, passed in 1862, gave the national government the right and the power to take farms and plantations away from Southerners who fought against their country. Similar laws had been passed by various states during the American Revolution. Then, lands seized by state governments from Tories fighting for the British were sold at public auction to loyal Americans. Likewise, lands seized during the Civil War could have been distributed among slaves who had previously worked on them. Although President Lincoln made little use of the Confiscation Act; during the last few months of the War, General Sherman ordered certain areas of land set aside for use by freed slaves. Plantations in Mississippi, once owned by Confederate President Jefferson Davis and his brother Joseph were divided among 1800 black people. In one year the new owners earned \$159,000 from these properties. Abandoned plantations on the Sea Islands, off the coast of Georgia and South Carolina, were seized by the U.S. government and sold to enterprising freed slaves for small sums. Blacks successfully worked these plantations without white supervision. A dedicated band of white leaders saw these two successful experiments as a hopeful forerunner for widespread black ownership of the soil that they had toiled on for centuries. This portion of the chapter explores the question as to whether land in the South should have been given to the freedman immediately after the Civil War.

### **Forty Acres and a Mule**

The Freedman's most dedicated friend in Congress was Thaddeus Stevens from Pennsylvania. As an abolitionist before the War, Stevens often defended fugitive slaves without a fee. After the War,

# Digital History

www.digitalhistory.uh.edu

Stevens led Congress in demands for black political rights. Stevens was also convinced that black people would never really be free until they owned their own land:

*In my judgment, justice demands that we give every adult freedman a farm on the land that he was born, toiled and suffered. Forty acres and a mule would be more valuable to him than the right to vote. Unless we give this land, we shall receive the curse of heaven.*<sup>6</sup>

Lincoln's successor, President Andrew Johnson disagreed vehemently:

*Congress never has had the power to buy homes for the millions of the white race that work from day to day without land. The authors of the Constitution never intended that Congress should support the people. There is no reason for supporting black people, when the government has never supported whites.*

The argument over distributing lands did not end with these two speeches. Stevens informed the President that the ruler of Russia had freed 22 million serfs much as Lincoln had freed the slaves. But, the Russians had required the serfs' owners to give them farms on the soil that they had plowed and planted for years. Why then could not the President of the United States do the same for American slaves? The President replied that this would not be fair to the people who owned the land. Not only were they losing their slaves, but they would also be losing the land that their families had owned for generation.

The President believed that a man does not appreciate the value of anything that is given to him and that charity discourages people from working for themselves. He thought that the freedmen should earn the money to buy a farm like everybody else in the country. Because they are now free, can get a job, and save money, he was confident that these former slaves could take advantage of the Homestead Act and start a farm in the west, and he was determined that they should not be given land that belongs to others.

To these arguments, Stevens would have responded by asking what value is the gift of freedom, if a man has no way of earning a living? He believed that to deny the freedman the plot of ground he has already worked enough to own ten times over, will force him to work for the white man and end up no better than a slave. Expecting Negroes without money, experience, friends or relatives in the area to start a homestead 1,000 miles away from where they had lived all their lives, he argued, was completely unrealistic.\*

"Taking land from one group and giving it to another is no better than robbery," Johnson rebuffed. "What would happen to property rights once this government consents to denying this right to some? If we start taking people's lands away from them, no one will work hard to increase his own earnings. They will be afraid that land and their savings would be taken away just to satisfy the claims of someone else who does not have as much."

Thaddeus Stevens made a very specific proposal. He suggested that one southern family out of twenty, about 70,000 families, surrender 394 million acres of land. This would be more than enough to give every slave family forty acres of land and leave some 350 million acres to be sold. By selling the rest of the land at public auction, the government would earn enough money to give each black family some tools and a mule. The rest of the money could be used to pay pensions to the North's Civil War veterans.

---

<sup>6</sup> The Congressional Globe, 1866.

\* Remainder of dialogue based on views of disputants and are not their actual words

## **Suggested student exercises:**

1. Do you think that every black family in the South should have been given enough land to start life as an independent farmer? In answering this question, consider some of the issues stated below:

- a. What do you think is the real basis for the right to own and keep property?
- b. Are the plantation owners' rights to the land any greater than the rights of people who worked the land for no pay at all, for a period of up to 240 years?
- c. Is the fact that poor whites were not given land in the South by the national government a good argument for denying it to the freedman?

*For further discussion of this issue, see Chapter 7., [The African-American as Sharecropper](#)*



## Chapter 2

### Two Plans for Reconstruction

While the Civil War still raged, President Lincoln began making plans for reconstructing the Union. The Union armies had conquered large sections of Tennessee, and once this state was under the control of the National government, Lincoln moved quickly to put his plan for reconstruction into action. The underlying ideas behind his actions were eloquently expressed in his second inaugural address:

*With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan – to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.<sup>7</sup>*

What Lincoln did in Tennessee was to serve as his model for the rest of the South. In 1863, the President appointed Andrew Johnson to govern the state. Meanwhile, the President asked that at least ten per cent of the voters in Tennessee swear an oath to uphold the Constitution. Upon taking this oath of allegiance, all but the highest officers in the Confederate government or army would be pardoned for their part in the War. All rights of citizenship, except the right to own slaves, would then be restored to the citizenry. They could vote, hold office, serve on juries, etc. After the necessary number of voters swore this oath, the conquered state would form its own government and be re-admitted to the Union. Later, Lincoln also required that the reconstructed states ratify the Thirteenth Amendment which abolished slavery.

Congress opposed Lincoln's generous policies. Led by Thaddeus Stevens of Pennsylvania and Charles Sumner of Massachusetts, Congress passed a bill calling for far harsher treatment of the rebellious states. Congress wanted to deny public office to anyone who had broken an oath of allegiance to serve his country. This provision would eliminate almost all Confederate pre-war leaders from ever again holding elected office. Furthermore, Congress demanded that at least 50% of each state's voters swear an oath to uphold the Constitution before the state could enter the Union. And finally, claiming that it was their duty to "do justice to all God's creatures," Congress insisted that states give the freed slaves at least some of the rights exercised by white citizens. Congress was willing to give the freedman the right to vote, hold office, own property, and testify in court.

The ideals motivating this plan for reconstruction were stated by Thaddeus Stevens:

*Our fathers rejected the whole doctrine of the legal superiority of families or races, and proclaimed the equality of men before the law. Upon that they created a revolution and built the Nation. It is our duty to complete their work. If we have not yet been cleansed for our national sin to teach us to do justice to all God's creatures, without distinction of race or color, we must expect the still more heavy revenge of God.*

This chapter tells the story of how both plans for Reconstruction were tried and asks the reader to decide which plan would best solve the problems facing the country.

---

<sup>7</sup>Quoted in Richard Hofstadter, *Great Issues in American History*, Vol. II (New York: Random House, 1958), p. 417

## The Presidential Plan of Reconstruction in Action

The first direct clash between Lincoln and Congress over plans for Reconstruction came in July 1864. When Congress's program, embodied in the Wade-Davis Bill, was passed. Since Congress adjourned shortly after approving this bill, Lincoln effectively vetoed it by simply not signing it into law. As a result, Lincoln was free to continue his plan for Reconstruction.

In 1864, Lincoln also faced the difficult task of being re-elected. In order to emphasize his commitment to reuniting the country, Lincoln chose Andrew Johnson of Tennessee as his running mate. As governor of his state Johnson had proved to be an effective and fair-minded administrator. As vice-president he would prove that there was a place in the government for a Southerner. Despite considerable war-weariness, the Lincoln-Johnson ticket triumphed that fall.



**Campaign Poster for Lincoln and Johnson,  
1864**

With Congress still not meeting, Lincoln was able to bring Louisiana, Arkansas and Tennessee back into the Union under his generous plan of Reconstruction. After the Confederate capital, Richmond, Virginia, fell to his victorious armies, Lincoln visited that city and spoke personally to rebel leaders about Reconstruction. Five days later Lincoln agreed to his wife's urging that he take the evening off by attending Ford's theater. While the play was in progress, John Wilkes Booth broke into the President's private box, fired one shot into the unsuspecting Lincoln, and leapt down onto the stage. Unfortunately for Booth his spur caught on a flag as he jumped

and the fall broke his leg. But before the stunned audience could react, the assassin limped out of the theater and rode away on a waiting horse. Booth was trapped some days later and killed while trying to escape. The wounded President died early on the morning of April 15th, 1865 without ever regaining consciousness.

This unexpected tragedy elevated Andrew Johnson into the Presidency. While the nation still mourned their beloved leader, Congressmen visited Johnson to inquire about his plans for Reconstruction. President Johnson led them to believe that he supported their plan, but on May 29, 1865, the new President issued a blanket pardon for all but the very richest Confederates who were then encouraged to come personally to Washington and seek their pardon. They were seldom disappointed. The men, thus pardoned, were again able to take part in politics and be elected to office. In the case of those whose lands were taken under the Confiscation Act of 1862, the pardon also restored their property at the expense of the freedmen who had benefited from the Confiscation Act.

## THE CONSTITUTIONAL AMENDMENT!

**GEARY**  
Is for Negro Suffrage.

**STEVENS**  
Advocates it.

**FORNEY**  
Howls for it.

**McCLURE**  
Speaks for it.

**CAMERON**  
Wants it.

**The LEAGUE**  
Sustains it.

They are rich, and want to make  
The Negro the Equal  
OF THE POOR WHITE MAN,  
and then rule them both.

**The BLACK Roll**  
CANDIDATES FOR CONGRESS  
WHO VOTED FOR THIS BILL.

THAD. STEVENS  
WM. D. KELLEY  
CHAS. O'NEILL  
LEONARD MYERS  
JNO. M. BROOMALL  
GEORGE F. MILLER  
STEPHEN F. WILSON  
OLYSSSES MERCUR  
GEO. V. LAWRENCE  
GLENNI W. SCHOFIELD  
J. K. MOORHEAD  
THOMAS WILLIAMS

**THE RADICAL PLATFORM--"NEGRO SUFFRAGE THE ONLY ISSUE!"**

Every man who votes for Geary or for a Radical Candidate for Congress, votes as surely for Negro Suffrage and Negro Equality, as if they were printed on his ballot.

**Poster using what today would be called racist propaganda to oppose granting The Freedman the right to vote. Every vote for a Radical is a vote for Negro Suffrage and Negro equality as sure as if it were on the ballot**

Meanwhile, every Southern state continued to follow the procedures outlined by Lincoln. After a relatively small percent of the state's citizens swore an oath of allegiance, the state was permitted to form a new government. Then the states elected their own leaders. In many cases they elected men who had led them during the Civil War. Georgia elected Alexander Stephens, Vice-President of the Confederacy, to represent it in Congress. Other states elected former Confederate generals and governors. Mississippi even elected a new governor whose pardon from Johnson came after the election.

### Opponents of African-Americans Voting Play the Race Card

As the new Southern states rehabilitated themselves, they passed laws or codes to regulate the behavior of the freedmen. These Black Codes, summarized in chapter one, did not allow freedmen to vote or to participate in the government. In some states, freedmen were not even allowed to own property, and in others they could be put in jail if they were unemployed. Linked with two widely publicized race riots in Memphis and New Orleans, which resulted in the death of dozens of black people, the Black Codes convinced many northerners that the South had not fully accepted the verdict of the Civil War.

Congress was not in session while Andrew Johnson continued his program of lenient Reconstruction. Thaddeus Stevens, Charles Sumner, and many others sat by helplessly, unable to prevent the return of the Confederate leadership, and unable to protect freedmen from the Black Codes. When Congress finally convened on December 4, 1865, the real battle of wills was joined. Following the suggestion of Stevens and Sumner, Congress refused to seat the delegates from the Confederate states. Congress then set out to "investigate" the qualifications of these delegates and to proscribe the conditions under which the Southern states would be re-admitted to the Union.

## Congress Clashes With President Johnson

With the Southern states still not represented in Congress, the House and Senate passed two strong measures. The first, the Freedmen's Bureau Act, extended the life of the agency established to protect the freedmen by providing food, shelter, medical care and advice. The Bureau had helped hundreds of thousands of black and white people during and right after the war. Many white Southerners hated the Bureau, however, claiming that it interfered with the rights of the states and encouraged freedmen to leave their former masters. President Johnson sympathized with this southern point of view. Arguing that the government should not provide welfare assistance to every needy minority, Johnson vetoed the Freedman's Bureau Bill.

Congress also passed a Civil Rights Act, which declared that all persons born in this country, including African-Americans, were citizens of the United States and the state in which they lived. States were not allowed to deny rights to any citizen. The freed slave, therefore, had the same rights under the law as a white southerner. This act, too, was vetoed by President Johnson. The President justified his action by arguing states' rights position. He did not think the national government should interfere with rights traditionally exercised by the states. According to the President, each state should determine what rights its people were capable of exercising. \*

Coupled with the pardoning of Confederate leaders, these two veto messages marked the bounds of disagreement between President Johnson and the Congress. In his messages to Congress, Johnson could claim to be following the Reconstruction plan proposed by Abraham Lincoln. He would quickly restore the rights of the seceding states and re-unite the Union. On the other hand, Congress claimed it was following the true objective of the Civil War, namely, providing real meaning to the freedom given African-Americans. By permitting the states to resolve racial issues, Congress argued, Johnson would deliver the former slave back into the hands of his former master. By insisting on racial justice, Johnson could point out, Congress would prevent the restoration of the Union.

### Suggested Student Exercises:

1. Summarize the basic differences between the Presidential (Lincoln and Johnson) Reconstruction plan and that of the Congressional (Sumner and Stevens) plan by completing the chart below:

Presidential Plan	Category	Congressional Plan
	Aim or purpose of plan	
	% voters for state to return	
	Pardoning policy	
	Provisions for freed slaves	
	Events using this plan	

2. Which plan do you think should be followed? Give your reasons

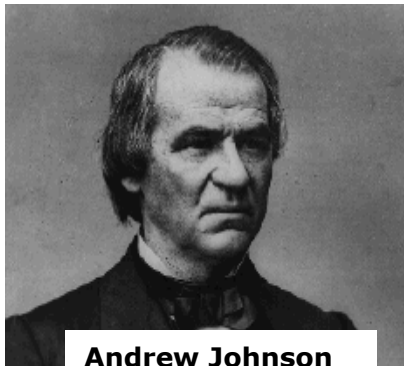
---

\* Congress overrode both the Civil Rights and the Freedman Bureau bills' vetoes. Because Congress too doubted that its Civil Rights act was Constitutional, it amended the Constitution to deny states the right to deprive their citizens of equal rights before the law. This, the 14th and one of the most important amendments, will be discussed in full detail in chapter 6.

## Chapter 3

### President Johnson Impeached

Many scholars have called the American presidency the most powerful office in the world. However, the President is not above the law, and the Founding Fathers made provisions for his removal from office should he ever break the law. The Constitution provides that the House of Representatives can impeach the President for “high crimes and misdemeanors,” and that the Senate might then remove him from office providing two-thirds of its members find him guilty as charged.



**Andrew Johnson**

Three serious attempts have been made to impeach and convict an American president. President Andrew Johnson was impeached by the House of Representatives, and stood trial before the US Senate. Nearly a century later, in August 1974, President Richard Nixon resigned his office before the House of Representatives could vote a bill of impeachment. And most recently, in 1999, President William Jefferson Clinton was impeached, and like Johnson, faced a trial by the US Senate. This chapter tells the story of the Johnson impeachment and asks the reader to decide whether he should have been convicted and removed from office.

#### Issues to be Considered

For nearly two years, Congress and the President disagreed sharply over the issues of Reconstruction, including re-admission of Southern states to the Union, treatment of Confederate leaders, and protection for the freedman. After literally hundreds of angry exchanges with Congress, Andrew Johnson gave the radicals in Congress an issue that they could unite upon with other members of Congress. He fired his Secretary of War, Edwin Stanton, although the Tenure of Office Act prohibited the US President, without the Senate's consent, from dismissing any cabinet member he had appointed. Dispensing with the need for a bill of particulars, the House of Representatives voted to impeach the President. Later they charged him with eleven counts of ‘high crimes and misdemeanors,’ relating primarily to Stanton's dismissal.

Many historians have pointed out that the case against Andrew Johnson was both flimsy and false. In a technical sense, he had not even violated the Tenure of Office Act because Lincoln and not Johnson had appointed Stanton. But the issues involved in the impeachment were greater than the mere question of whether Johnson had violated that particular law. For two years, Andrew Johnson had opposed every effort made by Congress to protect the rights of the freedman. He had encouraged Southerners to violate the rights of blacks while he brazenly pardoned the Confederates for their part in the War against the Union. The issue of impeaching and convicting President Johnson also pitted the power of Congress against the powers of the President. Would Congress or the President prevail?

This chapter raises three issues related to the trial of Andrew Johnson:

- Had President Johnson actually committed an impeachable offense?
- Should the Reconstruction policies of the Congress or the President be followed?
- What effects would conviction on these charges have on the power of future presidents?

## A Short Biography of Andrew Johnson

Like President Jackson, Andrew Johnson was born to poverty in North Carolina, and eventually migrated to Tennessee. Like Abraham Lincoln, he was self-educated. Johnson married a schoolteacher who taught him to read and write. While very young, he was apprenticed to a tailor and made his living at that trade. But Andrew Johnson's real love was politics. He was first elected to office at the age of twenty-one, and in quick order, he became mayor, state legislator, US Representative, and US Senator. He fought for the rights of the poor whites in the South who opposed the rich plantation owners. Like many who could not afford slaves, he hated and opposed slavery without either liking African-Americans or wishing to either free them or give them rights.

When the Civil War began, almost all of the South's Congressmen except Andrew Johnson resigned their seats in the House and Senate. Johnson remained faithful to the Union and continued to hold his seat in the Senate. After his state was occupied by Union troops, Abraham Lincoln rewarded Johnson with an appointment as wartime governor of Tennessee. Johnson's bold and courageous administration of his state's government won him the President's respect. When Lincoln needed a running mate in the election campaign of 1864 to underscore his policy of reuniting the country, he chose the tailor from Tennessee. Following Lincoln's assassination, Andrew Johnson became President of the United States. Despite a brief political "honeymoon" with Congress, Johnson's earned the hatred of the Radical Republicans who wished to use Reconstruction to protect the rights of the freed slaves and strengthen the Republican party. Instead, Johnson used his powers to pardon southern leaders, vetoed bills designed to help the freedman, and soon entered into a full-fledged verbal battle with radical leaders like Charles Sumner and Thaddeus Stevens.

Johnson defended his actions as President by claiming to be following Lincoln's Reconstruction policy. But Johnson lacked Lincoln's political skills, eloquence, wisdom, and sense of humor. Where Lincoln was flexible and able to compromise, Johnson was rigid and righteous. While Lincoln sought the support of Radical Republicans, Johnson courted the favor of southern and northern Democrats. And where Lincoln, with his wit, charm and eloquence, was able to win the respect of those who disagreed with him, Johnson often antagonized his own supporters. Within two years of his ascent to the office of U.S. President, Andrew Johnson was impeached and faced trial before the US Senate. The following account summarizes the events that led to Johnson's ordeal:

### The Road to Impeachment

**March 4, 1864:** Johnson appeared to be drunk at Lincoln's Inaugural.

**April 14, 1865:** Lincoln was assassinated.

**April 15, 1865:** Andrew Johnson became America's 17th president. While passions against the South were still running high following the War and the assassination, Johnson sided with the Radicals.

**March 1866:** Congress passed a civil rights bill forbidding states to discriminate against citizens on the basis of race or color. This law would have made the Black Codes illegal. In a harshly worded message, Johnson vetoed the Civil Rights Act, arguing (possibly correctly) that the Constitution did not give Congress this power to protect the rights of individuals. That was a power reserved to the states

# Digital History

www.digitalhistory.uh.edu

**June 1866:** Congress passed Amendment 14 to the Constitution and sent it to the states to ratify. The amendment would give Congress the power to prevent states from discriminating against citizens on the basis of race. It would make all men equal under the law, but would also disenfranchise confederate leaders and suspending payments of the Confederate debt. Johnson vehemently opposed this amendment and advised Southern states not to ratify it.

**July 1866:** In New Orleans, Louisiana, thirty-seven Negroes and three white sympathizers were killed by police and white citizens. Again Johnson took no action, deferring to local authorities.

**Fall of 1866:** On a political tour of the mid-west, Johnson urged voters to elect Democrats to oppose radical Republicans. He denounced his opponents in language similar to his February, 22nd speech:

"Though the powers of hell, death and Thaddeus Stevens combine, there is no power that can control me save you (the people) and God."

**March 1867:** Congress passed the First Reconstruction Act. This law required Southern states to ratify the 14th Amendment. States that refused to ratify this amendment would be occupied by Federal troops. The army would be assigned to supervise elections to Constitutional Conventions. Delegates to these conventions would write constitutions giving equal rights to black people. The troops would remain until the southern states formed governments with participation by all American males, including the freedmen. Johnson vetoed the Reconstruction Act. When it was passed over his veto, he advised southerners not to obey it by refusing to ratify the 14th Amendment. When military occupation was forced on ten Southern states, Johnson used his influence to prevent the army from encouraging black participation in politics.

**March 1867:** Congress passed the Tenure of Office Act. This act stated that without Senate approval the President could not fire officials whom he had appointed with the advice and consent of the Senate. Johnson vetoed the bill, but it passed over his objections.

**February, 1868:** Johnson fired his Secretary of War, Edwin Stanton, and appointed a successor. There is some question as to whether the Tenure of Office Act covered the Stanton dismissal since Lincoln had appointed him. Nevertheless, Congress interpreted this action as a violation of the Tenure Act.

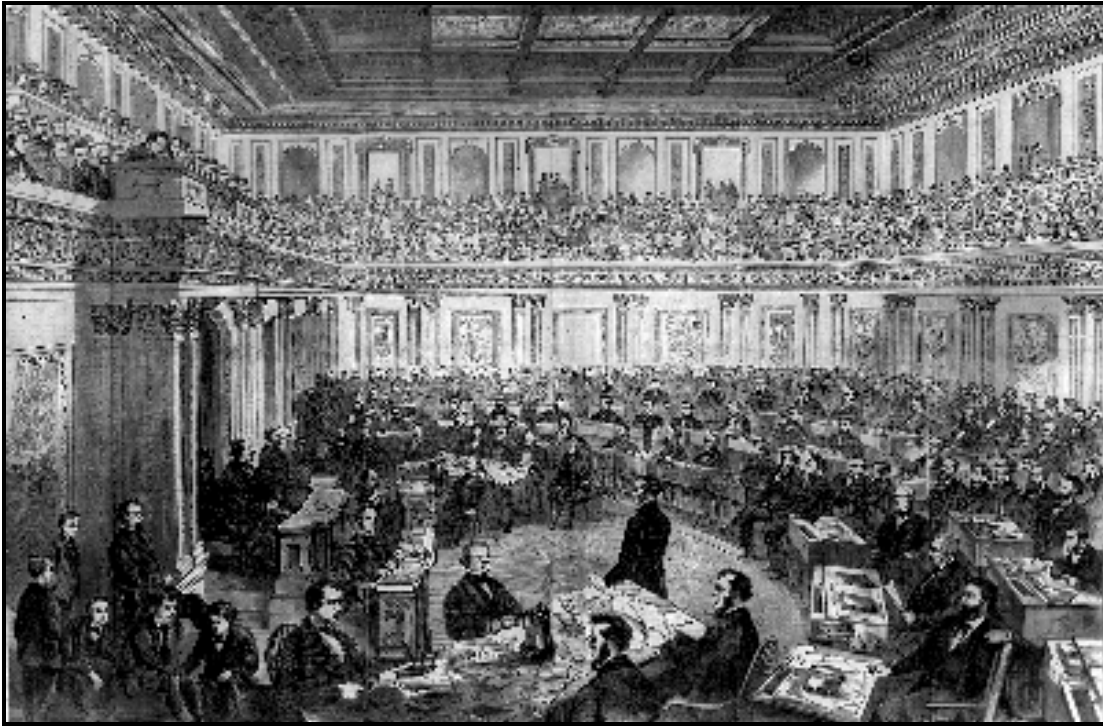
At the same time, Johnson replaced several generals who had made strong efforts to protect freedmen's rights in their states. They were replaced with generals who were less likely to help freedmen.

On the question of whether Johnson had actually violated a law, one Republican commented:

*"If the great culprit had robbed a till; if he fired a barn; if he had forged a check; he would have been indicted, prosecuted, condemned, sentenced and punished. But the evidence shows that he only oppressed the Negro; that he only conspired with the rebel; that he only betrayed the Union party; that he only attempted to overthrow the Republic – of course that goes unwhipped of justice."<sup>8</sup>*

---

<sup>8</sup> Quoted in Avery Craven, Reconstruction. Ending the Civil War, p. 84



**The Trial of Andrew Johnson**

### **Suggested Students Exercises:**

1. Consider the following issues and decide whether Andrew Johnson should have been found guilty of the charges brought against him and whether he should be convicted and removed from office.

- Did Johnson in fact break a law?
- Were his policies bad for the nation?
- Would impeaching and convicting the President on these charges set a dangerous precedent and make future Presidents unable to carry out their duties? Or would conviction give Congress the necessary power to limit future attempts by Presidents to exercise too much power?



## The Case to Acquit

Johnson was charged with breaking the Tenure of Office Act, but it is doubtful that he really violated this law. The Act stated that a President may not replace a government official who was appointed with the advice and consent of the Senate without the Senate's approval. Since Lincoln, not Johnson, appointed Stanton, Johnson did not violate the law. Even if Johnson did break this law, it certainly is not very important. The Constitution says that a President can be impeached and convicted only for "high crimes and misdemeanors," not high crimes or misdemeanors. Firing Stanton certainly was not a high crime.

It is true that Johnson opposed Congress's plan of Reconstruction, but so did Abraham Lincoln. All Johnson did was to carry out Lincoln's plan. Is that a crime worthy of removal from office? Johnson was seeking to end the Civil War by bringing the South back into the country as rapidly as possible. Congress was trying to punish the South by putting it under a government of ignorant former slaves who, in many cases, could not even read or write. Is that a crime? Johnson was trying to protect the rights of the states to control their own domestic institutions. Congress was trying to force the dictatorial power of the national government on an unwilling people. Furthermore, Congress did not even represent the country. Southerners were kept out of Congress until they submitted to rule by former slaves.

Finally, if Johnson were convicted because he disagreed with Congress this country would be in terrible shape. No President in the future would dare to oppose Congress. Presidents would be at the mercy of Congress and we would never again have a strong President such as Lincoln, Roosevelt, or Reagan with the courage to do what he believed is right. Presidents in the future could be removed from office because of some minor offense like wearing the wrong colored tie, or dating an intern.

## The Case to Convict

Johnson broke the spirit if not the letter of the Tenure of Office Act when he fired Secretary of War Stanton (who was appointed while he was Vice-President) and appointed a successor without Congress's consent. Furthermore, the Constitution states that the President must see that 'the laws are faithfully executed.' By failing to enforce the laws passed by Congress Johnson failed to do his Constitutional duty. Since no President should be above the law, Johnson must be convicted for this behavior.

Johnson should also be convicted because all of his actions were directed at two objectives, to help the traitors who led this country into a disastrous Civil War, and to hurt the Freedman. First, he pardoned rebel leaders. Secondly, he opposed all attempts to give freedmen their rights. He took land from freedmen and gave it to rebels. He advised southern leaders to disobey the Reconstruction Act, shuffled generals around to prevent enforcement of that Act, and vetoed the Civil Rights Bill and the Freedman's Bureau Act. He allowed rioters in Memphis and New Orleans to kill dozens of freedmen.

The Constitution established three branches of government. The legislative makes the law, the executive carries out the law, and the judicial determines whether laws have been broken. Johnson failed to carry out the law. He did not do the job required of him under the Constitution. Not only did he fail to see that the law was faithfully executed, but he advised others not to obey it, and he broke the law by appointing a successor to Stanton. If the President is permitted to break laws that he is supposed to enforce, we might as well do away with Congress and get a King. Future Presidents could get away with murder. Johnson must be convicted.

## Chapter 4

# Congressional Reconstruction in South Carolina: A Study in Black Power

The central controversy between Andrew Johnson and Congress had been over their plans for reconstructing the South. Once armed with a two-thirds majority to override a presidential veto, Congress was able to institute its own plans. These called for the South to ratify the 14th Amendment to the Constitution before returning to the Union. The amendment would have given the former slaves the same political rights enjoyed by their former masters and would have banned most Confederate leaders from holding political office. With Johnson's encouragement, all of the Southern states except for one refused to ratify the amendment.

Congress's next step was to divide the Southern states into five military districts. Each district was placed under the control of a major general. His duty was to supervise an election of delegates to a Constitutional Convention in that state. These elections were open to the freedmen as well as to white Southern men, and many African-Americans were elected in each state to serve in these conventions. Once these conventions drew up a Constitution, ratified the 14th Amendment, and started their own state governments (with participation by both blacks and whites), US troops would be withdrawn, and the state would be considered reconstructed.

Most white Southerners hated the governments installed under Congressional Reconstruction in part because they were forced on them and in part because they granted rights to their former slaves. Southerners called them "carpetbag governments" referring to the suitcases that were made out of materials used for rugs and frequently carried by northern politicians who came to the South to run for office. These politicians were called *carpetbaggers*, and the Southerners who worked with them were considered traitors to the South and called *scalawags*.

The carpetbag governments were accused of stealing and of general mismanagement. Many people believed that the very presence of blacks in State governments demoralized and corrupted whites. Stories of the dishonesty and the stupidity of black legislators and their carpetbag allies were spread throughout the states. Many people living in the North believed that these stories and were joined later by the historians who wrote the history of Congressional Reconstruction. But, there is another side to the history of Reconstruction, which has generally been ignored.

Under carpetbag rule, many Southern states wrote constructive constitutions, which were great improvements over the old ones. Furthermore, these constitutions established free public schools for the first time in the history of these states and made many other important social reforms. And, if there were, occasionally, corrupt politicians in these governments, they certainly were not as dishonest as the white politicians, both North and South who stole far more public money during this and other periods in American history.

This chapter does not take a position on the issue of Congressional Reconstruction. Instead, it presents several documents and asks readers to decide what carpetbag governments were really like? Were they a 'blackout of honest government' as Southerners charged? Or was it on the whole 'a beneficial and constructive attempt' to deal with the legacy of slavery and the Civil War, as others have argued?

## Professional Legislative Robbers

A Northern abolitionist by the name of James Pike visited the South in the 1870's. After returning, he wrote a book about Congressional Reconstruction in South Carolina called *The Prostrate State*. It made a big impression in the North because the author, an abolitionist, expected to be favorably impressed by what he saw. As you read excerpts from Pike's book, try to determine whether Pike really was an objective observer.

*One of the first things that strikes a casual observer in this Negro assembly is the endless chatter that goes on there all the time. The leading topics of discussion are all well understood by the members. When the bill comes up to raise money to catch and punish the Ku-Klux, they know exactly what it means. They feel it in their bones. So, too, with educational bills. The free school comes right home to them; then the business about arming and drilling the black militia. They are eager on this point. Sambo can talk on these topics and those of a similar character, day in and day out. There is no end to his gush and babble. The intelligence level of this talk is about as high as the thinking at black holy rollers meeting. This kind of mindless chatter can go on forever. It is so simple that even they can understand it. Here the Negro copies the white like a parrot or a monkey, and he is always ready to try his skill. The rule of South Carolina by these clowns should not be given the name of government. It is a huge system of stealing and looting. The men who run it are the picked robbers of the community. They are professional legislative robbers. They are men who have studied and practiced the art of legal stealing. They are in no sense different from, or better than, the men who fill the prisons of the world. They are in fact, of the same class, only more daring and cunning. They pick your pocket by law. They rob the poor and rich alike, by law. They do all to make themselves personally rich.*<sup>9</sup>

## We Had Reconstructed the State

An African-American who sat in the same legislature so roundly criticized by James Pike had quite a different tale to tell. Read his evaluation of the South Carolina legislature under Congressional Reconstruction and decide whether this story is more believable than Pike's?

*We had built school houses, established charitable institutions, built and maintained the penitentiary system, provided for the education of the deaf and dumb, rebuilt the jails and court houses, rebuilt the bridges and re-established the ferries. In short, we had reconstructed the State and placed it upon the road to prosperity and, at the same time, by our acts of financial reform transmitted to the Hampton Government an indebtedness not greater by more than \$2,500,000 than was the bonded debt of the State in 1868, before the Republican Negroes and their white allies came into power.*<sup>10</sup>

## Drinking in the Legislature

After the so-called carpetbaggers, scalawags, and their African-American allies were kicked out of office, an investigation was made into their alleged misuse of state moneys. The documentary evidence placed on the public record by the restored democrats in South Carolina included the following. The first is the testimony from Lewis Grant, a Negro porter:

---

<sup>9</sup>James Pike, *The Prostrate States South Carolina Under Negro Government*, (New York: D. Appleton & Co., 1874), pp. 17-18, & 58.

<sup>10</sup> Quoted by William E. B. DuBois "Reconstruction and Its Benefits," *Historical Review* XV (July, 1910) p. 790

# Digital History

www.digitalhistory.uh.edu

*A part of my duty was to attend to the refreshment room adjoining the room occupied by the clerk of the Senate. I generally opened the room at 8 o'clock in the morning and kept it open from 2 to 4 next morning. During that time some one was constantly in the room, eating and drinking or smoking. Senators, members of the House and State officers and Judges and editors of influential newspapers were constant visitors; not an hour in the day, and but few at night, but what some one of them were there drinking and smoking. Many of the senators and members would come to the room before breakfast, hunting a drink or "eye-opener." I cannot estimate the amount drank on an average every day, but several gallons, with a considerable amount of wine, port, ale, included. We kept the best articles at the time; the Senators and members would complain if any but the best of cigars and wines and liquors were furnished them. ... The Senate refreshment room was where the members met to talk over the various jobs that were under consideration and make arrangements as to how they would vote on them. When some of them would leave they would put a bottle of champagne in their pockets. <sup>11</sup>*

The following purchases were reported to stock the refreshment room:

Feb. 1: 6 boxes cigars, \$10 - \$60; cheese, \$1.25 crackers, \$1.25	\$62.50
Feb. 1: 1 dozen ale, \$3.50; 1 dozen porter, \$3.50; 1 jar ginger, \$3	\$10.00
Feb. 1: 1/2-gallon c. whisky, \$1.50; 1 bottle wine, \$2,	\$ 3.50
Feb. 1: 3 bottles wine, \$6; 1 box cigars, \$9;(Robertson)	\$15.00
Feb. 4: 4 dozen ale, \$3.50 - \$14; 1 gallon whisky, \$3	\$17.50
Feb. 4: Matches, 40c; (5) 1 gallon c. whisky, \$3	\$ 3.50
Feb. 5: 1 pineapple cheese, \$2.50; 5 pounds crackers, \$1.25	\$3.75
Feb. 5: 3 boxes cigars, \$10 - \$30; (6) 1 gallon whisky, \$7	\$37.00
Feb. 5; 1 pineapple cheese, \$2.50; 6 boxes sardines, \$1.80	\$4.304. <sup>12</sup>

## **This was a Day of a Great Deal of White Corruption**

An African-American historian, W. E. B. Du Bois, was one of the first writers to point out that corruption was not an exclusive characteristic of black Americans. Dishonesty of the Carpetbag governments, Du Bois argued, if indeed there was a great deal, must be measured in relationship to the behavior of white lawmakers in other governments. Read the following and evaluate the force of Du Bois' argument.

*Dishonesty in public life has no monopoly of time or place in America. To take one state: in 1839 it was reported in Mississippi that ninety per cent of the fines collected by sheriffs and clerks were unaccounted for. In 1841, the state treasurer acknowledges himself "at a loss to determine the precise liabilities of the state and her means of paying the same." And in 1839 the auditor's books had not been posted for eighteen months, no entries made for a year, and no vouchers examined for three years. Congress gave Jefferson College, Natchez, more than 46,000 acres of land; before the war this whole property has "disappeared" and the college was closed. From 1830 to 1860 Southern men in federal offices alone embezzled more than a million dollars — a far larger sum than now. There might have been less stealing in the South during Reconstruction without Negroes voting. But it is certainly highly instructive to remember that this was a day of a great deal of white corruption in government. A national secretary of war was caught stealing, a vice-*

<sup>11</sup>Walter L. Fleming, *Documentary History of Reconstruction*, Vol. II, (Cleveland: The Arthur H. Clark Company 1907), p. 59

<sup>12</sup> Fleming, *op. cit.*, p. 67.

# Digital History

www.digitalhistory.uh.edu

*president presumably took bribes, a private secretary of the president, a chief clerk of the Treasury, and eighty-six government officials stole millions in the whiskey frauds.*<sup>13</sup>

## Suggested student exercises:

1. Why were Southerners likely to despise the governments established under congressional rule?

Review each of the four documents in this chapter examine them for:

- **Loaded language** (are there words that show obvious prejudice?)
- **Objectivity of observer** (does the source have a reason to lie?)
- **Believability** (are exaggerations so great they are beyond belief?)
- **Relevance** (does the information (if true) have any relevance to the question under consideration (in this case, the accomplishments of African-Americans in government during Reconstruction)?)

2. What conclusions do you come to regarding the success of Congressional Reconstruction and the role of African-Americans in these newly formed governments?

3. Read the story of Robert Smalls (see Epilogue below) and explain how this story informs your view of Black Reconstruction.

## Epilogue: The Case of Robert Smalls (written by two, white, liberal historians)



**Robert Smalls**

Off the coast of South Carolina in the picturesque Sea Islands, Robert Smalls grew up a slave, the favorite of his owner Henry McKee. During the Civil War, Smalls was hired out by his owner to pilot the coastal steamer, *The Planter*, which was engaged in strengthening the Confederate's defenses around Charleston. Smalls was determined to escape to the Sea Islands, now in Yankee hands. One night when the white crew and officers were at a party on shore, Smalls quietly took the ship out into the harbor and went to another dock to pick up his wife and two children. Wearing the broad brim hat of the Planter's white captain, Smalls gave the correct signals to Confederate soldiers in Fort Sumter and cleared the port. When Smalls and his crew came in sight of the Union gunboats off the islands, they raised a white bed sheet on the mast as a sign of truce and gave three cheers for the Union. Robert Smalls was now a free man and somewhat of a hero. During the rest of the war, he made daring raids into coastal rivers to pick up other escaping slaves, and built a successful business ferrying Northerners around the Sea Islands. With the money he earned operating the *Planter*, Smalls bought his former master's house at Beaufort. When Congressional Reconstruction started two years later, Smalls was appointed registrar of voters in his home county. The next year he was elected to represent this heavily black county at the Constitutional Convention.

Robert Smalls and other delegates were greeted with great hostility in Charleston where they came to write the new state constitution. A majority of the delegates were African-Americans and South

---

<sup>13</sup> W.E.B. DuBois, *Black Reconstruction* (New York: Russell & Russell, 1935),

# Digital History

www.digitalhistory.uh.edu

Carolina's white population could not have been more upset. Some of the delegates were field hands who could neither read nor write. Others, like Smalls, had learned to write since the war and were successful businessmen. Others had been free Negroes who had been literate for years. More than one-half of the white delegates were native South Carolinians – some from the up-country – and had never before been able to challenge the political power of the aristocratic planters.

When the convention came to order, the delegates were intensely serious about the business at hand. They paid careful attention to the fine points of parliamentary procedure. They voted not to hire a chaplain in order to save the state money, and also saved by not hiring extra clerks, messengers, and doorkeepers. As one delegate put it, "Most of us have been used to waiting on ourselves and I think we can do it yet."

The Negro convention elected a white man as president, and recognized the value of advice of those who had experience in government. As one delegate put it, "We must unite with our white fellow citizens. Can we afford to lose from the councils of state our first men? No, fellow citizen, no? We only want the best and ablest men. And then with a strong pull, and a long pull, and a pull together, up goes South Carolina."

The Convention finished its new Constitution in March 1868. The only major change made in it for the next forty years was to abolish the equality of races for which the Constitution provided. The Constitution also ended the Black Codes, the property requirement for voting, imprisonment for debt, and many restrictions on the rights of women. It was the most democratic constitution South Carolina ever had. Robert Smalls' contribution to the Constitution was its provision for a system of free public schools. His resolution had been submitted early during the convention:

*Whereas the maintenance of an intelligent government, faithful to the interest and liberties of the people, must in great measure depend upon the intelligence of the people themselves and, whereas, the experience of those states which have opened to the poor and rich alike the opportunities of instruction has demonstrated the use of common schools in elevating the intellectual character of their population, therefore, resolved, that the Committee on the Constitution be directed to report an article providing for a system of common schools, of different grades, to be open without charge to all classes of persons.*

Smalls' resolution passed. South Carolina established its first public school systems During the Radical Reconstruction, African-Americans attended the University of South Carolina, which had been one of the South's best schools.

The constitution was ratified and Robert Smalls spent the next seven years representing his district in the State legislature. He gave strong support to the schools he had done so much to help establish. He also became a general in the state militia, vice-chairman of the Republican party, and a delegate to the Republican's national convention. In 1875 he became one of 22 African-Americans to serve in Congress during Reconstruction.

# Digital History

www.digitalhistory.uh.edu

Smalls served in Congress for eleven years. When he finally lost his seat in 1886, methods were used similar to those described in the next chapter. A Congressional committee was appointed to investigate. During the debate over the issue, a young Northern Congressman, Robert La Follette, told his fellow senators:

*You say in justification that the Negro is ignorant, inferior, incapable of growth. Secretly, do you not fear the opposite? Is it against the dull and submissive that you direct your hardest blows? Or are they aimed at those who, like Robert Smalls, have shown intellect, courage and determination to lift their people to a higher level and maintain their rights as free men?*<sup>14</sup>

## Student Exercises:

1. What does the Robert Smalls story tell you about Black Reconstruction? Explain.

---

<sup>14</sup>Case of Robert Smalls is adopted from, Ladenburg and McFeely, 'The Black Man in the Land of Equality.', (New York: Hayden Book Co., 1970), pp. 65-67.

## Chapter 5

### The Red Shirt Election in South Carolina

By 1876, Southern whites had regained control of the government in all Southern states except for South Carolina, Louisiana and Florida. Their methods of restoring white rule included violence and intimidation. Sometimes, Federal troops were sent South to protect the freedman and his supporters. But, as time went on, Congress became less and less willing to protect the rights freedmen were guaranteed by the 14th Amendment.

Eleven years after the Civil War, the freedmen still had a major influence in the government of South Carolina. Opposition to their rule, however, had become more and more open. With the election of 1876, a determined effort was made to stop their participation in politics. Congress would have to decide whether it wished to continue supporting the freedmen, or whether to call an end to its Reconstruction policy, and allow white Southerners to once again rule the people of South Carolina. This chapter tells that story and asks the reader to decide whether or not ending Reconstruction was the best move for the South and for the country.

By 1876, the opposition to Congressional Reconstruction in South Carolina was open and bold. Encouraged by the success of whites in other states and the increasing timidity of Congress in upholding rights of the freedmen, Democrats began to organize. Under the leadership of Civil War General, Martin Gary, Democratic Military Clubs were formed. The orders issued by the General left no doubt of his intentions:

- That the Democratic Military Clubs are to be armed with rifles and pistols, and such other arms as they may command each Captain is to see that his men are well armed and provided with at least thirty rounds of ammunition...
- We must attend every Radical (Republican) meeting that we hear of. Democrats must go in large numbers and well armed ... and as soon as their leaders begin to speak tell them then and there that they are liars, thieves and rascals, and are only trying to mislead the ignorant Negroes, and if you get a chance get upon the platform and address the Negroes.
- In speeches to Negroes you must remember that argument has no effect upon them. ... Prove to them that, if they cooperate with us, it will benefit them. Treat them as to show them, you are the superior race. Never threaten a man individually if he deserves
- to be threatened ... he should die. A dead Radical is very harmless – a threatened Radical...is often very troublesome.<sup>15</sup>

#### Intimidation by the Redshirts

Both of the following accounts tell similar stories of what happened to freedmen who attempted to campaign or vote for the Republican Governor, Chamberlain. The first was told by Professor Greener to a Congressional Committee investigating voting abuses The second is an artist's drawing of an incident reported by the wife of a murdered Republican activist. The third is in a letter to President Grant written by a freedman.

---

15.Quoted in and adapted from Francis B. Simkins and R.H. Woody, *South Carolina During Reconstruction*, (Chapel Hill: University of North Carolina Press, 1932), p. 564–68



# Digital History

www.digitalhistory.uh.edu

I spoke first at this meeting; and I had spoken about five minutes ... when we heard a yelling and a number of mounted men came galloping up. At their head was Mr. Bowen, the State senator from that county.

*Q. (Question) Were you speaking at this time?*

*A. (Answer) Yes sir ... I waited till they came up and they drew up in a semi-circle three or four deep right about us solidly, completely hemming in the colored people. There were three or four men with pistols. One fellow directly in front of me had his pistol out....I was interrupted and was called everything*

*I was called a "dammed nigger" and was told to "shut up;" that these were "dam radical lies." and that it was "no use to come up there, and talk for Chamberlain and the Republican ticket ..."*<sup>16</sup>



## Letter from a Poor Freedman

### Klansmen about to shoot into freedman's home

Charleston, Nov. 29th, 1876  
President Grant:

Honored sir, this Letter is from a Poor freedman. I write to Let you 'no about times down this way the rebels are outrageous In our city they Have about fifteen Hundred Riffles scattered about in different Houses & they sit up every nigh to watch them they say the first chance they get they are going to kill the dam Leaders of the republican party & all the dam Yankees & niggers & that is just what they are doing they tried to kill Mr. Mackey the day after the election & they are shooting the negroes every night from secret places in the city & most every night some poor collored man Is shoot by some unknown Person. We collored citizens are suffering dreadful from the democrats my God President stand by us & protect us. If you don't see to It we cannot support the republican party Because the democrats will kill us.<sup>17</sup>

<sup>16</sup>South Carolina in 1876, 42nd Cong., 2nd Sess., Miscellaneous Document # 48, Vol. I. pp. 30-31. .

## The Disputed Election

With 74,199 eligible white voters and 110,744 eligible black voters, the results of the election in 1876 were close, closer than they had been for many years:

Election Year	Democratic Votes	Republican Votes
1870	51,537	85,071
1872	36,533	69,838
1874	68,818	80,403

Republicans and Democrats both claimed victory in 1876. Each claimed that the other side had cheated. Both claimed their candidates as governor and set up an office in the state's capital. Republican governor Daniel H. Chamberlain and Democratic governor Wade Hampton each gave inaugural speeches. Hampton had the support of the Democratic clubs and influential white people. Chamberlain had the support of South Carolina's black people and depended on Federal troops to keep him in office. If the President were to withdraw the troops, his government would collapse. Read the advice given to the President in the letter below.

*We have tried for eight years to uphold Negro rule in the South officered by carpetbaggers, but without exception it has resulted in failure and almost ruin to our party. Statesmanship consists of making the best use of the means at command and of producing popular contentment.*<sup>18</sup>

## Senator Tillman Justifies Violence Against Black Americans

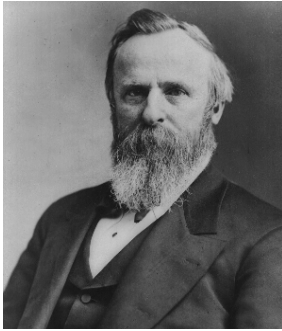
Some thirty years after the disputed election of 1876, Senator Ben Tillman of South Carolina actually stood up on the floor of the U.S. Senate and bragged about the methods used to end Congressional Reconstruction. Read the following and determine for yourself what conclusions can be drawn from this speech.

*It was in 1876, thirty years ago and the people of South Carolina had been living under negro rule for eight years. There was a condition of complete break down of government. The people's money was being stolen, our legislature was made up of a majority of negroes, most of whom could neither read nor write. They were as dirty a band of robbers that ever disgraced state government. There were wild orgies going on in the state house about every night. We set up the Democratic party with one plank only, "that this is white man's country and white men must govern it. Under that banner we went to battle.*

*It was then that "we shot them." It was then that "we killed them." It was then that "we stuffed ballot boxes." After the troops came and told us, "you must stop this rioting," we had decided to take the government away from men so low as the negroes. We saw the evil of giving the vote to creatures of this kind, and saying their vote is worth as much as the vote of a white man. Then it was that we stuffed the ballot boxes, because this disease needed a strong remedy. Once we decided to take the state away from them, we stopped at nothing.*

<sup>17</sup>Quoted in South Carolina in 1876, p. 99

<sup>18</sup>Quoted in Richard Current, Reconstruction, 1865-77., p.163



**Rutherford Hayes**

*I do not ask anybody to apologize for it. I am only explaining why we did it. I want to say now, that we have not shot any negroes in South Carolina on account of politics since 1876. We have not found it necessary. 1876 happens to be the hundredth year since the Declaration of Independence. This action of white men of South Carolina taking the State away from the negroes we see as the second declaration of independence by the white race from ignorant and uncivilized Africans.<sup>19</sup>*

### **Suggested Student Exercises:**

1. Briefly explain how the Red Shirts planned to win the election and show how the plan was put into effect.
2. Assume the role of one of the following and advise President Grant and your class what should be done concerning the election of 1876.
  - a. Freedman
  - b. White southerner
  - c. Republican in the North
  - d. Patriotic American
3. Read the epilogue and comment on the outcome of the election and its significance in America's history.

### **Epilogue: The Disputed Election of 1876, and the Restoration of White Rule to the South**

The President's decision to send more troops to South Carolina was complicated by the fact that 1876 was a presidential election year. In that election the Republican, Rutherford Hayes had received 165 electoral votes, while the Democrat, Samuel Tilden had received 184. Twenty votes were disputed between Democrats and Republicans because two separate sets of returns were sent to Washington from Louisiana, Florida, and South Carolina. If all disputed votes were awarded to Hayes, the Republican would become President; if but one of these votes went to Tilden, the Democrats would win the election.

To resolve this dispute, an electoral vote commission was assembled which, because of a last minute resignation of the only independent, consisted of seven Democrats and eight Republicans. The commission voted strictly along party lines, and awarded all 20 of the disputed votes, along with the election, to Hayes.

In his groundbreaking book, *Reunion and Reaction*, noted historian C. Vann Woodward argues that the real issue of 1877 was not merely who would occupy the White House. It was whether the party of Thaddeus Stevens and Charles Sumner would remain loyal to its ideals or, if the conservative Republicans would abandon the freedmen in order to form an alliance with their former owners.

---

<sup>19</sup>Freely adopted from: Congressional Record, 59th Cong. 2nd Sess., Vol XLI (Jan, 21)

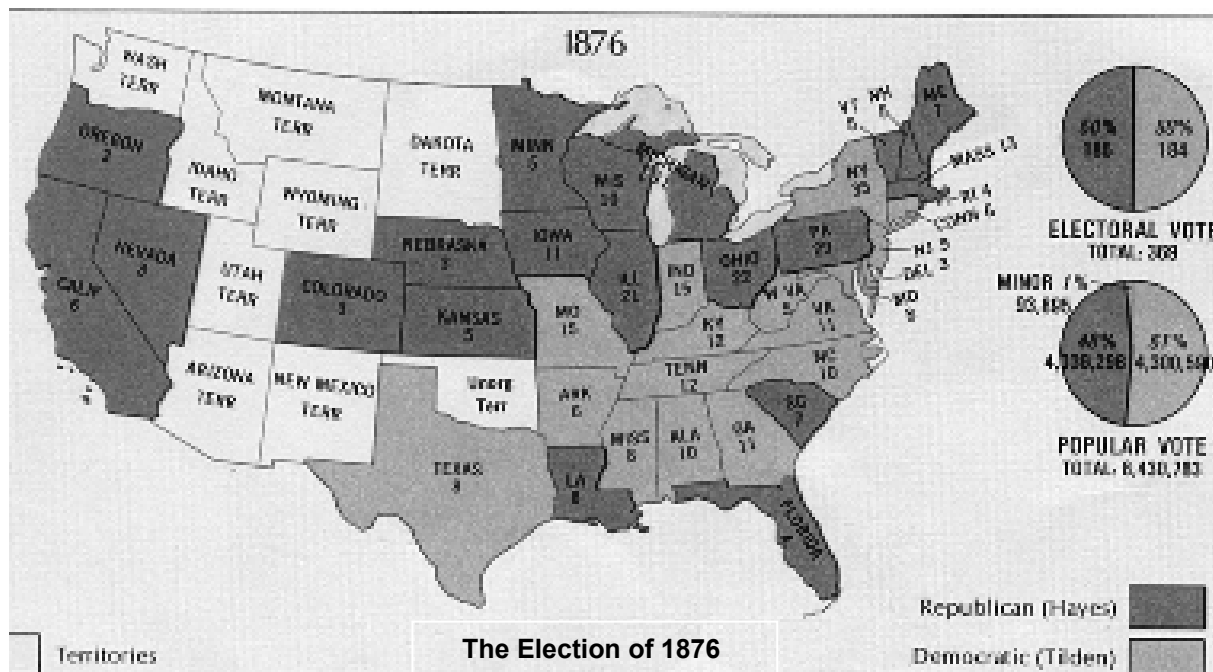
# Digital History

www.digitalhistory.uh.edu

Woodward claims that many conservative Southerners were willing to make alliances with conservative Republicans. Both feared the mounting political unrest in the country, which was expressed in the desire for unlimited coinage of inflationary paper money or silver and in the numerous strikes by workingmen.

The Conservatives, on the other hand, wanted to have the money spent on internal improvements and to subsidize railroads in the North, matched with expenditures in the South. The question was whether the southerners could be lured into an alliance with these Republicans. In exchange for their support for more internal improvements, safe and non-inflationary money, continued high tariffs and an open immigration policy, the Republicans could offer them a free hand in racial matters and Federal subsidies. Thus, according to Woodward, the hidden issue was: would the South support the old Hamiltonian program that later emerged as Clay's American system and was finally incorporated by the Republican party platform of 1860.

Woodward claims that the deal was struck – the Democrats supported Hayes, and the Republicans abandoned the freedmen. This compromise which he calls the Compromise of 1877, differs from the Missouri and California compromises because it was made secretly and behind closed doors. It brought the South back into the Union with white rule restored, continued support for the new industrial order, and abandoned almost all efforts to help African-Americans secure their civil rights for more than 80 years.



Election results after decision by Electoral College Commission of 1877 awarded all 20 contested electoral votes by an 8-7 margin to Hayes and the Republican Party. Note similarities to results of year 2000 election in which George W. Bush, the Republican candidate beat Albert Gore, the Democrat. Gore won the popular vote but lost Florida when the Supreme Court in a split decision stopped a recount in which the Democrats challenged Florida's disputed popular votes. The Republican candidate carried Florida by approximately 500 votes and the country by 4 electoral votes.

## Chapter 6

### Equality Postponed

On June 7, 1892, an African-American by the name of Homer Plessy bought a first class ticket from New Orleans to Covington, Louisiana. He entered the train, found an empty seat, and sat down. In keeping with the Louisiana law providing for 'equal but separate' accommodations, the section where Plessy sat was reserved for whites only. Noticing that Plessy wasn't white, the conductor told him to move to a 'colored' car or get off the train. Plessy refused. The conductor called the police and Plessy was forced off the train. Next, Plessy did what fewer than one out of a million victims of discrimination would and could have done. He found a lawyer to argue his case and sued for his right to equal protection of the law. Plessy lost the case because the court ruled that he had broken the Louisiana railroad law. But Plessy appealed his case to the Louisiana Supreme Court, claiming that the law he was accused of breaking was in violation of his 14<sup>th</sup> Amendment rights. Upon losing in Louisiana, Plessy appealed his case to the Supreme Court of the United States. The case was argued on April 18, 1896.



Negro exp  
Philadelp  
(The Bettm

**An African-American ordered off a train in Philadelphia**

#### The Issues

The Plessy case was one of the most important ever decided by the Supreme Court. It set a precedent that for over 60 years has been used as legal cover for racial discrimination. It provided the South with an answer to the question raised in the beginning of this chapter: "*Does the doctrine of 'separate but equal' facilities for each race discriminate against either?*" and to others like the ones below:

Did the Louisiana law discriminate against blacks or was that only how black people chose to look at it?

Could a verdict against Plessy set an unreasonable precedent or provide only for separation for good and reasonable cause?

<b>Plessy: The Louisiana Law Discriminated Against Black People</b>	<b>Louisiana: The Louisiana Law did not Discriminate against Black people</b>
<p>Everyone knows that the law in question had its origin in the purpose not to exclude white persons from railroad cars occupied by blacks, but to exclude colored people from coaches occupied by whites. The thing to accomplish was to force the latter [blacks] to keep to themselves while traveling in railroad passenger coaches. The fundamental object...to the law is that it interferes with the personal freedom of citizens. If a white man and a black man choose to occupy the same public conveyance on a public highway, it is their right. No government, proceeding alone on grounds of race, can prevent it without infringing on the personal liberty of each.</p>	<p>We consider the underlying fallacy in Plessy's argument to consist in the assumption that forced separation of the races stamps the colored with a badge of inferiority. If this be so, it is solely because the colored race chooses to put that interpretation upon it. Legislation is powerless to eradicate racial instincts or to abolish distinctions based on social differences and the attempts to do so can only result in accentuation of the difficulties of the present situation. If one race be inferior to the other socially, the Constitution of the United States can not put them on the same level.</p>

<b>Plessy: An Unfavorable Verdict Would Create an Unreasonable Precedent</b>	<b>Segregation Would only Result for Good and Reasonable Causes</b>
<p>If a State can prescribe, as a <i>rule of civil conduct</i>, that whites and blacks shall not travel as passengers in the same railroad coach, why may it not so regulate the use of the streets of its towns to compel white citizens to keep on one side of the street and black citizens to keep on the other? Why may it not, upon like grounds, punish those who ride together in streetcars? Why may it not require sheriffs to assign whites to one side of a courtroom and blacks to another? Why may not the State require the separation in railroad coaches of native and naturalized citizens of the United States, or of Protestants and Roman Catholics?*</p>	<p>It is suggested by the learned counsel for the plaintive [Plessy's lawyer] that the same argument that will justify the state legislature in requiring railroads to provide separate accommodations for the two races will also authorize them to require separate cars for people whose hair is of a certain color, or who are aliens, ... or to enact laws requiring colored people to walk on one side of the street and white people upon the other.... The reply to all this is that every exercise of the police power must be passed in good faith, for the promotion of the public good, and not the annoyance or oppression of a particular class.<sup>20</sup></p>

### Suggested Student Exercises:

1. Compare the positions taken by the opposing justices on the issues of discrimination and precedent. Which does each say about separate being equal? Which one makes more sense to you? Why?

\* In case the reader had any doubt, the decision in the Plessy case was 8-1, favoring the arguments on the right hand part of this page. John Marshall Harlan, the only Supreme Court justice ruling for Plessy, had owned slaves. The opinion allowing for racial segregation for over 60 years was written by Justice Henry Billings Brown of Michigan.

<sup>20</sup>Plessy v. Ferguson (1896) 163 US 537, pp. 540–52 (edited)

# Digital History

www.digitalhistory.uh.edu

2. After reading the appendix to this chapter, name of the five most unreasonable Jim Crow laws and explain whether these laws support Harlan's or the Court's reasoning

## Epilogue

There was no doubt that Justice Harlan's prediction as to the possible extremes of segregation was prophetic. No longer restrained by outraged northern citizens concerned with the plight of African-Americans, Southern State legislatures passed thousands of Jim Crow laws. They regulated even the most minute details of black/white relations. Some of the more bizarre examples have been collected by the historian C. Vann Woodward in his book *The Strange Career of Jim Crow*:

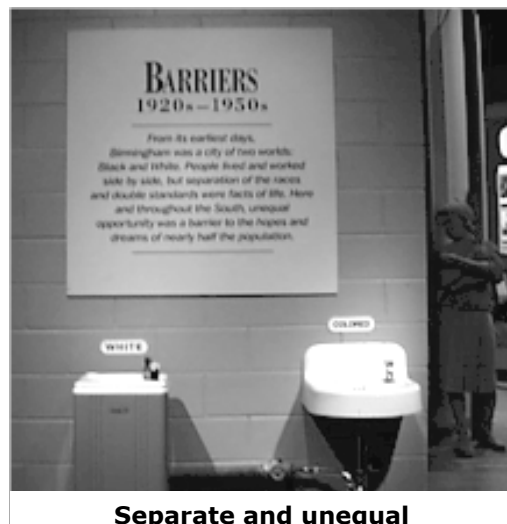


The South Carolina Code of 1915, with later additions, prohibited textile factories from permitting workers of different races to work together in the same room, use the same entrances, pay windows, exits, doorways, and stairways at the same time, or use the same toilets, drinking water buckets, pails, cups or glasses at any time.

In 1909 Mobile, (Alabama) passed a curfew law applying only to Negroes and requiring them to be off the streets by 10 P.M.

The Oklahoma legislature in 1915 required telephone companies to maintain separate booths for 'white and colored patrons.' North Carolina and Florida required that textbooks used by the public school children of one race be kept separate from those used by the other, and the Florida law specified separation even while the books were in storage, A New Orleans ordinance segregated white and Negro prostitutes in separate districts.

An Atlanta ordinance in 1932 prohibited amateur baseball clubs of different races from playing within two blocks of each other, A Birmingham ordinance got down to particulars in 1930 by making it 'unlawful for a Negro and a white person to play together or in company with each other' at dominoes or checkers.<sup>21</sup>



<sup>21</sup>Quoted in C. Vann Woodward *The Strange Career of Jim Crow*, New York, 1966), pp. 101–102, 117–118.

## Chapter 7

### The African-American as Sharecropper

In 1865 and 1866, some northern friends of the freedmen urged that they be given farms of their own. President Andrew Johnson did not simply ignore this suggestion, he went much further and turned the land back that had been already given to former slaves under the Confiscation Act of 1862 to its original owners. The emphasis during Congressional Reconstruction was on protecting the freedmen's right to vote. With the collapse of Congressional Reconstruction, the former slaves were once again denied the right to vote, equal protection under the law, and land to own and farm. Forced to find employment where they could, the vast majority had no choice but to work on their former owner's plantation at his terms. Thus, freedom for African-Americans meant exchanging the condition of the slave for the life of the sharecropper or tenant farmer. The poverty of these former slaves would be visited upon the families of their sons and their grandsons. This chapter examines the economic legacy of black Americans and raises the question whether they should have been given land as well as freedom.\*

#### Luther Mills Becomes a Sharecropper

On January 1, 1866, nine months after the Civil War ceased, two Mississippians came before an officer of the Union army. One was a planter named L. P. Thomson who wanted to be sure that the cotton in his field would be harvested. Accompanying Thomson was Luther R. Mills, a Negro "which he lately owned." No longer a slave, Mills had to provide for his wife Martha and their three young children. Thomson and Mills had come to write a contract on a form provided by the Freedman's Bureau. Thomson agreed to provide the Mills family, "free of charge," with "clothing and food of good quality and sufficient quarters and medical attention when necessary, and kind and humane treatment," and "a 'patch' for garden purposes." In exchange for this, Mills agreed to work for Thomson during the following year. Mills signed the contract with an X, for he could neither read nor write.

Why did Luther Mills agree to work for his former master under conditions so similar to his servitude? The main reason is that he could not find work anywhere else, and he could not buy a farm for himself. Fifty years later, neither Luther Mills and nor his descendants were able to own their own farms, and for that matter, neither were 90 per cent of all African-Americans who were either sharecroppers or tenant farmers.

#### Sharecroppers and Tenants

A sharecropper did not own his own farm; nor did he own house, mule, or tools. Instead, he rented these from his landlord. The landlord allowed 'croppers' to farm his land, usually about 10 acres, in exchange for 1/3 of the crop. For use of a mule, the seeds, and the tools, the cropper frequently paid another third. Since he owned the land, the landlord could order the planting of a money crop, usually cotton or tobacco, and could prevent "croppers" from planting vegetables, which they might eat or sell on the sly. Croppers seldom made improvements on the farms, which they did not own, and landlords frequently let the farms, which they didn't live on, fall into disrepair. With from 1/3 to 2/3rds of the crop going to the landlord, there was little incentive to work as hard as the business of farming required.

---

\* A preliminary discussion on this issue can be found in Chapter 2., Land and the Freedman.



©Dorothea Lange, FSA, Library of Congress



## Poverty and sharecropping went hand in-

merchant advanced supplies such as food, clothes, or tools, (never cash) in return for a mortgage or lien on the farmer's crop. In the most typical cases, the farmer pledged his unplanted crop at the county store each spring. The merchant kept the books and charged a rate of interest per year (usually about 37%). The African-American farmer seldom asked to see his account, even if he could understand the credit system or add the numbers. Challenging either the skills or the integrity of the white man was not tolerated in the South.

Sharecroppers and crop-lien farmers usually had to confine their business to the local store until their loans were paid. They were allowed to plant only those crops that did not compete with the provisions they were supplied. Since farmers always sold their crops in the fall when prices were low, bought at the high price of the local merchant, paid a 37% rate of interest, and never got to inspect the books, they usually ended the year owing money. To use the local language, they failed to 'pay out' and began the next planting even deeper in debt.

Under slavery in 1860 almost all African-Americans worked either as farm laborers or as house servants. Thirty years later, in 1890, 21% were servants and 56% were farmers. By 1930, only one in ten remaining in the South owned the land they worked. Emancipation did mean freedom, but freedom for African-Americans often meant continuing to work the white man's land or to work in his house.

## Seventy Years Later: The Slave's Grandson

The real meaning of the sharecropping and crop lien system some seventy years after slavery is described in the following passage. Tom, the young man depicted here, was 12 years old in 1932 and would have been 80 in 2000. His son or grandson would probably have left the cotton fields of Alabama and moved to some city in the North:

*Tom is a black sharecropper's child in Alabama. His family (father, mother, and four children) all work for the landowner. They are all in debt to him (they get \$75 worth of supplies for the growing season, but he keeps the books), and they all live in a two-room cabin supplied by the landowner.*

Like the sharecropper, a tenant farmer did not own the land he worked. Instead, he paid a yearly cash rental. He had more incentive to improve his condition because he could keep his earnings after paying the rent. Like the cropper, however, he frequently had to borrow money and often had to put a 'lien' on his crop.

## The Crop 'Lien' System

A lien is a loan with goods or produce as the security. Cash was scarce after the Civil War, and few banks were open (those that were seldom did business with poor farmers), so most croppers and tenants obtained credit from the local merchant or storekeeper. The



**Everyone in the family was expected to contribute**

The cabin sits close to the ground, with a single layer of boards for a floor. One window, or window hole, lights each room (no glass, a wooden shutter instead). The roof leaks so badly that when the last baby was born, the mother had to move her bed three times. It has bare walls, without paper or plaster, and you can see daylight between the cracks. There is no stove, only an open fireplace. Outside there is no fence or garden (the landlord says that the cotton must be grown “up to the doorstep”), no well, because “the creek is so near” and an outhouse. Here Tom lives and works. At the age of twelve, he has been picking cotton for half of his life.

Tom is awakened or pulled out of bed at 4 o'clock in the summer by his older brother. Work for the family work force is “from can see to can't see,” – that is from daylight to dark, and the old plantation bell

tolls out the hours. The “riding boss,” as the foreman is called, sees that everyone is out on time. Because of the heat, little Jenny, aged 5, is being left at home today to care for the baby. On cooler days the baby is carried along to the field and laid on a pallet under a tree. (There are plantations where mothers of young infants are given two fifteen-minute nursing periods – once in the morning and again in the afternoon. Then they must take the baby along because there is not enough time to go home).

*Tom is a good, steady chopper and can do over half a man's work. At picking time he can do two-thirds. Peter, aged nine, does a lot less than that. In fact, when Tom's father asked to stay on at the beginning to the growing season, the landlord told him he didn't see how he could keep him on for another year raising a crop on so many acres and living in such a good house, with his family so “no-account.” Tom has been to school for part of three grades. The Negro school in his district “normally” runs four months (the white schools runs six), but in the year 1932-33 it closed altogether. Since then, it has been averaging less than three months. In any case, cotton-picking season in Alabama runs well into November, and after that it is often too cold to go to school without shoes. From January on, Tom and Peter have been taking turns wearing one pair of shoes. Tom's older brother did a little better. He was a “prosperity” child, and during several of the 1925-29 seasons he got the full four-month school terms. By the time he was 13, however, he had stopped going altogether, having finished the fifth grade (20 months of education for a lifetime of work). The riding boss thought him “plenty big for a man's work and likely to get uppity soon if he don't quit school.”*

*At the age of 12, Tom can pick cotton for a twelve-hour day with the thermometer close to 100 degrees. All the children pick with both hands. Tom is taller now than when he started picking at age 6, and now he has to stoop much of the time or move along on his knees.*

*Cropping cotton is much more difficult and is done under greater time pressure, for the growing season will not wait. At age twelve, Tom has had years of experience and can keep the heavy hoe moving around the tender plants from sunup till dark. What are Tom and all of the hundreds of thousands like him in the South's cotton belt getting for giving up their childhood? Money? Education? Job skills? The hope for a bright future? On the contrary, Tom is not only burying his childhood in this cotton patch, he is not even getting a dollar of pay for working from year to year. The landlord simply adds up the number of acres Tom and his brothers did not work, his father*

# Digital History

www.digitalhistory.uh.edu

*would not get the farm for the coming year. The reward for Tom is that he can continue to be shoeless and badly fed, that he can continue to be put down and uneducated until he dies.<sup>22</sup>*

## Persistence of Poverty

Through the 1990's, poverty has continued to be the plight of many African-Americans. The following statistics show that, relative to whites, African-Americans have not made as much progress as one might have hoped.

Year	Unemployment rates		
	White	Black	Multiple
1960	4.9	10.2	2.08
1970	4.4	8.2	1.86
1980	6.3	14.3	2.27
1990	4.1	11.3	2.76

### Number & Percent of White and Black in Poverty

Year	# White	% White	# Black	% Black
1970	17.5 million	8.9	7.5 million	33.5
1980	19.7	10.2	8.6	32.5
1990	22.3	10.7	9.3	30.7

### Income Distribution in year 2000 Dollars

Income Category	African-American	White American
Over \$50,000	14.5%	32.5%
\$35,000 - \$50,000	15.0 %	20.8%
\$25,000 - \$35,000	14.0 %	16.5%
\$15,000 - \$25,000	19.5%	16.0%
Under \$15,000	37.0%	14.2%
<b>Medium Income</b>	<b>\$21,243</b>	<b>\$36,195<sup>23</sup></b>

## Suggested Student Exercises:

1. Describe the agreements between Luther Mills and L. E. Thomson.
2. Describe the conditions under which, Tom, the sharecropper's son lived. Would you say that his life was significantly better than that of his grandfather?
3. Do you see a causal connection between the poverty of African-Americans in the 1870's, 1930's, and 1990's? Explain

<sup>22</sup> Adopted from, Katherine DuPre Lumpkin, et. al., *Child Workers in America*, (International Publishers, Co.) pp. 406-10.

<sup>23</sup> Andrew Hacker, *Two Nations: Black and White, Separate, Hostile, Unequal* (New York: Ballantine Books), pp. 103, 100, and 98.

## Chapter 8

### Two Paths Towards Equality

African-Americans started the 20th century under terrible disadvantages. Most were trapped as sharecroppers on small southern farms. All were hurt by laws that denied them the most basic freedoms, and few were even allowed to vote against the men who deprived them of their rights. These problems required a strategy that would allow black Americans to survive and change the condition of their lives.

With the death of Frederick Douglass in 1895 a void developed in African-American leadership. However a new spokesman arose to fill this gap and speak for African-Americans in the post Reconstruction Era. His name was Booker T. Washington.



**Booker T. Washington**

#### **Booker T. Washington**

Born a slave in Virginia shortly before the Civil War, Washington's early life had been a constant struggle to survive and to obtain a meager education. His success came through hard work and subservience to all-powerful whites on whose good will he depended. His great opportunity in life came in 1881 when he was asked to take charge of a struggling school in Tuskegee, Alabama. Upon arriving in Tuskegee, Washington learned that the Alabama legislature had appropriated a small amount of money for teachers' salaries, but nothing for buildings. Beginning with a church with a leaking roof and a small shanty next door, Booker T. Washington forged Tuskegee into a beautiful and prosperous campus through persistence and force of character and the help of sympathetic

whites. All of its buildings were constructed by its students, who had been taught the art of carpentry, brick making, and masonry at Tuskegee, as well as such skills as the use of a toothbrush and proper eating utensils.. The work done at the school was so good, that whites came from miles around to buy bricks, cabinets and other items made at Tuskegee. Washington's work and philosophy was so appreciated by white Americans that they donated millions of dollars to Tuskegee and welcomed Washington as the spokesperson for African-Americans. He was even invited to the White House by President Theodore Roosevelt, and died in 1915 a much honored man.

Washington did so well, that he thought he had found the secret of success for his entire race. His motto became, 'build from the bottom up.' Do not ask for the right to vote or hold office — which he saw as the mistake made during Reconstruction. First, learn a trade and be so good at it that you earn the white man's respect. Washington's philosophy could be summed up in the following statement:

The opportunity to earn a dollar in a factory just now is worth much more than the opportunity to spend a dollar in an opera house

#### **W.E.B. Du Bois**

Not all members of his race agreed with Booker T. Washington. Some believed he deliberately neglected demanding the political rights needed to protect the material gains his students attained. The outstanding spokesman for the opposing school of thought was W.E.B. Du Bois. Raised in western Massachusetts



where he was born, Du Bois did not experience the abject poverty that Washington suffered. He excelled in the white grade school he attended, and after a stint in an African-American college in the South, graduated from Harvard University in 1895. Rather than shower whites with respect and deference, Du Bois chose to speak his mind. He devoted his life to teaching, writing, editing and organizing. He taught at several different black colleges, wrote many works of history, published studies of how African-Americans lived, and helped organize the National Association for the Advancement of Colored People (NAACP). It became the nation's first and most successful organization devoted to securing the rights of African-Americans. During the many years he edited the NAACP Journal, Du Bois helped make white Americans aware of the plight of their black countrymen. Yet, after some sixty years of struggling for equality, Du

Bois gave up on his country and moved to Africa. He died there in 1963, just one year before Congress passed effective laws designed to end the injustices that Du Bois had spent his life opposing. Du Bois's efforts were directed at ending the hateful Jim Crow laws that denied equal rights to his race. In opposition to Booker T. Washington, Du Bois's philosophy could be summarized as follows:

*The freedom to earn a dollar in a factory is almost meaningless without the opportunity to spend it, keep it, or save it, the way you want to.*

## Booker T. Washington and the Atlanta Compromise

In 1895, Washington was called upon to speak at the Atlanta, Georgia fair. This was going to be a very important occasion because it marked the first time that an African-American man was asked to speak before a white audience in the South. As he prepared to make his speech, Washington kept "uppermost in his mind," the desire to say something that would bring about "friendship of the races." His speech was well received by his white audience and became known as the "Atlanta Compromise." Parts of it are reproduced here:

*Our greatest danger as we pass from slavery to freedom is that we may forget that most black people will have to live by the work they must do with their hands, not their heads. We shall be prosperous only to the extent that we are willing to work with our hands. We must concentrate on the important things of life, and not on the glamour & glitter. It is more important that we learn how to plow a field, than that we learn how to write a poem. It is at the bottom of life where we must begin, not at the top. Nor shall we permit our grievances to overshadow our opportunities.*

*The past and the present has taught one important lesson to the Negro and his friends. That lesson is that the Negro can prosper in America only if he works hard, saves carefully, buys property, and lives by Christian ideals. The people and the race that practices these four golden principles, are the ones who will control the government.*

*We, the black people, have proved our loyalty to the South in the past. We have nursed your children, watched by the sick beds of your mothers and fathers, and often followed them with tear-dimmed eyes to their graves. In the future, we can stand by you in our own way, as no foreigner could, and stand ready to lay our lives down, if need be, in defense of yours. Our industrial, our commercial, our political, and our religious lives can be intertwined with yours, in a way that makes certain what is good for one race will also be good for the other.*

# Digital History

www.digitalhistory.uh.edu

*In all things that are purely social, we can be as separate as the fingers, and yet be one as the hand, in all things essential to the progress of both races.*

*The wisest among my race understand that the agitation of questions of social equality is the extremist folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No race that has anything to contribute to the markets of the world is long in any degree ostracized. It is important and right that all privileges of the law be ours, but it is vastly more important that we be prepared to the exercises of these privileges. The opportunity to earn a dollar in a factory just now is worth much more than the opportunity to spend a dollar in an opera-house..<sup>24</sup>*

## W.E.B. Du Bois Criticizes the Atlanta Compromise

Born and raised in the North, William Du Bois did not have to continually humble himself in order to survive. He, like Frederick Douglass, was able to demand those rights that were due African-Americans, and not just ask for or show himself deserving of favors which whites would be willing to give. In his book, *Souls of Black Folks*, first published in 1903, Du Bois enumerated his points of difference with Washington:

*Mr. Washington asks that black people give up, at least for the present, three things.*

*1st, political power,*

*2nd, insistence on civil rights,*

*3rd, higher education of Negro youth.*

*He asks black people to work only to increase their wealth, learn a trade, and appease the South. He has argued for these things for over fifteen years. The question now comes, is it possible that nine million men can make progress on economic lines if they are denied political rights, are treated like second class citizens, and are only given the slightest chance of developing their exceptional men. If history and reason have anything to say about it, the answer is No, Mr. Washington, here-to fore, faces 3 major contradictions:*

*He is trying to make Negro craftsmen, businessmen and property owners, but it is utterly impossible for workingmen and property owners to defend their rights and exist without the right to vote.*

*He insists on thrift and self-respect, but at the same time advises black people to silently submit to whites in such a way that it is bound to make any race lose its self-respect.*

*He argues for elementary school and manual training, talks against colleges and universities but he could not run Tuskegee or his elementary schools without teachers trained in Negro Colleges.*

---

<sup>24</sup>Freely adopted from Richard Wade, *Negroes in American Life*, (Boston: Houghton Mifflin Co., 1970), pp. 107-11.

# Digital History

www.digitalhistory.uh.edu

*It would be unfair to Mr. Washington not to recognize that he has on several occasions spoken against injustices committed against Negroes. Nevertheless, it is equally true that the distinct impression left by him is that the South is justified in its present attitude toward the Negro because of the Negro's low position in society; that the main reason for the Negro's failure to rise more quickly, has been the wrong emphasis in his education, and, finally, that his future rise depends mainly on his own efforts. Each of these ideas state a dangerous half-truth. The other half of these truths must never be forgotten.*

*1st, slavery and race prejudice are powerful if not completely explanations of the Negro's position in society.*

*2nd, elementary and manual education were slow in getting started because they had to wait for black teachers trained by colleges, and*

*3rd, while it is true that the Negro must work to help himself, it is also true that he has little chance unless helped by richer and more powerful white majorities.*

*In his failure to emphasize this third point, Mr. Washington must be especially criticized. His ideas tend to make whites in both the North and the South, blame the Negro himself for his problems. In fact, the blame lies with the whole nation, and the hands of none are clean unless we make great efforts to right these great wrongs.*

*So far as Mr. Washington apologizes for injustice, both North and South, does not properly emphasize the privilege of voting, does not recognize the terrible burden of racial discrimination, and opposes higher education for the brightest, black people, we must firmly and without ceasing, oppose him. By every civilized and peaceful method we must work for the rights which are our due. We must cling without flinching to the words, which the sons of our forefathers would like to forget:*

*"We hold these truths to be self-evident. That all men are created equal; that they are endowed by their Creator with certain unalienable rights - that among these are life, liberty, and the pursuit of happiness."<sup>25</sup>*

## **Suggested Student Exercises:**

1. Note that both Washington and Du Bois worked during their entire lives to improve the conditions of African-Americans. Explain how the life work and early experiences of each were reflected in their philosophies.
2. With whom do you agree on the issue of earning and spending the dollar, Washington or Du Bois?
3. Do you think Washington rather than Du Bois was right for his time? For today? Explain.

---

25 Freely adopted from Richard Wade, op. cit., pp. 131-33.