

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.¹

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

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

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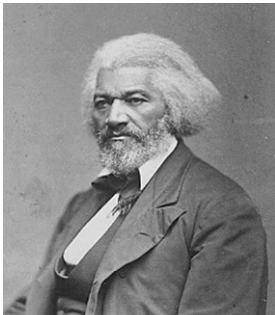
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*at him and old Mistress. They give 'em something to eat and he say: "Go on away, you don't belong to us no more, you been freed."*²

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.*³

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."*⁴

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.

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

³ loc. cit.

⁴ 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

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- 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.⁵

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?

⁵ 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,

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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.*⁶

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.

⁶ 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](#)