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Reza Nazari

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- **Congressional Reconstruction:** The phase beginning in 1867 when Congress imposed military supervision, new state constitutions, Black male suffrage, and amendment ratification as conditions of restoration.

Freedom and citizenship

- **Freedmen's Bureau:** A temporary federal agency created in 1865 to provide relief, labor and legal assistance, education support, family records, and other aid in the postwar South.
- **Civil Rights Act of 1866:** A federal law defining national citizenship and guaranteeing equal specified civil rights such as contracts, property ownership, and court access regardless of race.
- **Equal protection:** The Fourteenth Amendment requirement that states provide every person equal protection of the laws rather than administer law through arbitrary caste distinctions.
- **Black Codes:** State laws enacted after emancipation that recognized some civil status while coercively restricting freedpeople's movement, labor, occupations, and legal independence.
- **Reconstruction Amendments:** The Thirteenth, Fourteenth, and Fifteenth Amendments, which abolished slavery, constitutionalized citizenship and state duties, and barred racial discrimination in voting.

Politics and enforcement

- **Scalawags:** A hostile label applied to white Southern Republicans during Reconstruction; they included Unionists, small farmers, and advocates of economic modernization.
- **Enforcement Acts:** Federal laws passed from 1870 to 1871 to protect elections, punish voting-rights interference, and prosecute conspiracies using political intimidation.
- **Redeemers:** White Southern Democrats who used elections, fraud, intimidation, and paramilitary violence to overthrow Republican governments and restore white Democratic rule.
- **Carpetbaggers:** A hostile label applied to northern-born people who moved South after the Civil War, including teachers, veterans, officials, entrepreneurs, and political opportunists.
- **Ku Klux Klan Act:** The 1871 Enforcement Act that expanded federal power against conspiratorial violence and, under defined conditions, authorized force and suspension of habeas corpus.

Retreat and settlement

- **Panic of 1873:** A financial collapse that began a severe depression, weakened Republicans, and redirected northern political attention away from Reconstruction enforcement.
- **United States v. Cruikshank:** The 1876 decision reversing federal convictions after the Colfax Massacre and sharply limiting national prosecution of private rights violations under the statutes used.
- **Compromise of 1877:** The informal negotiations and understandings that resolved the election crisis, accompanied Hayes's inauguration, and ended federal support for the last Republican Southern governments.
- **Slaughter-House Cases:** The 1873 decisions that read the Fourteenth Amendment's Privileges or Immunities Clause narrowly, limiting it as a tool against state civil-rights violations.
- **Disputed election of 1876:** The Hayes–Tilden presidential contest in which rival returns and twenty contested electoral votes led Congress to create an Electoral Commission.

1.1 The Postwar Problem: Lincoln, Johnson, and Competing Reconstructions

A victory without a settlement

In April 1865, Union armies had defeated the Confederacy, but victory did not settle the politics of emancipation. Eleven states had claimed to leave the Union. Southern roads, farms, and towns were damaged, and nearly four million formerly enslaved people were defining freedom. Widows and disabled veterans also faced a shattered regional economy. The urgent questions were political: Who could restore a state? Would Congress or the president set the terms? Could former Confederate leaders quickly regain power? Above all, would emancipation end legal ownership only, or would it bring enforceable civil and political rights? Reconstruction was the struggle over those answers, not merely the physical rebuilding of the South.

Veterans' support followed the constitutional result of the war

The federal government built a large pension system for Union veterans and their dependents. Former Confederate service did not qualify, because the United States did not recognize rebellion against it as federal military service. Southern states instead created their own Confederate pension

and artificial-limb programs, often with far fewer resources. The two systems therefore reflected different governments and fiscal capacities rather than one national veterans program serving both armies.

Lincoln's wartime approach

Abraham Lincoln treated secession as the action of disloyal individuals rather than the lawful destruction of states. His December 1863 Proclamation of Amnesty and Reconstruction offered most Confederates a pardon after an oath of loyalty and allowed a new state government when loyal voters equal to 10 percent of the state's 1860 electorate had taken the oath. The Ten Percent Plan was deliberately lenient: Lincoln hoped to weaken the Confederacy and create loyal governments while war continued. It required acceptance of emancipation but did not guarantee Black suffrage. Because it was an executive wartime initiative, it also provoked a constitutional dispute over whether Congress or the president controlled restoration.

Congress proposes a stricter route

Republicans in Congress feared that a small loyal minority could restore the planter elite without protecting freedpeople. The Wade–Davis Bill of 1864 required a majority of white male citizens in a former Confederate state to take an oath that they had never voluntarily supported the rebellion before forming a government. It also demanded stronger safeguards for emancipation. Lincoln prevented the bill from becoming law with a pocket veto. The contrast matters: Lincoln emphasized rapid reunion and presidential discretion; Wade–Davis embodied congressional control and a harder loyalty test. Neither proposal by itself created racial equality, but their conflict forecast the institutional struggle that followed the war.

Johnson's restoration program

After Lincoln's assassination, Andrew Johnson inherited Reconstruction. A Tennessee Unionist and Democrat placed on the Republican ticket in 1864, Johnson despised wealthy planters yet held deeply racist views and favored white control of Southern politics. In May 1865 he offered pardons to most former Confederates, while wealthy property holders and leading officials could apply to him personally. Provisional governors organized conventions that repealed secession ordinances, repudiated Confederate debts, and ratified the Thirteenth Amendment. Johnson did not require Black voting rights. His numerous individual pardons soon allowed many former Confederate leaders and planters to recover property and political influence.

The clash becomes visible

Southern voters returned prominent former Confederates to office in 1865, while new Black Codes restricted freedpeople's movement and labor. When Congress met in December, Republican majorities refused to seat many Southern representatives. Article I, Section 5 supplied the immediate authority: each chamber judges its members' elections, returns, and qualifications. Congress created the Joint Committee on Reconstruction to investigate conditions. In 1866 Johnson vetoed an expanded Freedmen's Bureau and the Civil Rights Act. Congress overrode him on civil rights and later enacted a new Bureau bill over another veto. The dispute was now constitutional: could the president declare restoration complete, or could Congress demand protections before recognizing representation?

Three competing meanings of reunion

Moderate Republicans generally sought loyal state governments and basic civil equality, while Radical Republicans such as Thaddeus Stevens and Charles Sumner argued that Congress should remake Southern institutions and protect Black political power. Johnson wanted quick restoration with limited federal intervention and no federal guarantee of Black suffrage. Southern white Unionists, former Confederates, and freedpeople added further agendas. Freedpeople held conventions, petitioned officials, built institutions, and demanded land, education, family autonomy, legal equality, and voting rights. The debate therefore cannot be reduced to a two-person argument: different groups agreed that the war was over but disagreed over who belonged to the reconstructed polity.

follow the evidence

A question may present the Ten Percent Plan and Johnson's pardons as evidence of continuity.

Comparing presidential plans

First identify the shared policy: both plans allowed relatively rapid restoration under presidential supervision. Next locate the decisive difference: Lincoln's plan was designed during war to encourage defection, while Johnson's operated after Confederate defeat and enabled much of the old elite to return. The strongest conclusion is therefore not that the plans were identical, but that presidential Reconstruction generally prioritized reunion over a federal guarantee of Black political equality. Evidence such as Black Codes then explains why congressional Republicans rejected Johnson's claim that restoration was complete.



Chronology and a common trap

Keep the order straight. Lincoln announced the Ten Percent Plan in 1863; Congress passed Wade–Davis in 1864; Johnson began restoration in May 1865; Congress challenged him in 1866; and the Reconstruction Acts opened congressional Reconstruction in 1867. In *Texas v. White* (1869), Chief Justice Salmon P. Chase later called the Union "indestructible" and treated Texas's secession ordinance as null. Do not assume that Lincoln's leniency proves he would have followed Johnson's full course. His assassination makes that unknowable. The record supports a narrower claim: Lincoln favored flexible reunion, yet shortly before his death he publicly considered limited suffrage for educated Black men and Black veterans.

distinguish legal freedom from practical access

A state repeals a slave code, but local officials refuse to enforce labor contracts for freedpeople.

Trace the institution between right and result

Formal emancipation removes ownership, yet access to wages and legal remedy still depends on courts, officials, testimony rules, and federal enforcement. The evidence supports neither "nothing changed" nor "freedom was complete." It shows why Reconstruction policy moved from abolition toward citizenship, civil-rights statutes, and enforcement against state obstruction.

Topic Practice

The Postwar Problem: Lincoln, Johnson, and Competing Reconstructions. Choose the one best answer. Work from memory before returning to the lesson.

1. Which feature most clearly characterized Lincoln's Ten Percent Plan?

A. It required a majority of white male citizens to swear that they had not voluntarily supported the rebellion before a state convention could begin.

B. It permitted a state government to form after loyal voters equal to 10 percent of the 1860 electorate took an oath.

C. It divided former Confederate states into military districts and registered Black male voters.

D. It made ratification of the Fourteenth Amendment a condition of congressional representation.

E. It required wealthy former Confederates to seek individual presidential pardons before recovering political influence.

2. Why did congressional Republicans refuse to accept Johnson's claim that Reconstruction was complete in late 1865?

A. They concluded that secession had permanently converted the former states into federal territories.

B. They objected that Johnson had conditioned pardons on Black male suffrage.

C. Black Codes and the return of former Confederate leaders suggested that emancipation lacked protection.

D. They wanted restoration completed under Lincoln's wartime 10-percent threshold without any congressional role.

E. They regarded ratification of the Thirteenth Amendment as unconstitutional without former Confederate votes in Congress.

3. Which statement best distinguishes Moderate from Radical Republican goals during Reconstruction?

A. Moderates generally sought loyal governments and basic civil equality, while Radicals pressed for deeper institutional change and protection of Black political power.

B. Moderates demanded immediate confiscation of plantations and permanent military rule, while Radicals made presidential pardons the sole test of national loyalty and state restoration.

C. Moderates favored permanent territorial status for the South, while Radicals sought rapid readmission under former Confederate leaders.

D. Moderates and Radicals proposed identical terms but disagreed only over which committee should administer them.

E. Moderates accepted Johnson's restored governments without further safeguards, while Radicals opposed national civil-rights legislation.

4. Which sequence is chronologically correct?

A. Ten Percent Plan; Lincoln's assassination; Wade–Davis Bill; Johnson's restoration program

B. Wade–Davis Bill; Ten Percent Plan; Johnson's restoration program; Lincoln's assassination

C. Lincoln's assassination; Johnson's restoration program; Ten Percent Plan; Black Codes

D. Ten Percent Plan; Wade–Davis Bill; Lincoln's assassination; Johnson's restoration program

E. Wade–Davis Bill; Johnson's restoration program; Lincoln's assassination; congressional Reconstruction

Ulysses S. Grant and protected Grant from removal without Senate consent. The Tenure Act's uncertain application to Secretary of War Edwin M. Stanton triggered the impeachment crisis. Johnson suspended Stanton while the Senate was away, but senators refused to concur. In February 1868 Johnson removed him anyway and named Lorenzo Thomas as interim secretary. The House treated the move as deliberate defiance of the statute and quickly approved impeachment proceedings.

Impeachment is an accusation, not removal

The House of Representatives impeached Johnson on February 24, 1868. Eleven articles followed, most centered on violation of the Tenure of Office Act, with another attacking his inflammatory public speeches. Under the Constitution, the House impeaches by majority vote; the Senate conducts a trial, and conviction and removal require two-thirds of senators present. Chief Justice Salmon P. Chase presided because the president was tried. On three articles, the Senate voted 35 guilty to 19 not guilty—one vote short of the necessary two-thirds. The Senate then adjourned without voting on the remaining articles. Johnson therefore was impeached but not convicted or removed.

Why some Republicans voted to acquit

The seven Republican senators who joined Democrats for acquittal had varied motives. Some doubted the Tenure of Office Act covered Stanton, who had been appointed by Lincoln; some feared turning policy conflict into grounds for removing a president; some disliked the prospect of Senate president pro tempore Benjamin Wade succeeding Johnson; and some believed Johnson had already been politically contained. Evidence of political pressure and patronage circulated, but a single explanation cannot account for every vote. The constitutional issue was larger than Johnson's conduct: how far could impeachment be used to resolve a fundamental struggle between Congress and the executive?

Johnson loses the policy war

Acquittal did not restore Johnson's control of Reconstruction. Congress had overridden key vetoes, enacted military Reconstruction, and imposed constitutional conditions. Johnson promised greater compliance as the trial approached and completed his term in March 1869. Ulysses S. Grant, the Republican victor in 1868, supported congressional Reconstruction more reliably. In 1869 Congress passed the Fifteenth Amendment and states ratified it in 1870. The episode thus separates personal survival from institutional success: Johnson survived the Senate trial, but the congressional program he opposed largely governed the next phase.

distinguish the constitutional steps

A test item may say that Johnson was "impeached by Congress and narrowly remained president".

Translate the shorthand

First split Congress into its two chambers. The House approved articles of impeachment, which are formal charges. The Senate then tried the case. Conviction required two-thirds of senators present; 35–19 was one vote short. Therefore "impeached" describes the House's accusation, not a completed removal. Connect the immediate cause to Johnson's removal of Stanton and alleged violation of the Tenure of Office Act, but keep the deeper context: the executive and legislature were fighting over who would enforce Reconstruction.

Limits and later perspective

Do not confuse the Reconstruction Acts with the amendments. The acts set restoration procedures; the amendments changed the Constitution. Military districts did not erase civil life, and the Army could not guarantee safety everywhere. In *Ex parte McCardle* (1869), Congress repealed the statute giving the Supreme Court jurisdiction over a pending habeas challenge to military Reconstruction. The Court accepted Congress's power to make exceptions to its appellate jurisdiction and dismissed the case without ruling on Reconstruction's validity. Congress revised the Tenure of Office Act in 1869 and repealed it in 1887; later doctrine rejected a comparable removal restriction in another setting. Institutional power, not only party conflict, shaped congressional Reconstruction.

Topic Practice

Congressional Reconstruction and Johnson's Impeachment. Choose the one best answer. Work from memory before returning to the lesson.

1. Who presided over Andrew Johnson's Senate trial, as the Constitution requires when a president is tried?

A. The Senate president pro tempore acting as the chamber's regular presiding officer

B. The senior associate justice

C. The Speaker of the House

D. The vice president

E. The chief justice of the United States

2. Johnson's acquittal in the Senate is best interpreted as

A. a ruling that the House lacked power to impeach for alleged statutory violations

B. a rejection of every article by a majority of senators

C. a restoration of Johnson's control over military Reconstruction

D. a narrow escape from removal even though Congress retained policy dominance

E. a judicial invalidation of congressional readmission conditions

3. Which comparison of the Reconstruction Acts and the Reconstruction Amendments is most accurate?

A. The acts were executive directives, while the amendments were ordinary congressional statutes.

B. The acts established constitutional citizenship and equal protection, while the amendments directly administered five Southern military districts.

C. The acts prescribed statutory restoration procedures, while the amendments placed enduring rules in the Constitution.

D. The acts dealt chiefly with cabinet tenure, while the amendments prescribed presidential succession.

E. The acts became permanent constitutional text when the last state was readmitted.

4. Which sequence correctly traces the impeachment crisis?

A. Stanton's removal; First Reconstruction Act; House impeachment; Senate acquittal

B. First Reconstruction Act; Stanton's removal; House impeachment; Senate acquittal

C. House impeachment; Stanton's removal; Senate acquittal; First Reconstruction Act

D. First Reconstruction Act; House impeachment; Stanton's removal; Senate acquittal

E. First Reconstruction Act; Senate acquittal; Stanton's removal; House impeachment

Quick Review

Explain the difference among the Reconstruction Acts, House impeachment, Senate conviction, and presidential removal. Then state who won the larger policy struggle by 1869.

1.6 Reconstruction Governments, Black Officeholding, and Federal Enforcement

A new electorate enters government

Beginning in 1867, Black men registered, voted, served on juries and conventions, and held office on an unprecedented scale. Roughly two thousand served in local, state, or federal posts during Reconstruction. Voters did not yet elect senators directly; state legislatures did so until the Seventeenth Amendment took effect. Mississippi's Reconstruction legislature chose Hiram Revels in 1870 to finish an unexpired term and Blanche K. Bruce in 1874 for the full term beginning in 1875. Joseph Rainey of South Carolina became the first Black House member. Most Black officeholders served locally, where schools, taxes, roads, and courts shaped daily life. Their work refutes the claim that freedpeople passively received Reconstruction policy.

Who made the Republican coalitions?

Southern Republican governments rested on a coalition. Freedmen formed its largest and most loyal bloc. White Southern Republicans, derided by opponents as "scalawags," included former Unionists, small farmers, and modernizers with varied motives. Northern-born migrants labeled "carpetbaggers" included teachers, veterans, businesspeople, Bureau workers, and political adventurers. The insults imply that every white Republican was corrupt or alien, but labels used by enemies cannot substitute for analysis. Coalition members disagreed over spending, patronage, land, and race, yet they shared enough support for Unionism and the Republican program to govern for a time.

What Reconstruction governments built

New state constitutions expanded public responsibility. Reconstruction governments established or enlarged tax-supported public-school systems, broadened social services, rebuilt transportation, revised property and criminal law, and sometimes protected civil rights. Many constitutions eliminated property qualifications for officeholding and made government more democratic for white citizens as well. Schools were usually segregated, funding was unequal, and land redistribution remained limited. Rising taxes provoked opposition, though war damage and the cost of new services help explain them. Corruption existed, as it did nationally during the Gilded Age, but the stereotype of uniquely corrupt "Black rule" was a political weapon that erased real institution building.

Black political priorities and internal diversity

Black delegates and officeholders pressed for public education, equal civil status, fair courts, infrastructure, and protection from violence. They did not constitute a single class or ideology. Some had been free before the war; many had been enslaved. Ministers, skilled workers, teachers, farmers, and veterans brought different local networks. Most high offices still went to white Republicans. No Reconstruction state had Black majorities in both legislative chambers; South Carolina's lower house, however, had a Black majority for roughly 1868–1874. Political participation brought concrete gains but also made voters and leaders targets of economic retaliation and terror.

Organized violence attacks democracy

The Ku Klux Klan emerged in Tennessee in 1866 and became part of a wider counterrevolutionary campaign. Klansmen and related groups used night rides, whippings, murders, sexual violence, and economic threats against Black voters, teachers, officeholders, and white Republicans. Their goal was political, not merely personal prejudice: destroy Republican organization, suppress turnout, and restore Democratic white control. The 1873 Colfax Massacre in Louisiana and 1876 Hamburg Massacre in South Carolina show that armed attacks could occur openly. Calling such violence random "race riots" conceals the asymmetry and the effort to overturn election results and citizenship rights.

Congress creates enforcement machinery

Congress responded with the Enforcement Acts of 1870 and 1871. They made interference with voting rights a federal offense, authorized federal supervision of elections, and strengthened prosecution of conspiracies. The Ku Klux Klan Act of 1871 allowed the president in defined circumstances to suspend habeas corpus and use federal force. Grant's administration deployed marshals, troops, and federal prosecutors, especially in South Carolina, and temporarily broke the Klan's organized power. The Department of Justice, created in 1870, helped coordinate enforcement. These measures show national capacity working: constitutional rights became more effective when statutes, institutions, money, prosecutors, and executive willingness aligned.

measure success at the right scale

Suppose a table shows high Black turnout and Republican victories in 1868, a decline after terror in 1870, and recovery after federal prosecutions in 1872.

From pattern to causal claim

Describe the pattern before explaining it. Participation falls as organized violence intensifies and rebounds after enforcement. That supports the inference that terror and federal intervention affected political opportunity. Do not conclude that attitudes changed or that enforcement permanently secured elections; the table cannot prove either. Combine the numerical pattern with knowledge of the Enforcement Acts to make a bounded causal claim: national action could suppress organized terror temporarily, but durable protection required continuing political commitment.

Achievement, dependency, and retreat

Reconstruction democracy was both genuine and vulnerable. Black political organization produced officeholding, constitutional reform, and public institutions. Federal enforcement showed that white terror was not irresistible. Yet local governments often depended on national recognition and troops when opponents refused to accept legitimate election outcomes. Northern fatigue, economic crisis, racism, intraparty division, and court decisions weakened that support during the 1870s. A common misconception describes federal troops as continuously occupying every Southern community. In reality their numbers were limited, and their effect varied. The deeper lesson is institutional: rights survive not through constitutional text alone but through organized citizens and repeated enforcement.

Topic Practice

Reconstruction Governments, Black Officeholding, and Federal Enforcement. Choose the one best answer. Work from memory before returning to the lesson.

1. Which achievement was characteristic of Reconstruction state governments?

A. Creation or expansion of tax-supported public schools

B. Replacement of local taxation with permanent federal school grants

C. Transfer of most former plantations to the families who worked them

D. Establishment of integrated schooling as a uniform condition of readmission

E. Elimination of property and criminal-law differences among all states

2. Why is Reconstruction-era Klan violence best understood as political violence?