

### THE NEW ORTHODOXY IN RECONSTRUCTION HISTORIOGRAPHY

Robert Cruden, *The Negro in Reconstruction*. Englewood Cliffs, N.J.: Prentice-Hall, 1969. Pp. ix + 182, bibl., index, \$5.95 (cloth), \$2.45 (paper).

Thomas H. O'Connor, *The Disunited States: The Era of Civil War and Reconstruction*. New York: Dodd, Mead & Company, 1972. Pp. xi + 272, maps, illus., bibl., index, \$3.95 (paper).

Allen W. Trelease, *Reconstruction: The Great Experiment*. New York: Harper & Row, 1971. Pp. xii + 224, illus., bibl., index, \$4.95.

A decade ago a survey of Reconstruction historiography concluded that while the interpretation of the Dunning school had been pretty well refuted, no new synthesis had emerged to take its place. Clearly this is no longer the case. In recent years studies have begun to appear which signify the crystallization of a view of Reconstruction that will probably remain standard for some time to come. Three new books by Thomas H. O'Connor, Robert Cruden, and Allen W. Trelease give evidence of this synthesis. Directed toward the student and general reader, they confirm that the battle in which the revisionists engaged so long is over. They also suggest, however, that a new orthodoxy is forming which

itself is open to question. This new orthodoxy does not go so far as to say, as a new Civil War revisionism would have it, that the new birth of freedom of which Lincoln spoke never occurred, that the Civil War dead died in vain. No one who studies Reconstruction can quite come to that conclusion. Nevertheless, there is a tendency in recent revisionism—and it can be seen in these books—to conclude not only that Reconstruction failed, but that it was fatally flawed from the very outset because it did not revolutionize landholding in the South. As the conservative southern view no longer finds serious expression, a new line of conflict appears to be emerging between a liberal political interpretation which argues that substantial though short-lived gains were made by blacks during Reconstruction, and a more radical economic interpretation which holds that very little of significance was accomplished, or at least very little relative to what was possible.

Revisionist conclusions arrived at over the past thirty years provide the underpinning and interpretive framework of the three books under consideration. Howard K. Beale established the fundamental theme of revisionist inquiry in 1940 when he asked whether it wasn't time to study the period without assuming that carpetbaggers and Southern white Republicans were wicked, that Negroes were incompetent, and that white southerners owed a debt of gratitude to the restorers of white supremacy. Beale also urged an analysis of the motivating forces in Reconstruction. To the early revisionists, concerned with the Radical governments, issues of economic and political power stood out. As attention turned to understanding how Radical policies came to be adopted anyway, it began to appear that democratic idealism was involved as well. Racism, a force that was candidly acknowledged if differently described in the conservative interpretation, has also figured in recent studies. However they are related, these are seen as the dynamic forces in Reconstruction.

Cruden, O'Connor, and Trelease all assign major responsibility for bringing on Radical Reconstruction to Andrew Johnson, who by refusing to compromise forced moderate Republicans to join with Radicals in adopting the Reconstruction Act of 1867. Only slightly less responsibility belongs to southerners themselves for rejecting the Fourteenth Amendment and adopting the foolish tactic of "masterly inactivity." This is to say that the Republican party at the very least found it expedient—there is disagreement as to whether anything more was involved—to take an increasingly hard line in an attempt to protect southern freedmen and Unionists. Within the Republican party, moreover, moderates rather than radicals occupied the most influential positions,

though the latter pointed the way. Accordingly the congressional policy was harsher than it need have been. But when all is said and done, these books argue, it was not by any objective standard a harsh policy. Military rule did not fall hardly on the South, and in establishing new governments only a small proportion of adult white males was disfranchised. Cruden, O'Connor, and Trelease also show that blacks were a majority in only one legislative body, and in no state did they hold office in approximate proportion to their numbers. Radical Reconstruction was not Black Reconstruction. Nor was it alien rule which depended mainly on outsiders. Trelease makes the simple but sensible point that what was at stake was not home rule, but who should rule at home. Without being doctrinaire, the three authors interpret the policies of the Radical governments as an enlightened response to problems that the planter-professional-business class had ignored before the war. A lot of money was spent and taxes went sky high, but it was to good purpose. Pointing to the establishment of a public school system, the extension of social services, and the passage of legislation protecting poor people, Cruden, O'Connor, and Trelease conclude that democracy made notable advances during Reconstruction.

While these works ably summarize the revisionist outlook, they also contain distinctive points of interpretation. The motivation of congressional Reconstruction is one of them. Cruden holds that economic and political interests determined Republican policy toward the South. He doesn't deny that the black codes made Republicans apprehensive about the safety and well being of the freedmen, and he notes that business interests in the Republican party did not agree on all aspects of national economic policy. He contends, however, that because each interest had something to lose from a restoration of southern power, northern capitalists were willing to go along with the Radical plan of Negro suffrage. But it was not just a matter of going along. Cruden states that the business interests made an offer of collaboration, on terms ensuring the protection of private property, which the Radicals could not afford to turn down (p. 25). Cruden seems to have got this idea from DuBois, and it doesn't seem any less schematic, or any better documented, than it did in 1935. Although Cruden adds that the purely political logic of staying in power also led to the policy of 1867, the structure of the argument compels the inference that the purpose of keeping power was to promote economic interests. Trelease and O'Connor, in contrast, contend that ideals of liberty and equality motivated Republicans. "Most Republicans," Trelease asserts, "were sincerely interested in the welfare of the Negro" and recognized that emancipation alone was

not enough. At the least blacks were entitled to civil and legal equality. While acknowledging the motive of party rule, Trelease identifies this with genuine commitment to "the heart and soul of the entire Union war effort, ... the successful crusade against slavery and disunion" (pp. 47, 49).

Although none of these books argues the containment thesis—that the purpose of giving blacks equal rights in the South was to keep them from coming North—they devote much attention to racism. Cruden's fairness in handling southern white supremacy is noteworthy. He explains it as a psychological necessity following the destruction of an independent southern yeomanry and as a response to the trauma of defeat and the emergence of blacks as free men (pp. 42, 91). Trelease, in contrast, simply describes southerners' belief that Negroes were less than human and ought to be treated kindly, like dumb animals (pp. 21-22). All three authors see racism, northern as well as southern, as the basis of the restoration of conservative control. Yet because racial prejudice was pretty much a constant, though assuming different forms, it does not by itself explain the failure of Reconstruction.

Blacks became free, but not equal: that is the major and irrefutable fact which informs these works as it has most recent considerations of Reconstruction. Still, these books add, not all was for naught. For all the adversities they suffered blacks did not lose citizenship, nor was public education denied them. The Fourteenth and Fifteenth Amendments were not upheld, but neither were they repudiated; together with parts of civil rights laws they provided a basis for the Second Reconstruction a century later. Expediency forced the assertion of principle, Cruden observes, but "the principle enunciated was equality" (p. 160). Cruden argues further, however, that Reconstruction provided blacks with meaningful freedom at the time and must be counted "a qualified success" (p. 111). For black power was a reality during Reconstruction. Blacks were not mere pawns in a struggle between whites. The right to vote gave them bargaining power which they used to win gains in education, civil rights, and social reform. The dependence of white politicians on black votes was further evidence of black power. Defending the tactics of maneuver rather than confrontation that black leaders employed, Cruden describes a system of interest group liberalism that enabled blacks to feel that their problems were being dealt with.

Yet as an attempt to integrate blacks into American society on an equal basis, Reconstruction failed. And the reason it did, Cruden and Trelease suggest in company with a number of other historians in recent years, is that it did not give land to the freedmen. Cruden states that congressional policy was "radically

defective" because it paid little attention to the economic adjustments needed to make blacks truly free. "If freedom were to be meaningful and equality assured," he writes, "then the federal government must assume physical protection of the black man, promote his welfare, and underwrite his independence by land distribution" (p. 161). Trelease is equally certain that what blacks needed most to achieve real freedom, self-respect, and equality was land. Accordingly, the greatest failure of Reconstruction was its failure to give the freedmen land of their own. This weakened the policy from the outset and contributed to its later overthrow (pp. 24, 27, 75, 138; cf. O'Connor, p. 204).

Behind all this seems to be the idea that political equality by itself is pretty meaningless, that without economic power we are left with mere bourgeois liberty. That may be true, and then again it may not be. The point is that the truth of the assumption—for it is not a conclusion but an often unexamined premise—is not so utterly beyond dispute and self-evident as to be made the basis of historical interpretation. Yet that is what we seem to be getting: explanations of what happened by reference to what might have been and how things ought to have been, until we understand how Reconstruction could have worked. I like the idea of redistributing property as much as the next person, but I think that to make it the key to interpretations of Reconstruction is unhistorical.

Historians have rediscovered Thaddeus Stevens' proposal to confiscate southern property and give forty acres to every freedman. The number of Republicans who supported this plan is acknowledged to be small, but their existence is taken as proof that an alternative existed, that there was a decisive moment out of which an entirely different and more satisfactory solution to the problem of Reconstruction could have come. Thus historians refer to fateful decisions in which Congress voted down Stevens' confiscation scheme (see O'Connor, p. 207). Yet Stevens' bill never came close to a vote. Freedmen's Bureau legislation of course did, and it contained land allotment features which have been interpreted as a golden opportunity if not an outright mandate to give blacks economic security. William McFeely, for example, holds that General O. O. Howard had it in his power to define the nation's commitment to the ex-slaves, but that the "Yankee stepfather" failed to meet his responsibility and let Andrew Johnson give southerners back their land. There is not the slightest attempt in this and other works which lament the lack of economic revolution to examine the legal aspects of confiscation, the definition of abandoned property, the congressional intention with respect to the title to abandoned property, the effect upon it of executive pardon. All this—which is to say the way contempo-

raries viewed the matter—is ignored. It has seemed necessary only to point out that confiscation threatened private property and was rejected, as though it were a real issue that hung in the balance.

In contrast to the certainty of historians whose invoking of the land reform thesis assumes the proportions of a new orthodoxy is the uncertainty of people at the time as to the best course to follow. Still, those who cared most about making black freedom meaningful invariably argued for the right to vote. Can we really dismiss this evidence by saying, as Kenneth Stampp does in *The Era of Reconstruction*, that people then did not understand "the sociology of freedom"? Frederick Douglass is often cited for his judgment of 1880 that Reconstruction failed because it didn't give land to the freedmen. But in an 1866 analysis of Reconstruction the only reference Douglass made to land was to say that universal suffrage ought to be the law of the land. This was the way to protect black liberty.<sup>1</sup> And in the crisis of 1866-67, when a real turning point seemed to be reached concerning the liberty and rights of Negroes, Stevens did not ask for confiscation. He asked for military protection and Negro suffrage.<sup>2</sup> Like other Republicans he believed in putting first things first.

But suppose land had been given to the freedmen. If historians are going to speculate about land reform they ought to probe further than they have. Charles and Mary Beard held that it was an almost insuperable task to give civil rights to persons who lacked economic power. Yet they saw little reason to believe that if the freedmen had been given land they would have had the capital or the proprietary skill or knowledge to hold it against speculators and sharpers in general. Howard K. Beale asked what would have happened had the planters' estates been divided among the former slaves. The question was perhaps more rhetorical than historical, but sympathetic though he was to the idea, Beale too seemed to see difficulties. Did a description of the freedmen as illiterate, with no conception of the meaning of terms such as government, suffrage, and free labor mean acceptance of the traditional conservative view of the Negro, Beale asked? Nevertheless that description seemed to him accurate. Since Beale's day we have been disabused of racial attitudes that perhaps affected his view of the matter, but what does the evidence suggest? Historians have not generally held that the Homestead Act of 1862 turned the condition of poor white farmers around, and the meliorative measures of Progressivism and the New Deal often have been judged inadequate if not failures. Why would land reform in Reconstruction have worked any better?

It is easy to criticize Republican policy for not giving land to the freedmen; after all, even in Russia, it is said, the emancipated

serfs were given land. Aside from the fact that Russian serfs did not hold the land as private property but rather communally, so that they remained unfree in significant ways, one might ask whether some economic gains were not made by blacks during Reconstruction. In *Black Reconstruction in America*, DuBois described "exceptional and lucky" Negroes who got land "on a considerable scale." "The land holdings of Negroes increased all over the South," he wrote. Cruden too states that while the number of freedmen who bought land was small, it was significant for it showed that blacks could survive in a competitive society (p. 45). The revisionist scholar Francis B. Simkins believed that Reconstruction was not truly radical because it did not give Negroes land, their only effective weapon in battling for economic competence and social equality. Yet Simkins also held that the freedmen bargained themselves into an agricultural situation unlike slavery and from their point of view advantageous. "The abandonment of the communal character of the Southern plantation," he wrote, "bestowed upon the Negroes the American farmer's ideal of independent existence."<sup>3</sup> This conclusion seems startling, for while the difference between slavery and share-cropping may be acknowledged, the latter obviously didn't give blacks the secure status that Simkins' statement implies. Yet was the establishment of the principle of independent land holding, as in the Southern Homestead Act of 1866, not important? It depends on one's point of view. If historians who emphasize land reform endorse this principle, as they seem to, then the change described by Simkins assumes greater significance.

Not all recent students of the period accept what I have called the new orthodoxy. John and LaWanda Cox, W. R. Brock, Harold M. Hyman, and Rembert W. Patrick, among others, hold that civil rights was the main issue and that Reconstruction failed because the guarantees of the Fourteenth and Fifteenth Amendments, and the Civil Rights and Enforcement Acts, were but fitfully and irresolutely maintained. Finally, they were all but abandoned. And why was that? Because liberal theories of government and prevailing constitutional ideas restricted what even the most ardent Radicals thought should be done, and because the drive for political and civil equality was in part a response to a crisis, and the crisis had passed. When this happened it became clear—and the trouble was—not that the grant of political liberty to the freedmen lacked an economic basis, but that it did not rest on a firm emotional and ideological commitment. Underneath it all racial prejudice remained, leading southerners to aggress against blacks and northerners to acquiesce in the aggression. But it is well to recall the Beards' observation on emancipation: "Nothing like this

had ever happened in history, at least on such a scale."<sup>4</sup> Instead of saying that Reconstruction failed, it might be more accurate to say that it was, alas, only partially successful. In any event, the crux of it was civil rights and political freedom. These were the essential elements of the republicanism for which the war was fought, and to extend which was the purpose of Reconstruction. Integrating the freedmen into the polity was a principal focus of this undertaking, and it intensified and hastened the process by which it was accomplished. But as the coming of the war involved not only the dehumanizing effect of slavery upon blacks, but also and perhaps more importantly its debilitating and corrupting effect on republicanism, so Reconstruction involved more than adjustment to Negro emancipation. In the largest sense it aimed at improving the system of republican liberty that had flourished in one section of the federal republic, and must now prevail in all of it.

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An article by Mr. Belz, "Changing Conceptions of Constitutionalism in the Era of World War Two and the Cold War," appeared in the December 1972 issue of *The Journal of American History*.

1. Frederick Douglass, "Reconstruction," *Atlantic Monthly* (December 1866). pp. 761-65.
2. *Congressional Globe*, 39 Cong., 1 sess., pp. 4303-04 (July 28, 1866).
3. Francis B. Simkins, "New Viewpoints of Southern Reconstruction," *Journal of Southern History* (February 1939), p. 52.
4. Beard and Beard, *The Rise of American Civilization*, Vol. II, p. 116.