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Addendum page

Re: Notes w/ Chpt. 5 & 6

Black Codes

These were statutes and practices that grew up under the Johnson governments in the South.

They varied from state to state but their main intentions were impose a new set of racial controls on the former slaves.

Whites would not sell or lease land to blacks when they had the money to buy or lease.

In terms of labor contracts in many southern states employers contrived ways to depress wages. In some states it was documented that freedmen were forced to sign unfair labor contracts and physical duress.

Commitment
note: Anti-enticelement laws -
in virtually all the Johnson reconstucted states freedmen were required to be employed--have working papers--or be arrested for vagrancy. Then they were tried and hit w/ court costs. Whites in search of cheap labor could bail them out but they were forced to work for them until they paid off the court costs/fines.

Mobility of blacks was hampered by nightriding white patrols. Stopped and had to prove that they were employed, etc.

The greatest and cruelest abuses was the apprenticeship laws. Those convicted of vagrancy or those who refused to seek employment stood the chance of having their children taken away by court order and apprenticedd out to a white employer. In manny cases these so-called orphans of the court were in their late teens and even older.

You deny a man the right to buy or lease land. Then you slap him with contrived depressed wages and if he refuses to work use vagrancy laws to throw him in jail and/or take away his children for failure to provide a decent living.

The whole transparant purpose of these Codes was to reduce the freedman to a propertyless day laborer to meet the postwar South's needs for cheap and available labor. And to reinstate a former of slavery by other means in order to control racial relations in the South.

*Even introduction of Jim Crow laws in some states
T.X. + Mississippi barred blacks from first-class rail cars;
Florida banned blacks from churches, public
schools, and transport services for whites.*

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Re: Addendum Notes w/ Election of 1866

See xerox of Cleveland performance of Johnson. Smacks of Gov. Schaeffer.

The 1866 campaign made clear some of Johnson's motives behind his obstructionism. He was planning a political realignment in the nation and hoped to ride it into office in 1868 in his bid for election in his own right to the Presidency. To bring together the Northern Democrats, conservative Republicans/business-oriented, and the white Southern Democrats into a new Union party with state rights and conservative racial policies.

The outcome of the raucous campaign was an overwhelming victory for the anti-Johnson Republicans. The Republican party won control on every northern state legislature, won every northern gubernatorial contest, and gained 2/3s majorities in both houses of Congress.

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Re: Addendum w/ Presidential Reconstruction

Had Lincoln Lived:

Would Lincoln in the interest of sectional reconciliation and reunion standby while political power was returned to those southerners who were instrumental in leading or working for secession or to see the antebellum elites(planter)return to power in the South right after the end of the war?

Would Lincoln have sacrificed the freedmen to accomplish quick reunion and reconciliation?

Even when we look at his policies behind the Louisiana Plan I think the answer is no. Plus the fact that the Ten Per Cent Plan was a war-time emergency measure.

On the day of his assassination he addressed the cabinet and announced that "the great question is now before us"--reconstruction--and urged them to prepare some ideas.

For Lincoln the great concern was for security for white unionists, freedmen, the republican party, and for the Union.

As far as principle and prejudice are concerned Lincoln and Johnson were worlds apart.

Johnson's state rights position was not shared by Lincoln. Lincoln was not averse to using the amending of the Constitution to change the division of power between state and national government. Lincoln supported the emancipation of slaves and urged its constitutional sanction through the 13th Amendment. This was an act that is one of the biggest confiscations of private property in the history of this republic. Would he have gone this route on the suffrage question? If it was needed I think he would have/

Lincoln did not share Johnson's racial prejudices. On the question of the freedmen they did not even face in the same direction. Lincoln would expand freedom for blacks; Johnson was content to have their freedom contained.

Had Lincoln lived it is impossible to believe that relations between Congress and the Executive would have developed as they did under Johnson.

Lincoln was a consummate or complete politician. He was a political "insider" unlike Johnson the "outsider," and a party man and not a political rogue elephant. Everything he ever attained in national politics he owed to the Republican party organization. he would would never

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have thrown that away by alienating his own party.

Lincoln's postwar goals were to find security for white Unionists in the South and freedmen. He wanted his party to remain the national party for the foreseeable future. The party that opposed secession, fought the war, and restored the Union. The party that for him represented the best hope for the postwar years and could be trusted to lead the republic, this last best hope of mankind.

Re: Notes/Outline for Presidential Reconstruction .

B. Johnson political beliefs:

1. State rights man. He did not believe in federal intervention in the affairs of the state. Typically southern view.

2. Negrophobe. Johnson himself ~~was~~ a slaveholder and believed prior to emancipation that there was no inconsistency in this view and his devotion to democracy and to the small non-slaveholders of the South. Johnson believed that slavery should be extended so that small yeoman farmers could enjoy the benefits of the peculiar institution. He was weened away from this view when he became Lincoln's Vice President. During the war he supported the 13th Amedment but he never changed his racist opinions about blacks.

More to the immediate point: he opposed any idea of the extension of the franchise to the blacks on principle. He would leave this up to the state governments of the South.

Foner adds one other example of the direction that Johnson was taking in the spring and summer of 1865 when he deals with Johnson's dismantling of the Lincoln/Banks Free State government in Louisiana. This was a pretty good tip off of what was to come. Johnson supported the new governor of Louisiana, James Madison Wells--himself a loyal Union man but a former large slaveholder. Wells' government was made up of former slaveholders like himself, members of the old regime in the state. Johnson assured that they had carte blanche when he removed General Banks from military command of this district.

III. Johnson's Reconstruction Program (sometimes called the North Carolina Plan).

A. Johnson begins reconstruction in May 1865 with his North Carolina Plan. He does not call Congress back into session. In fact, he implements his entire reconstruction program without consulting with the Republican leadership. They are at home watching as the nation is watching the President's solo performance. This in spite of the 1864 warning in the form of the Wade/Davis bill and manifesto.

Key: How would Johnson use the presidential pardoning power against those who were denied political restoration because they had taxable property worth \$20,000 or more. Would he use it to

*He owned
5 slaves
himself*

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Re: Outline/Notes w/ Presidential reconstruction

(1) to crush them as class; the slavocracy he railed against during the war;

(2) To use the Presidential pardoning power to win their loyalties. To satisfy his own personal vindictiveness against his old class and political enemies or to win their loyalty for his program and possible future political ambitions.

IV. Reconstruction--Confederate Style / Johnson Govts. in Action

A. Composition of Johnson governments.

1. What was the composition of these Johnson Governments? Were they reconstructed?

While some of the most notable architects of secession were not on the rolls of these new govts. the new leadership was made up of man who may have opposed secession in 1860 but played a full role in the Confederacy. The litmus test for being elected seemed to be service to the Confederacy.

Examples:

James Orr was elected Governor of South Carolina. Orr served in the Confederate Senate;

The new Governor of Mississippi was Benjamin G. Humphreys--former Brigadier General in the Confederacy;

Georgia sent former VP of the Confederacy--Alexander Stephens to the US Senate.

In all the new southern governments sent to Congress 4 former generals, 5 colonels, 6 former Cabinet officers, and 58 former state officers of the old confederacy.

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Point here is that some of these newly elected southern leaders had not been amnestied by President Johnson.

Remark on how he implemented his pardoning powers in the summer and fall of 1865. (Class).

Raises question of why Johnson allowed the pardoning power to get out from under control?

[Note: While Johnson was adamant about being a state rights man and averse to permitting the federal government exercising wide powers in principle or in reconstructing the South, he apparently was not timid about using sweeping Executive Powers of the Presidency in (1) Using his own national power or executive power to create solo performance the new governments of the South; (2) To use his pardoning power to admit former Rebels to top posts in these restored southern governments. Moreover, in restoring these govts. without black suffrage at a time when the 3/5s clause of the Constitution was no longer in effect] !

B. Mood of the South--Defiant optimism:

Under Johnson's program the newly restored govts. were obliged to incorporate in their constitutions: (1) ratification of the 13th Amendment; that is, recognize abolition; (2) repudiate the Confederate war debt; (3) Repudiate their old ordinances of secession. That is, to admit that secession was from the first unconstitutional.

The Johnson Govt. in Mississippi refused to ratify the 13th Amendment.

South Carolina refused to repudiate the Confederate war debt.

Several states merely repealed rather than repudiate their ordinances of secession.

C. Conditions for Blacks under the Johnson govts.

1. Black suffrage. None. Not even a token gesture; certainly not extension of the vote to "qualified" blacks--educated or those with war records.

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2. Confiscation and redistribution of land to former slaves or poor white southern Union men. None. Under Johnson's wide pardoning powers those lands that were formerly confiscated by the Union were returned to former Confederate owners.

3. Johnson's removal of black troops from the South. And his removal of Union commanders who were regarded as too sympathetic to black needs.

4. Black Codes--define and explain how they worked. This was a total deny of freedmen's civil rights and liberties. An effort to return blacks to "slavery" in spite of the 13th Amendment. Under the Black Codes freedmen were type-casted to be propertyless laborers to meet the economic and social needs of the white South.

V. Assessment of Presidential Reconstruction

A. What if Lincoln Had Lived?

B. What is the explanation for what was happening in the South.

The South, the defeated section, was testing the North. The defeated South was trying to find out what was the basic minimal set of requirements they had to meet to satisfy the North and to gain her main end goal--state autonomy. More important to Southerners and especially the new leadership of the South was not being readmitted back into the Union; at least not right away. The uppermost concern was to regain control over the political and social arrangements in their states. By social I mean control over race relations. This was a time of supreme testing to see how far they could push the North in making concessions to restore the former Confederate states back into the Union.

C. Johnson: How to explain his actions and motives?

He was mule stupid. Hopelessly inflexible and definitely out of tune with the times. Immune to commonsense and totally insensitive to the expectations of Northern society and the North's demands for symbolic signs of Southern defeat. He betrayed the North and did great disservice to the South by sending them the wrong signals.

He was consummately, the wrong man in the wrong office at the wrong time.

Or, he was a man of principle. A staunch defender of state rights as defined before the Civil War. Johnson was horrified at the idea of

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the national government's use of federal power to reshape the South into a modern democracy.

Or that Johnson was a crafty and ambitious man with a burning desire to be president. Johnson was and remained a conservative Democrat who was bent on returning the Democratic party to national power with himself as national leader. To do this he needed to forge a new coalition of Northern Democrats and Southern Democrats (and old Whigs) into a political coalition that would win him the bid for the Presidency in his own right in 1868.

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Re: Notes w/ Chpt. 6 "The Making of Radical Reconstruction"

Congressional Reconstruction

I.. Congressional Republicans Oppose Johnson

A. Irritations and Anxieties

Johnson went ahead with his own reconstruction program without calling Congress into session. (Despite the early warnings laid out in the Wade/Davis bill and the Wade Manifesto in 1864). Apparently he expected the Republican congress to rubber-stamp his program without any real gesture toward advise and consent of the Congress.

Under different circumstances--different political circumstances--it would have been expected that the Congress go along with the President and permit the Confederate states to rejoin the Union under the governments established by the President. it certainly would have been easier than taking on the President. Johnson was, even by accident, the President and the de facto head of the Republican party. Party members would rather plunge over a cliff like lemmings than take on the President of their own party. And there were advantages to a rapid reunion. Especially to go on with the task of party business if possible.

The Republicans had staked out a national agenda:

Banking policy

Homestead Act

Tariff policy

Immigration policy

Railroad policy--expansion of national railroad system with or without federal subsidization.

Mainstream Republicans did not want a knock-down-drag-out with the titular head of the party. No politician ever does. From May until December 1865, while Congress was adjourned, party moderates had taken a wait and see attitude about the Johnson govts. There is no evidence that they were gathering in covert groups and conspiring against Lincoln's successor.