

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.⁷

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.

⁷Quoted 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
ULYSSES 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.